~~Draft~~ Final Scope of Work for an Environmental Impact Statement for Industry City 220 36th Street, Brooklyn, New York

This document is the Final Scope of Work for the Industry City Draft Environmental Impact Statement (DEIS). This Final Scope of Work has been prepared to describe the Proposed Project, present the framework for the EIS analysis, and discuss the procedures to be followed in the preparation of the DEIS.

A Draft Scope of Work was prepared in accordance with the State Environmental Quality Review Act (SEQRA), City Environmental Quality Review (CEQR) procedures, and the 2014 *CEQR Technical Manual* and was distributed for public review. A public scoping meeting was held on October 24, 2017, at 10:00 AM, at Spector Hall, 22 Reade Street, New York, New York, 10007. The period for comments on the Draft Scope of Work remained open until the close of business on November 3, 2017, at which point the scope review process was closed. Subsequent to the close of the comment period, the lead agency reviewed and considered comments received during the public scoping process, and oversaw preparation of this Final Scope of Work. The DEIS will be prepared in accordance with this Final Scope of Work.

Appendix A to this Final Scope of Work identifies the comments made at the October 24, 2017 public scoping meeting and the written comments received, and provides responses. The written comments received are included in **Appendix B**. Revisions to the Draft Scope of Work have been incorporated into this Final Scope of Work, and are indicated by double-underlining new text and striking deleted text. Analysis methodology memoranda are included in **Appendix C**.

A. INTRODUCTION

The ~~Applicant~~ co-applicants, 1-10 Bush Terminal Owner LP and 19-20 Bush Terminal Owner LP (collectively, the "Applicant"), ~~is~~ are seeking several discretionary actions to facilitate a proposal by the Applicant to redevelop and re-tenant the Industry City complex (the "Project Area") with a mixed-use project containing manufacturing, commercial, retail, hospitality, academic, and community facility uses that would, in combination, establish what the Applicant terms an "Innovation Economy ~~Hub~~District," described below (the Proposed Project). These discretionary actions include a Zoning Text amendment to establish the Special ~~Sunset Park Innovation~~Industry City District and modify certain other provisions of the Zoning Resolution; a Zoning Map amendment to map the Special ~~Sunset Park Innovation~~Industry City District and to change ~~the zoning district~~a portion of the Project Area from an M3-1 to an M2-4 zoning district; a Special Permit to modify, bulk, use~~,~~ and ~~parking~~ other ~~and public access area requirements~~regulations pursuant to findings and a site plan~~; a Special Permit for a hotel use~~; and a change to the City Map to demap 40th Street between 1st Avenue and 2nd Avenue (as a separate but concurrent action) (collectively, the Proposed Actions). The Proposed Actions would facilitate a proposal to redevelop and re-tenant the Industry City complex (the Project Area) with a mixed-use project containing manufacturing, commercial, and community facility uses that would, in combination, establish what the Applicant terms an "Innovation Economy ~~Hub~~District," described below. The

Project Area is located in the Sunset Park neighborhood of Brooklyn, in Community District~~Board~~ 7 (see **Figure 1**). For purposes of the environmental analysis, it is assumed that construction would be finished and Industry City would be occupied by 2027.

The Proposed Actions would revitalize the Project Area with a broad range of uses—such as retail, academic, and hotel uses—which are either not permitted (academic and hotel) or permitted in only a limited manner (retail) under existing zoning, while simultaneously increasing the overall density of the Project Area. Innovation Economy uses are broadly defined as Use Groups (UGs) that combine elements of office/tech uses (UG 6B), light manufacturing and creative uses (select UG 9A, 10A, and 11A), and more traditional manufacturing uses (UG 16A, 16B, 17B, 17C, and 18), with local and destination retail uses (UG 6, 9, and 10), hotel uses (UG 5), and academic uses (UG 3).

The Project Area is defined as the Industry City complex (Block 679, Lot 1; Block 683, Lot 1; Block 687, Lot 1; Block 691, Lots 1 and 44; Block 695, Lots 1, 20, and 43; Block 706, Lots 1, 24, and 101; and Block 710, Lot 1) and certain immediately adjacent properties that the Applicant does not currently control but plans to acquire as part of the Proposed Project (Block 695, Lots 37–42 and~~;~~ Block 706, Lot 20~~; and a portion of Block 662, Lot 1~~). The Project Area ~~encompasses the entire 30-acre Industry City complex, which is owned and operated by the Applicant, and~~ consists of warehouse structures contained in two primary clusters. The Project Area also includes several smaller parcels that are not currently controlled by Industry City but would be acquired and redeveloped as part of the Proposed Actions (Block 695, Lots 37–42 and ~~;~~Block 706, Lot 20~~; and a portion of Block 662, Lot 1~~), see **Figure 2**. The Rezoning Area is composed of the Project Area as well as Block 691, Lots 45 and 46, and an approximately 2,000 sf portion of Block 662, Lot 1, which is neither owned by the Applicant, nor does the Applicant plan to acquire. These lots are also included in the Proposed Special Industry City District as they form contiguous and rational boundaries with the Industry City property.

The first cluster, known as the Finger Buildings, is composed of 10 buildings and a former powerhouse structure that generally run from 2nd Avenue to 3rd Avenue along 32nd through 37th Streets. The Finger Buildings are identified as Building 1 (on 37th Street) through Building 10 (on 32nd Street and 3rd Avenue). Buildings 1 through 9 are six-story structures and Building 10 is a 12-story structure. Also included in the cluster of buildings associated with the Finger Buildings is the former Bush Terminal powerhouse structure, located on the corner of 32nd Street and 2nd Avenue, which is vacant.

The second cluster, known as the 39th Street Buildings, is located in the area bounded by 39th Street to the north, 41st Street and Bush T~~t~~erminal to the south, 2nd Avenue to the east, and the waterfront and Bush Terminal to the west. The cluster includes Building 19 on 2nd Avenue and 39th Street, Building 20 on 2nd Avenue and 41st Street, Buildings 22/23 on 1st Avenue and 39th Street, Building 26 on 1st Avenue and 41st Street, Building 25 on 39th Street between 1st Avenue and the waterfront, and Building 24 on 39th Street adjacent to the waterfront. Aside from the two-story Building 25, the other 39th Street Buildings are eight-story structures. This cluster also includes a waterfront "apron"—a small area of unbuilt upon land at the western edge of 39th Street adjacent to the waterfront.

The Proposed Actions involves the re-tenanting of certain existing underutilized and underperforming spaces within the existing the Industry City complex and the smaller un-controlled parcels, as well as the development of new infill buildings within the context of Industry City complex. The proposed special district would establish the necessary mix of uses that would promote a thriving "Innovation Economy Hub." The proposed new special district would allow

3.6.19

0 500 FEET

Directly Affected Area

Project Area

Rezoning Area

Project Location

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This figure has been updated for the Final Scope of Work

Figure 1

Directly Affected Area

Project Area

Rezoning Area

662 *Tax Block Boundary*

1 *Tax Lot Boundary and Number*

Project Area Lots

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This figure has been updated for the Final Scope of Work

Figure 2

flexibility in permitted uses and establish use and bulk controls for Innovation Economy uses. The full build-out of the Proposed Actions is assumed to encompass approximately 6.57 million gross square feet (gsf) of Project Area; and the Proposed Actions would include 3.57 million gsf of Innovation Economy uses.

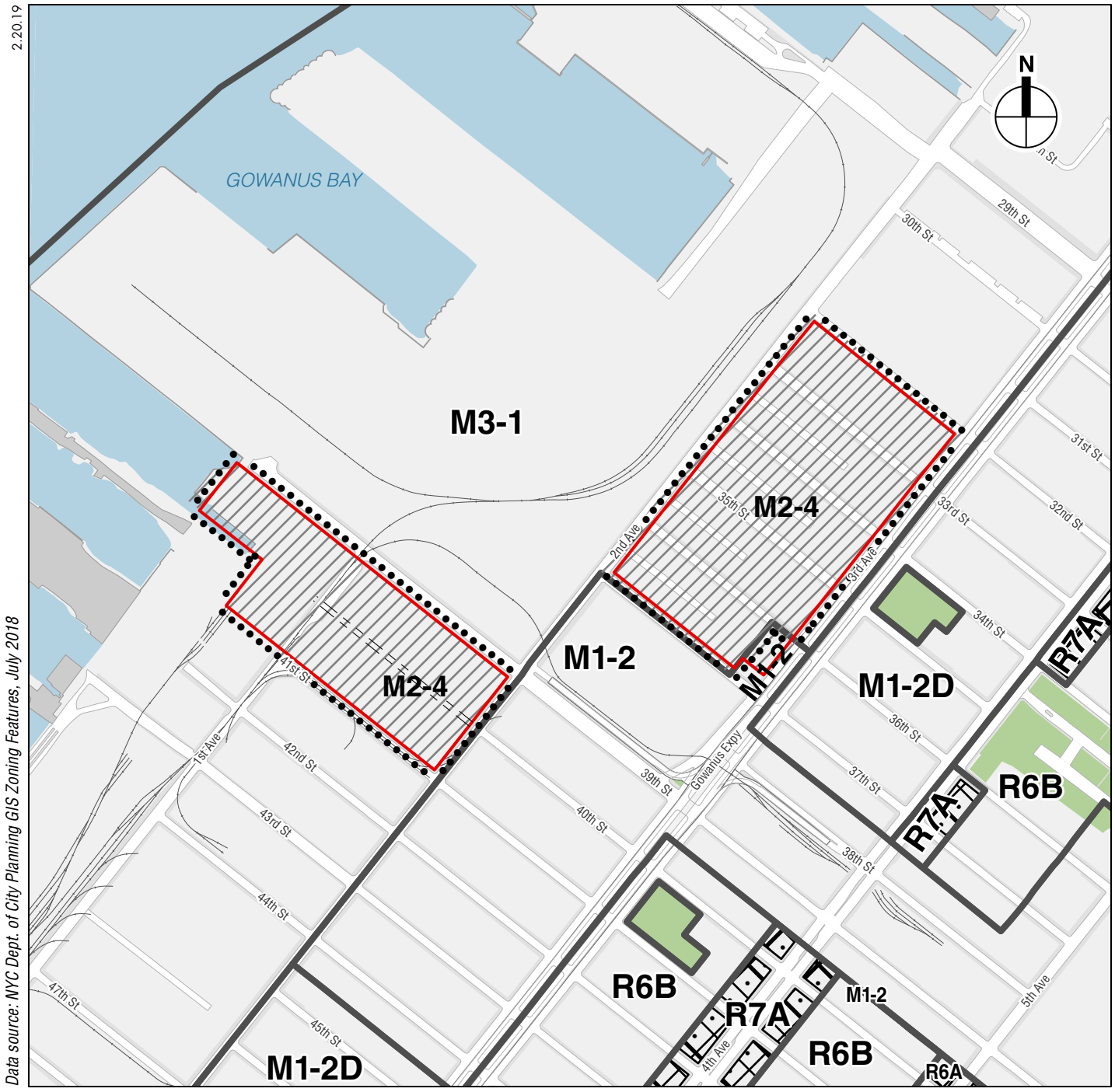
Under current zoning, most of the Project Area is within an M3-1 district, while a small portion within 100 feet of 3rd Avenue between 36th Street and 37th Street is within an M1-2 district. M3 districts are intended for heavy industrial uses that generate noise, traffic, and/or pollutants. Typical permitted M3 uses include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots. Office uses are also permitted in M3 districts. M3 districts are usually located near the waterfront and buffered from residential areas. M3 districts have a maximum floor area ratio (FAR) of 2.0, a maximum base height before setback of 60 feet, and no maximum building height. In limited instances, M1 districts serve as a buffer between M2 or M3 districts and adjacent residential or commercial districts. Light industrial uses typically found in M1 areas include woodworking shops, auto storage and repair shops, and wholesale service and storage facilities. Offices uses are also permitted in M1 districts. M1-2 districts have a maximum FAR of 2.0, a maximum base height before setback of 60 feet, and no maximum building height.

The Department of City Planning (DCP), on behalf of the City Planning Commission (CPC), will be the lead agency for the environmental review. Based on the Environmental Assessment Statement (EAS) that has been prepared, the lead agency has determined that the Proposed Actions has the potential to result in significant adverse environmental impacts, requiring that an Environmental Impact Statement (EIS) be prepared. The Draft Scope of Work outlines the technical areas to be analyzed in the preparation of the ~~Draft EIS (~~DEIS~~)~~ for the Proposed Actions. Scoping is the first step in the preparation of the EIS and provides an early opportunity for the public and other agencies to be involved in the EIS process. It is intended to determine the range of issues and considerations to be evaluated in the EIS. This Draft Scope of Work includes a description of the Proposed Actions and the actions necessary for its implementation, presents the proposed framework for the EIS analysis, and discusses the procedures to be followed in the preparation of the DEIS. The *CEQR Technical Manual* will serve as a general guide on the methodologies and impact criteria for evaluating the Proposed Actions' effects on the various environmental areas of analysis.

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

To facilitate the Proposed ~~Actions,~~Project, the following discretionary actions would be required (see **Figure 3** ~~and **Figure 5**~~):

- A Zoning Text amendment to establish the Special Industry City District (SICD), and otherwise modify the following sections of the Zoning Resolution:
  - Section 11-222: Districts Established
  - Section 12-10: Definitions
  - Section 13-44: Special Zoning Districts Where Certain Sidewalk Cafes are Permitted
  - Section 63-13: Applicability of District Regulation (within Special Regulations Applying in the Waterfront Area
- A Zoning Map amendment to map the SICD on the entirety of the Directly Affected Area and to change the portion of the Directly Affected Area currently zoned M3-1 (Block 679, Lot 1; Block 683, Lot 1; Block 687, Lot 1; Block 691, Lots 1, 44, 45, and 46; Block 695, Lots 1 and 20; Block 706, Lots 1, 20, 24, and 101; Block 710, Lot 1; and a small portion of Block 662,



Proposed Zoning

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This figure has been updated for the Final Scope of Work

Figure 3

Lot 1) to an M2-4 zoning district (M2-4/IC); the portion of the Directly Affected Area currently zoned M1-2 (Block 695, Lots 37–43) would be included in the boundaries of the SICD but would remain zoned M1-2 (M1-2/IC).

- A Special Permit pursuant to newly created ZR Section 129-21 to modify use, bulk, and other regulations pursuant to findings and a site plan. The Special Permit proposes to modify the following sections of the Zoning Resolution:
  - Sections 11-42 and 11-43: Lapse/Renewal of Authorization or Special Permit
  - Section 42-10: Uses Permitted As-of-Right
  - Sections 42-272 and 42-275: Performance Standards
  - Section 43-10: Floor Area Regulations
  - Section 43-20: Yard Regulations
  - Section 43-40: Height and Setback Regulations

In conjunction with the Special Permit, additional regulations will apply with respect to off-street parking. Specifically, the maximum size of a permitted accessory group parking facility may be increased to 500 spaces provided the Commissioner of Buildings makes certain determinations, and accessory off-street parking spaces may be located on zoning lots other than the same zoning lot as the use to which they are accessory.

- A change to the City Map to demap 40th Street between 1st Avenue and 2nd Avenue.
- ~~A Zoning text amendment to establish the Special Sunset Park InnovationDistrict;~~
- ~~An amendment to the Zoning Map to~~
- ~~map the Special Sunset Park InnovationDistrict and~~
- ~~to change the zoning designation of a portion of area affected by the newly established Special Sunset Park Innovation District from an M3-1 to an M2-4 district;~~
- ~~A Special Permit to modify, bulk, use, parking and public access area requirements pursuant to findings and a site plan;~~
- ~~A Special Permit for a hotel use; and~~
- ~~A change to the City Map to demap 40th Street between 1st Avenue and 2nd Avenue.~~

CITY ENVIRONMENTAL QUALITY REVIEW AND SCOPING

The Proposed Actions are classified as Type 1, as defined under 6 NYCRR 617.4 and NYC Executive Order 91 or 1977, as amended, and are subject to environmental review in accordance with CEQR guidelines. An EAS was completed on August 29, 2017. A Positive Declaration, issued on September 20~~1~~, 2017, established that the Proposed Actions may have a significant adverse impact on the environment, thus warranting the preparation of an EIS.

The CEQR scoping process is intended to focus the EIS on those issues that are most pertinent to the Proposed Actions. The process allows other agencies and the public a voice in framing the scope of the EIS. The scoping document sets forth the analyses and methodologies that will be utilized to prepare the EIS. During the period for scoping, those interested in reviewing the Draft Scope may do so and give their comments to the lead agency. The public, interested agencies, Brooklyn Community District 7, and elected officials ~~are~~ were invited to comment on the Draft Scope, either in writing or orally, at a public scoping meeting ~~to be~~ held at~~:~~ Spector Hall, 22 Reade Street, New York, New York, 10007; on October 24, 2017~~th,~~ at 10:00 AM. Comments received during the Draft Scope's public meeting and written comments received up to fifteen days after

the meeting were~~will be~~ considered and incorporated as appropriate into ~~the~~ this Final Scope of Work (Scope)~~ The lead agency will oversee preparation of the Final Scope, which will incorporate all relevant comments on the Draft Scope and revise the extent or methodologies of the studies, as appropriate, in response to comments made during scoping the DEIS will be prepared in accordance with the Scope~~.

Once the lead agency is satisfied that the DEIS is complete, the document will be made available for public review and comment. A public hearing will be held on the DEIS in conjunction with the CPC hearing on the land use applications to afford all interested parties the opportunity to submit oral and written comments. The record will remain open for 10 days after the public hearing to allow additional written comments on the DEIS. At the close of the public review period, a Final EIS (FEIS) will be prepared that will respond to all substantive comments on the DEIS, along with any revisions to the technical analyses necessary to respond to those comments. The FEIS will then be used by decision makers to evaluate CEQR findings, which will address project impacts and proposed mitigation measures in deciding whether to approve the requested discretionary actions with or without modifications.

C. BACKGROUND

The waterfront-bound neighborhood of Sunset Park lies between Bay Ridge and Gowanus, spanning 15th Street to 65th Street from 9th Avenue to New York Harbor. The neighborhood is demographically diverse and characterized by commercial uses. Sunset Park has been home to Industry City since 1895, the year in which Irving T. Bush first established an intermodal manufacturing, warehousing and distribution center along the Brooklyn waterfront. The project encompassed the larger Bush Terminal development, designed to provide wholesalers in nearby Manhattan an inexpensive location from which to import, export, and manufacture goods. The industrial venture was quickly successful, owing to its prime location, tremendous scale, and innovative integrated services approach, and became one of the most prominent and successful facilities of its type during the height of the early 20th Century, employing nearly 25,000 workers and helping develop Brooklyn into a major international seaport. In the post-war years of the 1950s, when a changing manufacturing landscape saw a general abandonment of vertical urban industrial properties nationwide, Industry City's economic might began to diminish. By 2013, Industry City's employment base had dropped to approximately 1,900 employees and 60 percent of the property sat underutilized.

In 2013, a new partnership was formed and Industry City began its transformation into an "Innovation Economy ~~Hub~~District." In the time since, $125 million in capital investments have been made, increasing the amount of fully utilized space by 14 percent and more than doubling on-site employment. Much of this growth has come from Innovation Economy firms working in the art, design, film, fashion, manufacturing, tech, and food sectors. There are approximately 450 firms currently based at Industry City, employing a total of approximately 6,000 employees. The historic waterfront buildings of Industry City remain a key feature in Sunset Park, and the Industry City complex. Industry City continues to be an asset to the community as it draws upon the local employee base in Sunset Park, works in partnership with local school districts to create internships and educational opportunities, and provides unique cultural and entertainment amenities for the local community and New York City at large.

D. EXISTING ZONING

Existing zoning within the proposed rezoning and special district areas is composed of ~~three~~ two zoning districts: M1-2 ~~, M1-2D,~~ and M3-1 (see **Figure 4**).

M1-2

An M1-2 district is mapped to the southeast of the Project Area between 2nd and 3rd Avenues from 43rd Street to 36th Street. M1-2 districts allow a maximum 2.0 FAR and are subject to parking requirements based on the type of use and size of an establishment. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities. Nearly all industrial uses are allowed in M1 districts if they meet stringent M1 performance standards. Offices, hotels, and most retail uses are also permitted.

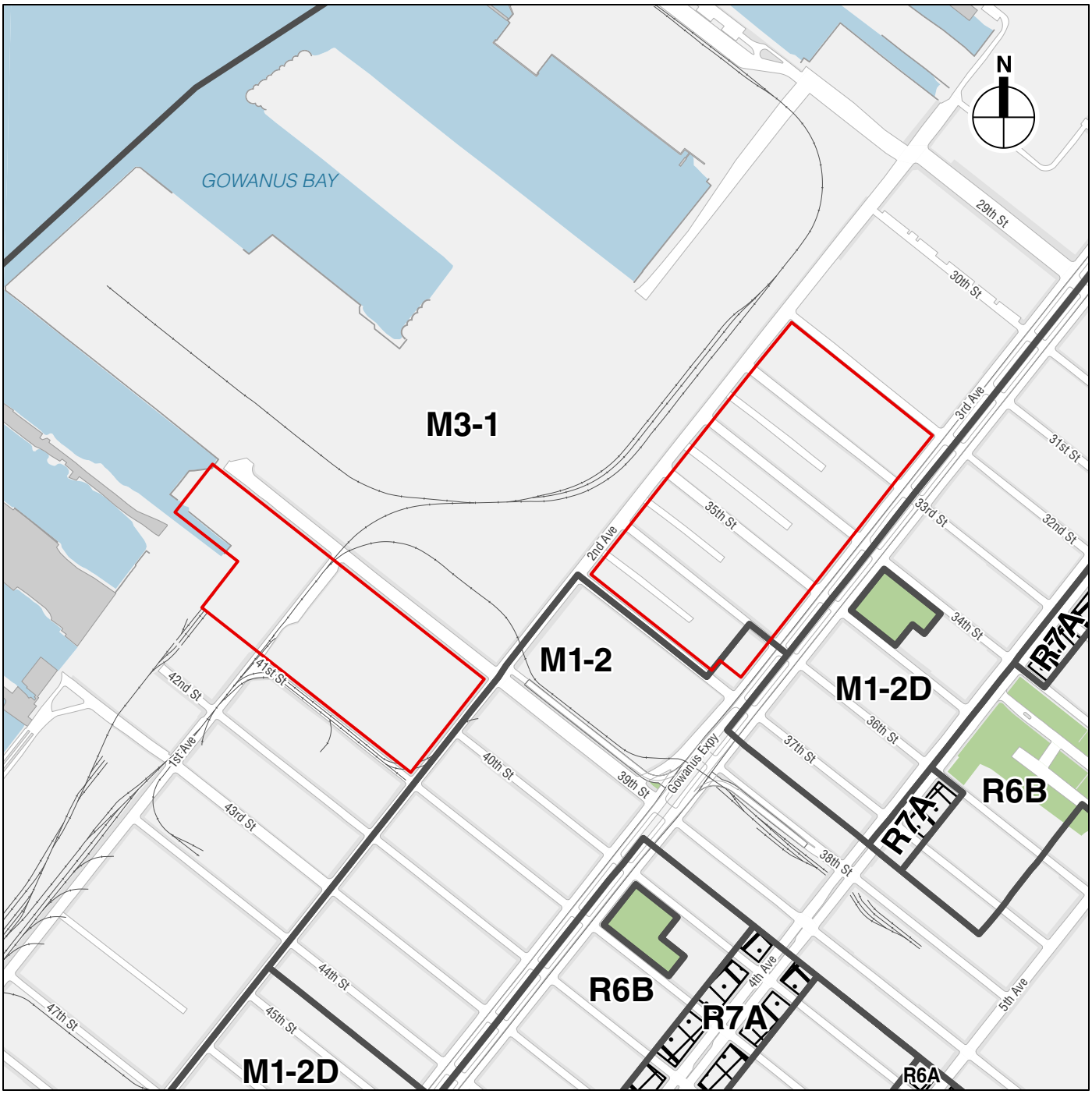
M3-1

An M3-1 district, which allows a maximum 2.0 FAR, is mapped west of 3rd Avenue at 37th Street and west of 2nd Avenue at 39th Street covering the vast majority of the Project Area. M3 manufacturing districts generally permit heavier industries compared to M1 and M2 districts. M3 districts are usually located near the waterfront and buffered from residential areas. Typical uses include power plants, solid waste transfer facilities and recycling plants, and fuel supply depots; uses with potential nuisance effects are required to conform to minimum performance standards.

E. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

To continue to attract Innovation Economy uses, and to provide businesses with the ecosystem and resources they need in order to thrive in Sunset Park, the Applicant seeks to create what has become commonly known amongst economists and policy makers as an ~~vibrant~~ "Innovation Economy ~~Hub~~District." This district~~"hub"~~ is critical for Innovation Economy firms, particularly entrepreneurs and small business owners, as they identify opportunities for cross-collaboration, inspiration, and business growth. Innovation Economy firms want to be integrated into mixed-use communities with other like-minded makers, with ready access to a workforce with diverse skills and experiences as well as places where business partners can stay and meet while in town. Employees, in turn, need access to research and training opportunities, along with places to eat and buy goods. The Applicant is seeking z~~Z~~oning actions that broaden the permitted use and bulk at Industry City are required to allow for this collaborative district~~"hub"~~ to grow at Industry City.

The Proposed Actions thus seeks to introduce a broader range of land uses along the South Brooklyn waterfront, including up to 3.57 million gsf of Innovation Economy uses, 900,000 gsf of retail, and over 700,000 gsf of new academic, hotel and event space, which will generate more than 15~~3~~,000 on-site jobs and $5 billion in economic activity at Industry City. These new uses will come together to create a vibrant Innovation Economy ~~Hub~~District. New classroom, lab, and research facilities will ~~foster~~ provide opportunities for academic and professional linkages between students and businesses and provide graduates with direct access to potential employers and ~~affordable~~ workspaces; two new hotels will serve new and existing businesses as they grow, enabling them to host prospective workers and global partners on-site; and expanded retail uses will support the businesses of co-located manufacturers and other Innovation Economy companies, while neighborhood-serving and destination retail will serve as a much-needed amenity for Industry City employees, students, visitors, and Sunset Park residents alike.



Existing Zoning

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This figure has been updated for the Final Scope of Work

Figure 4

The proposed 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.

The Applicant believes h~~H~~otels are an important component of the "Innovation Economy ~~Hub~~District," and can ensure the success of both budding and established businesses. A hotel 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. The Proposed Actions, would introduce two purpose-built hotels, representing ~~271,619~~ 287,000 sf of hotel use (420 keys). Of the seven hotels located within a one mile radius of Industry City, all but one, are limited-service establishments and none have meeting or conference facilities. The closest hotels with conference and event space are ~~two~~ several miles away in ~~Park Slope/Boerum Hill~~Downtown Brooklyn~~, requiring a 20-minute trip on public transit~~. The two hotels at Industry City ~~will~~ would not compete with existing hotel offerings in the neighborhood, but rather, ~~will~~ would fill a gap in the market for ~~mid-and upscale select-service~~business-oriented hotels with meeting facilities. In addition to serving the diverse sectors of the Innovation Economy, such meeting facilities ~~will~~ would further provide ample space for conferences and events hosted by potential academic partners.

Industry City would continue to support manufacturing uses within the Project Area, which is located within the Southwest Brooklyn IBZ. The Proposed Actions are anticipated to result in an approximate total of 1.78 million sf of manufacturing within the Project Area (UG 16A, 16B, 17B, 17C, and 18 equivalent). Though modern manufacturing technologies have allowed products that would have once required large factories to be designed, prototyped, and produced in spaces as small as ~~1,000~~500 sf, the Proposed Actions would protect manufacturing in the Project Area by expanding the non-storage and warehousing industrial uses within the Industry City complex, increasing the number of manufacturing jobs in the area as a result.

At the same time, enhanced creative office, studio, and art uses will assist in the continued transformation of the campus into a vibrant, mixed-use "Innovation Economy ~~Hub~~District." The diversification of uses at Industry City will be accompanied by enhanced support for local workforce development and community-supporting activities, as evidenced by the launch of the Innovation Lab at Industry City in 2016. A catalyst for employment in Southwest Brooklyn, the Lab provides pre-screening and job placement services with the more than 4500 businesses based out of Industry City, as well as with other urban manufacturing hubs along the Brooklyn waterfront, including Brooklyn Army Terminal, Liberty View, and Bush Terminal. The Lab plans to implement a variety of continuing education services and technology and vocational programs targeted towards business growth needs going forward. These services will help spur entrepreneurship and provide local residents with the necessary tools to take advantage of the more than 15~~3~~,000 good-paying innovation jobs expected to be generated through the redevelopment of Industry City.

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 ~~Hub~~District." The existing zoning of the Project Area restricts the utilization of the site, as it does not support the development of ~~retail,~~ 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.

The Proposed Actions would not only create a vibrant "Innovation Economy ~~Hub~~District," but would also generate the economic return necessary to finance additional capital investment in the portfolio. While capital improvements to-date have been successful in reducing the amount of underutilized space at Industry City—down 14 percent since 2013—it is estimated that ownership will have to allocate an additional $638 million towards capital upgrades for existing buildings and the construction of new facilities in order to achieve full utilization of the site. Such capital investments cannot be financed absent regulatory changes, and deferred maintenance investments amidst increasing competition from other mixed-use industrial campuses would likely result in static or even declining Innovation Economy utilization at Industry City over the long term. Without land use changes, a majority of the portfolio would remain significantly underutilized or vacant.

Therefore, the Proposed Actions seek to modify the Zoning Map and Zoning Resolution to permit the~~a~~ diverse range of use groups and establish bulk modifications that would support ~~are essential to the creation of~~ an economically self-sustaining Innovation Economy portfolio. The proposed zoning map change, Special District text and Special Permit would permit the broader range of uses at Industry City while requiring manufacturing uses ~~would set forth the provision that uses permitted in an M1 district would be permitted as well as uses permitted as-of-right and uses permitted with restrictions. However, all uses at Industry City would be required~~ to comply with M1 district performance standards and allowing for limited additional development within a contextual building envelope~~pursuant to the Special District requirements~~.

F. DESCRIPTION OF THE PROPOSED ACTIONS

In order to facilitate the Proposed Actions, a series of discretionary approvals are needed. The following actions are proposed:

ZONING TEXT AMENDMENT

The Applicant proposes a text amendment to the Zoning Resolution to create the ~~Special Sunset Park Innovation District~~SICD. The new special district would modify applicable performance standards; modify the applicability of waterfront regulations; modify the applicability of underlying parking regulations; and establish a Special Permit to further modify use, bulk, and other regulations, as follows:~~.~~

- ~~Specifically, the area~~All uses within the Special Industry City~~Sunset Park Innovation~~ District established after the date of adoption, with the exception of certain distilleries approved by the New York City Fire Department (FDNY), would be required to adhere ~~will be subject~~ to M1 performance standards. Each manufacturing district incorporates performance standards limiting the type of industrial nuisances permitted. Performance standards limit nuisances including noise, vibration, emissions, odor, radiation, fire and explosive hazards, humidity heat and glare. M1 district performance standards are the most stringent manufacturing district standard.

- The underlying waterfront public access regulations will be inapplicable should a special permit be granted pursuant to the SICD which includes zoning lots both within a waterfront block and outside a waterfront block.[1]
- Within an area that is subject to a Special Permit pursuant to the SICD, the underlying parking regulations of an M2-4 district would also apply within an M1-2 district.
- ~~The Special District will also allow for a~~A new Special Permit would be established which permits the CPC to further modify bulk, use, and ~~parking~~ other ~~and public access area~~ regulations, as discussed below ~~throughout the Affected Area~~.

SPECIAL PERMIT USE REGULATIONS

The CPC may permit the following uses not otherwise permitted within the SICD, subject to certain findings:

- The following community facility uses listed in Use Group 3A, limited to a maximum total of 625,000 square feet of floor area: colleges or universities, including professional schools; libraries, museums or non-commercial art galleries; and schools;
- Hotels listed in use groups 5A and 7A;
- Retail and Service establishments listed in use groups 6A, 6C, 7B, 8B, 9A, 10A, 12B, and 14A, limited to a maximum total of 900,000 square feet of floor area.[2] Such establishments would be required to provide parking at a rate of one space per 500 square feet of floor area in excess of 120,000 square feet;
- Physical culture or health establishments (i.e., gyms), which shall be considered Use Group 9A uses;
- Distilleries, as listed in Use Group 18A as an alcoholic beverage manufacturing establishment, subject to the approval of FDNY.

SPECIAL PERMIT BULK REGULATIONS

The CPC may also permit modifications to the underlying bulk regulations including height and setback, yards, and location of floor area, subject to certain findings, and with the exception of maximum permitted FAR, which may not be modified.

SPECIAL PERMIT OTHER REGULATIONS

Finally, the CPC may permit, via the Special Permit, the modification of other regulations as follows:

- Accessory parking may be located on any zoning lot within the Special Permit area;

[1] While the SICD would exempt waterfront land from public access regulations, a public access area will be required pursuant to a Restrictive Declaration, provided certain conditions are met, as described below under "Special Permit."

[2] Certain Use Group 9A and 10A uses, including depositories for storage of office records, microfilm or computer tapes, or for data processing, photographic or motion picture production studios, radio or television studios, and art, music, dancing, or theatrical studios, will not be limited as to aggregate floor area.

- The maximum number of parking spaces permitted in an accessory parking facility may be increased to a maximum of 500 spaces, provided certain determinations are made by the Commissioner of Buildings; and
- The Special Permit will vest upon issuance by the Department of Buildings (DOB) of a Certificate of Occupancy, or an equivalent, for any use not permitted by the underlying district regulations.

ZONING MAP AMENDMENT

The Applicant proposes to map the Special ~~Sunset Park Innovation~~Industry City District and to rezone a portion of the Directly Affected Area from an M3-1 zoning district to an M2-4 zoning district (Block 679, Lot 1; Block 683, Lot 1; Block 687, Lot 1; Block 691, Lot 1, 44, 45, and 46; Block 695, Lots 1 and 20; Block 706, Lots 1, 20, 24, and 101; Block 710, Lot 1; and a portion of Block 662, Lot 1). The portion of the Directly Affected Area that is zoned M1-2 (Block 695, Lots 37-43) will remain an M1-2 district but will be included in the SICD.

The majority of the Directly Affected Area is zoned M3-1 (see **Figure 4**). M3-1 zoning districts are intended for heavy industries that generate noise, traffic, or pollutants like water pollution control plants, power plants, and fertilizer manufacturers, along with lighter industrial uses like food distributors, manufacturers, and warehouses. ~~Even~~ In M3 districts, uses with potential nuisance effects are required to conform to minimum performance standards. Office and certain limited retail uses are also permitted in M3 districts; however, residential and most community facility uses, such as colleges, universities, or libraries, are not permitted, nor are large retail establishments such as variety stores, furniture stores, clothing stores, department stores, or dry goods stores. The M3-1 district has a maximum commercial/manufacturing ~~floor-area ratio (~~FAR~~)~~ of 2.0 and parking requirements vary by use.

A small portion of the Directly Affected Area is zoned M1-2. M1-2 zoning districts permit manufacturing and commercial uses at a maximum FAR of 2.0 and also permit community facility uses at a maximum FAR of 4.80. M1 districts serve as a buffer between M2 or M3 districts and adjacent residential or commercial districts. Light industrial uses typically found in M1 districts include woodworking shops, auto storage and repair shops, and wholesale service and storage facilities. Office uses are also permitted in M1 districts along with limited community facility uses, including houses of worship as-of-right. M1 districts typically have a base height limit, above which a structure must fit within a sloping sky exposure plane; this base height is 60 feet in M1-2 districts. M1-2 districts are subject to parking requirements based on the type of use and size of an establishment. M1 districts typically produce one- or two-story warehouses for light-industrial uses, including repair shops, wholesale service facilities, as well as self-storage facilities and hotels. M1 districts are intended for light industry; however, heavy industrial uses are permitted in M1 districts as long as they meet the strict performance standards set forth in the Zoning Resolution (ZR). No residential uses are permitted in M1 districts.

The Proposed Actions would map an M2-4 district over the majority of the Directly Affected Area which is currently mapped M3-1, with a small portion of the Directly Affected Area remaining an M1-2 district (see **Figure 4**). M2-4 districts generally permit commercial uses and manufacturing uses with lower performance standards than in M1 districts. Residential uses are not permitted in M2-4 districts. The maximum FAR is 5.0 and the maximum base height before setback is 85 feet with sky exposure plane which begins 85 feet above the base. Parking is not required in M2-4 districts.

SPECIAL PERMIT

The proposed Special Permit sought pursuant to the Special ~~Sunset Park Innovation~~Industry City District (see **Figure 3**) would allow for ~~a special permit that does~~ the following:

- Modifications to~~es~~ the bulk regulations of the underlying zoning districts to:
  - Allow encroachments to the underlying district's sky-exposure-plane regulations
  - Waive certain rear yard requirements for new buildings or enlargements
  - Allow the maximum permitted floor area to be transferred among zoning lots within the Special District without regard to zoning lot lines~~;~~
- Modifies the use regulations of the underlying zoning districts by:
  - Permitting certain uses that are not allowed as-of-right; and
  - Establishing controls for locating certain uses in proximity to other potentially heavier, noxious uses.
- Modifies ~~the parking and curb cut~~other regulations of the underlying zoning districts with respect to parking, curb cuts, and special permit lapsing; and
- ~~Contains r~~Requires~~ments for~~ the provision of a waterfront public access area under certain circumstances.~~s; and~~
- ~~Creates a special permit for hotel use.~~

MODIFICATION OF UNDERLYING BULK REGULATIONS

Neither the proposed M2-4 district nor the SICD establishes maximum height limitations for buildings. However, the Special Permit would set forth maximum building envelopes outside of which development would not be permitted. In addition to maximum height limits, the Special Permit would allow for certain penetrations to sky-exposure-plane regulations. Specifically, the Special Permit would: ~~Pursuant to the special permit, the underlying height, setback, and yard regulations would be modified along with required street wall locations, resulting in a contextual envelope. As described above, there are no height limits in M2-4 districts, as building heights and setbacks are governed by the sky exposure plane. For M2-4 districts a building may rise to 85 feet or 6 stories, whichever is less, before being required to set back. For a diagram illustrating the contextual envelope proposed to be applicable to the special permit, including maximum base heights, maximum building heights, and required setbacks (see **Figure 6 and 7)**.~~

- Allow most existing and new buildings within the Finger Buildings area to rise to maximum base heights of 85 feet before a required setback of 10 feet from Avenues and 15 feet from side street-equivalent, and maximum building heights of 110 feet. (Most existing buildings in this area currently rise to heights of approximately 85 feet.)
- Allow the proposed new Gateway Building and Building 11 to rise to maximum building heights of 170 feet. (Existing Building 10 currently rises to a height of approximately 170 feet.)
- Allow existing and new buildings within the 39th Street Buildings area to rise to maximum base heights of 120 feet before a required setback of 20 feet from all streets, and maximum building heights of 150 feet. (Most existing buildings in the area currently rise to heights of approximately 115 feet, with the recent enlargement of Building 19/20 for the New York Nets Training Facility rising to a height of approximately 139 feet.)

The Special Permit would waive certain rear yard requirements for new buildings or enlargements, and allow the maximum permitted floor area to be transferred among zoning lots within the Special District without regard to zoning lot lines.

The Special Permit would also require, via the accompanying restrictive declaration that will be recorded against all Industry City properties, the provision of a waterfront public access area in the event Building 24 were converted to predominantly non-industrial uses and the Industry-City-owned property along the waterfront were merged with adjacent City-owned property along the waterfront.[3]

MODIFICATION OF UNDERLYING USE REGULATIONS

~~Pursuant the special permit, uses that would be permitted as-of-right will include all uses permitted as-of-right in an M1 district.~~ In addition to the uses permitted as-of-right in ~~M1~~ the M2-4 district~~s~~, the proposed S~~s~~special P~~p~~ermit would allow the following uses ~~as-of-right~~: colleges and universities; libraries, museums, and non-commercial art galleries (UG 3A); Physical Culture Establishments (i.e., gyms);~~,~~ large-scale retail (UG-10A among other retail uses), and hotels (UG 5 and 7A). ~~UG 5 uses (hotels) would only be permitted through a special permit, which the Applicant is seeking as part of the Proposed Actions (described in more detail below). All~~ While permitted uses must be able to meet M1 performance standards pursuant to the requirements of the special district, distilleries would be permitted to manufacture Class III materials provided they obtain all necessary approvals from FDNY.

In order to ensure a balanced mix of uses within the special permit area and control the distribution of uses within each building, t~~T~~he S~~s~~special P~~p~~ermit would add controls over the scale and location of certain uses. ~~The~~ UG 3A uses ~~that would be permitted as-of-right~~ would be capped at an overall zoning square footage (zsf) of 625,000 sf (approximately 0.47 FAR) ~~with a per-establishment cap of 250,000 sf~~. Retail or service establishments would be permitted up to an overall cap of 900,000 sf (approximately 0.68 FAR) and hotels would be permitted up to an overall cap of 287,619 zsf (approximately 0.22 FAR).

These controls will ensure the special permit area is not overburdened with retail or hotel uses or academic campuses to the detriment of a vibrant innovation economy ecosystem.

With the exception of certain restaurants, retail establishments will generally be restricted in their location within the SICD. Retail size and location restrictions will be as follows:

- Between 32nd and 33rd Streets from 2nd to 3rd Avenues, between 33rd and 36th Streets within 130 feet of 2nd Avenue, and between 39th and 41st Streets from 1st to 2nd Avenues: retail establishments will be limited to the first and second floors of buildings.
- Between 36th and 37th Streets, 2nd to 3rd Avenues: retail establishments will be limited to the first and second floors of buildings and be capped at a maximum of 40,000 square feet of zoning floor area per establishment.

[3] 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 has not been assumed under any of the analysis scenarios analyzed in this EIS.

- Between 33rd and 36th Streets beyond 130 feet of 2nd Avenue, and between 1st Avenue and the Waterfront: retail establishments will be limited to the first floor of buildings and be capped at a maximum of 40,000 square feet of zoning floor area per establishment.

~~The location and size of retail uses would also be restricted as follows, with respect to upper floors: above the level of the second story ceiling in Subarea A of the Finger Buildings Subdistrict, Gateway Subdistrict, and the 39th Street Subdistrict; and in Subarea B of the Finger Buildings Subdistrict and in the IC West district,~~A ~~a~~bove the floors indicated above, the following ~~level of the first story ceiling, uses in~~ Use Group~~s~~ 6A, 6C, 9A, and 10A uses may also be located: ~~shall be limited to all~~ eating or drinking establishments (up to 10,000 sf of zoning floor area per establishment ~~size limitation~~); depositories for storage of office records, microfilm, or computer tapes; data processing; photographic or motion picture production studios; ~~and~~ radio or television studios; and art, music, dancing, or theatrical studios.

~~With respect to lower floors: In Subarea B of the Finger Buildings Subdistrict and in the IC West district, uses listed in Use Groups 6A, 6C, and 10A subject to a 40,000 sf per establishment size limitation below the level of the first story ceiling. In the Gateway Subdistrict, uses listed in Use Groups 6A, 6C, and 10A shall be limited to 40,000 sf per establishment size limitation below the level of the second story ceiling (see **Figure 8**).~~

~~The proposed special permit would allow for a hotel use, pursuant to a newly established hotel special permit. While the Proposed Project envisions the eventual development of two separate hotels, the Applicant plans, initially, to apply for a special permit pursuant to the special permit provisions for one of the two hotels, to be located in the proposed new Building 21. The Applicant envisions applying for a hotel special permit for the second hotel at a later point in time, to be located at the proposed new Gateway Building.~~

ESTABLISH CONTROLS FOR CO-LOCATION OF CERTAIN USES

UG 3A (colleges and universities; and libraries, museums, or non-commercial art galleries) and UG 5 or 7A (hotel~~s~~) uses that are permitted by the S~~s~~pecial ~~p~~Permit would be restricted from co-locating near potentially heavier or more noxious uses. Conversely, any new manufacturing or commercial uses that meet any of the three criteria listed below will be restricted from locating in the same building as, or sharing a common wall with, a building containing any existing UG 3A (colleges and universities, and libraries, museums, or non-commercial art galleries) and UG 5 (hotels). The special district proposes to enforce this as follows: any permitted UG 3A or UG 5/7A may only locate in the same building as, or share a common wall with, a building containing manufacturing or commercial uses upon certification by a licensed architect or engineer to the Department of Buildings that that such manufacturing or commercial use:

- Does not have a New York City or New York State environmental rating of "A," "B," or "C" under Section 24-153 of the New York City Administrative Code for any process equipment requiring a New York City Department of Environmental Protection operating certificate or New York State Department of Environmental Conservation state facility permit;
- Is not required, under the City Right-to-Know Law, to file a Risk Management Plan for Extremely Hazardous Substances; and
- Is not a use listed in UG 18.

~~The reverse is also true, in that any new manufacturing or commercial uses that meet any of the three criteria listed above will be restricted from locating in the same building as, or sharing a~~

~~common wall with a building containing any existing UG 3A (colleges and universities; libraries, museums, and non-commercial art galleries) and UG 5 (hotels).~~

SUPPLEMENT AND/OR MODIFY ~~PARKING AND CURB CUT~~OTHER REGULATIONS

The proposed S~~s~~special P~~p~~permit would also modify other ~~the parking~~ regulations of the underlying districts and further control locations of curb cuts and therefore access to loading docks and parking facilities. Specifically, while the underlying M2-4 district does not require parking for most uses, the special permit would require retail and service establishments listed in use groups 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.

With respect to curb cuts, the special permit would prohibit new curb cuts along 2nd Avenue and 3rd Avenue in the Finger Buildings area, and restrict curb cuts to limited locations along 39th Street between 2nd Avenue and the Waterfront.

With respect to parking, accessory parking spaces will be permitted to be located on a zoning lot other than the same zoning lot as the use to which they are accessory, provided that the area is located within the boundary of the Special Permit area. In addition, the Special Permit will allow up to 500 permitting parking spaces within a single accessory parking facility provided the Commissioner of Buildings makes certain findings.

With respect to the Zoning Resolution's special permit lapsing provisions, and pursuant to the SICD, the Special Permit shall vest upon issuance by DOB of a Certificate of Occupancy, or an equivalent, for any use not permitted by the underlying district regulations.

~~Additionally, prior to the conversion of existing floor area to retail or service establishment uses, the special district text would require a Chair Certification that accessory parking spaces, as required by the special permit, have been provided in advance for such conversion.~~

PUBLIC ACCESS AREA REQUIREMENT

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, as follows: ~~establish public access area requirements specifically tailored to the portion of the special district adjacent to Building 24 in conjunction with the development, enlargement, or change of use of this building that is not predominantly industrial (UG16, 17, or 18), see **Figure 9**.~~

In the event that 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 New-York-City-owned portion of the waterfront apron (see **Figure 5**), 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. 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 has not been assumed in the analysis framework described below.

~~there will be two options for the provision of public access: one option would be required for development of just the portion of the unbuilt-upon apron owned by the applicant (p/o Block 706, Lot 24 that is closest to the waterfront), which could result in approximately 5,600 sf of publicly~~

3.6.19

LEGEND

- INNOVATION ECONOMY
- ACADEMIC
- HOTEL
- RETAIL
- EVENT
- DIRECTLY AFFECTED AREA

Source: S9 Architecture

NOTE: *This figure is strictly illustrative. The figure shows the existing bulk and massing of the Industry City complex as well as the proposed in-fill developments as planned in the With Action condition. This figure illustrates potential programming in the With Action condition as proposed in the Reasonable Worst Case Development Scenario.*

With Action Site Plans
39th Street Buildings Ground Floor
Figure 5

This figure has been updated for the Final Scope of Work

~~accessible open space. The other is a set of requirements that would be triggered if the applicant voluntarily comes into control of the adjacent city-owned portion of the apron (p/o B662, Lot 1). While the applicant has not stated an intention to acquire the portion of the city-owned lot (Block 662, Lot1), should this occur, development of a larger publicly accessible open space including a portion of Block 662, Lot 1 would require additional discretionary approvals by the City Planning Commission and could result in the development of 10,500 sf of additional publicly accessible open space as compared to that which would be provided on just the applicant's property.~~

~~HOTEL SPECIAL PERMIT~~

~~The Special Permit described in the section above would also allow for a special permit to allow a hotel use. Concurrent with the application for the above-referenced actions, the Applicant is seeking approval of a special permit to allow a hotel use within the proposed new Building 21 within the 39th Street Subdistrict.~~

CHANGE TO THE CITY MAP

As shown on **Figure 3**, the Applicant proposes to demap 40th Street between 1st and 2nd Avenues. 40th Street between 1st and 2nd Avenues is currently in private ownership and unimproved for street purposes. In addition, for over a century portions of Building 19 and Building 20 have been constructed within the bed of mapped 40th Street. The demapping of 40th Street would reflect the existing condition of the street and further facilitate development within the Directly Affected Area.

G. ANALYSIS FRAMEWORK

The lead agency is required to take a "hard look" at the environmental impacts of proposed actions and, to the maximum extent practicable, avoid or mitigate potentially significant adverse impacts on the environment, consistent with social, economic, and other essential considerations. An EIS is a comprehensive document used to systematically consider environmental effects, evaluate reasonable alternatives, and identify and mitigate, to the maximum extent practicable, any potentially significant adverse environmental impacts. The EIS provides a means for the lead and involved agencies to consider environmental factors and choose among alternatives in their decision-making processes related to a proposed action. This section outlines the conditions to be examined in the EIS.

REASONABLE WORST CASE DEVELOPMENT SCENARIO (RWCDS)

In order to assess the possible effects of the Proposed Actions, three reasonable worst-case development scenarios (RWCDS) were composed to account for the future With Action condition. For purposes of the environmental review, the Proposed Actions are expected to be complete and operational by 2027 (the Build Year). The incremental difference between the future No Action and future With Action conditions serves as the basis for the impact analysis of the environmental review. Under the With Action condition, the Proposed Actions are expected to result in an incremental increase over the No Action condition.

For analysis purposes, three reasonable worst-case scenarios for environmental review were assumed. Each EIS section will describe the applicable RWCDS. These three worst-case scenarios reflect reasonable market demand and realistic physical programing assumptions. Each EIS section will also describe, in the analysis or in a separate "mitigation" section, any mitigation

required for the scenario being analyzed. This conservative methodology will therefore fully disclose any impacts, and describe any required mitigation that could be associated with any of the three RWCDS.

DEVELOPMENT SITES

The Proposed Actions would only apply to the Industry City complex and certain immediately adjacent properties that would be acquired (including Block 695, Lots 37, 38, 39, 40, 41, and 42; and Block 706, Lot 20~~; and a portion of Block 662, Lot 1~~), and would not facilitate new development on any other sites. As a result, the Project Area is all that will be analyzed.

THE FUTURE WITHOUT THE PROPOSED ACTIONS (NO ACTION CONDITION)

In the future without the Proposed Actions (the No Action condition), it is expected that no new ~~construction~~ development will take place within the ~~Project Area~~Directly Affected Area. Those lots not owned by the applicant are assumed to remain unchanged from the existing conditions (Block 695, Lots 37–43; Block 691, Lots 45 and 46; and a portion of Block 662, Lot 1). Based on the current leasing rates and tenant roster, it is anticipated that approximately 140,000 gsf of the currently vacant space within the existing building stock at Industry City would be re-occupied by Innovation Economy (manufacturing, artisanal manufacturing, office), storage/warehousing, or retail uses. ~~It is assumed that overall vacancy and underutilization at Industry City will continue in the No Action condition, with no investment or upgrades to the existing 679,960 gsf of unimproved space.~~ The approximately 75,000-gsf training facility for the Brooklyn Nets (Building 19) at Industry City was recently completed and is currently operational; this use would continue in the No Action scenario.~~In the No Action condition, Block 706, Lot 101 (the previous site of the Yi Ping building) would remain vacant. While Buildings 22, 23, 24, 25, and 26 would maintain their current vacancy levels, it is assumed that some currently vacant space in other buildings at Industry City would be re-occupied by storage/warehousing or Innovation Economy and retail uses. In addition, it is anticipated that this reduction in vacancy would coincide with a 10 percent increase in Innovation Economy uses, which would be accommodated by the existing building stock at Industry City.~~ The overall number of employees working at Industry City would be approximately 7,000.

The 39th Street Buildings are significantly unimproved because they suffered damage from Superstorm Sandy that destroyed the infrastructure necessary to service them. According to the Applicant, the level of investment required to bring back basic tenant services would be greater than the revenue that can be realized with the current tenant use roster. It is assumed that some ongoing upgrades to Industry City buildings, including window replacements, would continue in the No Action scenario, but such capital investments would occur at a slower pace than with the Proposed Project and would not encompass all Industry City buildings.

Although vacancy at ~~the~~ Industry City ~~complex~~ will decrease in the No Action condition, there will not be the necessary mix of uses that would enable the proposed "Innovation Economy ~~Hub~~District" to thrive. Furthermore, tenanted spaces will generate vastly fewer jobs and economic activity and will continue in their sub-optimal capacity. No new academic uses will be created, and Innovation Economy uses will not expand as substantially as in the future with the Proposed Actions. The creation of substantial new retail or any hotel space would not take place, and the establishment of a vibrant node of mixed-use activity would not occur.

Overall, as summarized in **Table 1**, the No Action condition is assumed to include approximately 200,000 gsf of retail uses, 10,000 gsf of event space, 1.7 million gsf of storage and warehousing,

2.2 million gsf of Innovation Economy, 358,782 gsf of vertical circulation and mechanical use, 679,960 gsf of vacant or unimproved space, and ~~828~~ 658 on- and off-site accessory parking spaces.

In the future without the Proposed Actions, there would be approximately 658 parking spaces controlled by the Applicant. This would include approximately 284 surface lot spaces and 374 spaces provided in stackers at Building 11 and Building 21. The one-story building that abuts Building 9 to the west (882 3rd Avenue, Block 679, Lot 1) and the former Bush Terminal powerhouse at 2nd Avenue and 32nd Street (Block 679, Lot 1), both currently vacant, would be demolished in order to accommodate new parking spaces and stacked parking. Additional stacked parking also would be created on Block 706 (Lots 20 and 101).

Table 1
No Action Condition Program For Analysis

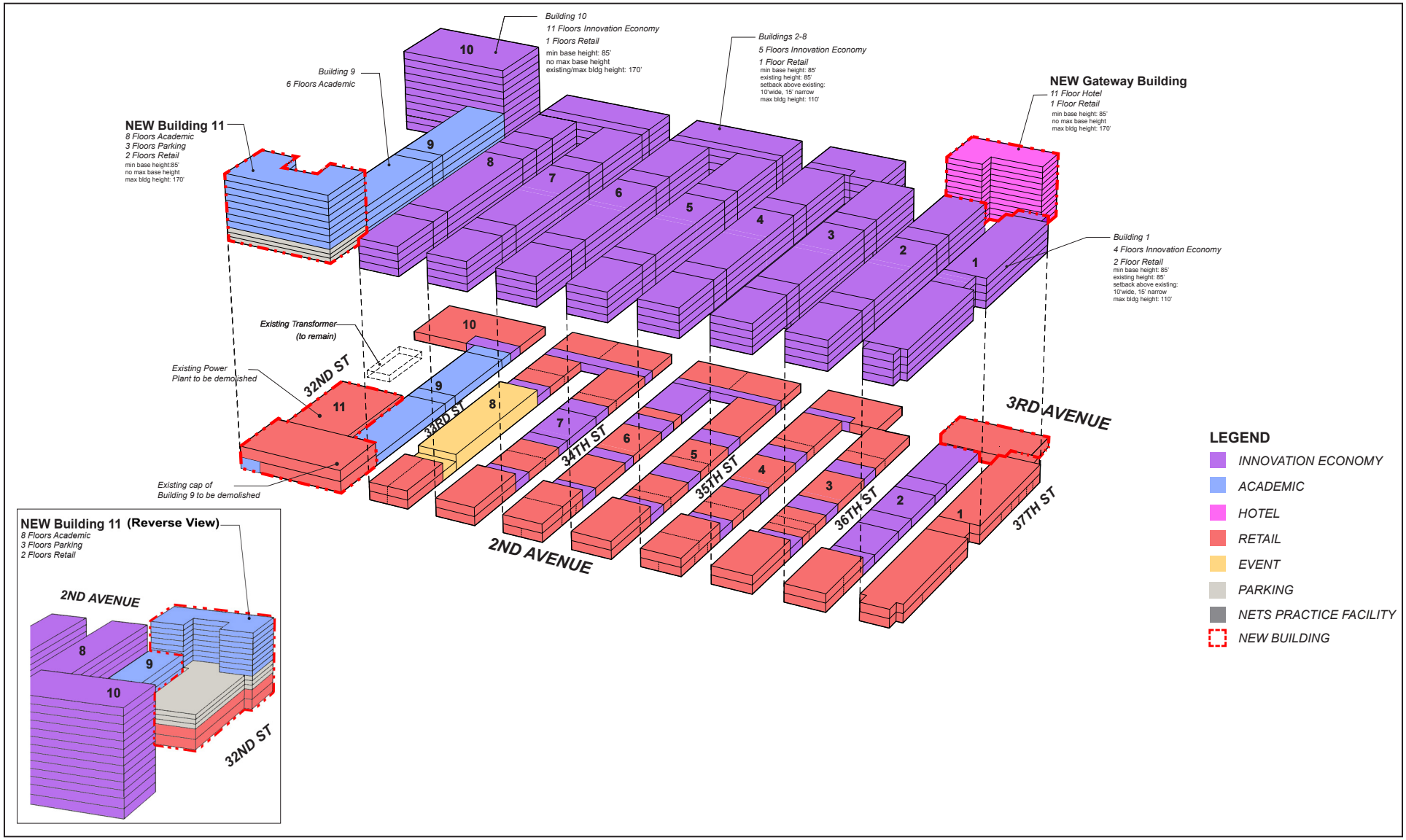
Use	Approximate GSF
Retail	200,000
Event Space	10,000
Storage/Warehousing	1,707,558
Innovation Economy	2,238,276
Brooklyn Nets Training Facility	74,824
Vertical Circulation/Mechanical	358,782
Vacant ~~and Unimproved~~	679,960
Accessory Parking[1]	~~828~~ 658 Spaces
Hotel	0
Academic	0
No Action Total SF	5,269,400

Note: [1] There are a limited number of off-street surface parking spaces within the Project Area that are not included in any designated parking facilities. These spaces are not included in the calculations above.~~Parking includes both on- and off-site spaces controlled by Industry City~~

THE FUTURE WITH THE PROPOSED ACTIONS (WITH ACTION CONDITION)

In the future with the Proposed Actions (the With Action condition), new buildings are assumed to be developed as infill within the existing Project Area~~Industry City complex~~; also, ~~the~~ Industry City ~~complex~~ would be renovated and re-tenanted with the proposed programing described below and show in **Figures 6~~10~~ and 7~~11~~**. In the With Action condition, the Proposed Actions would be completed and operational by 2027.

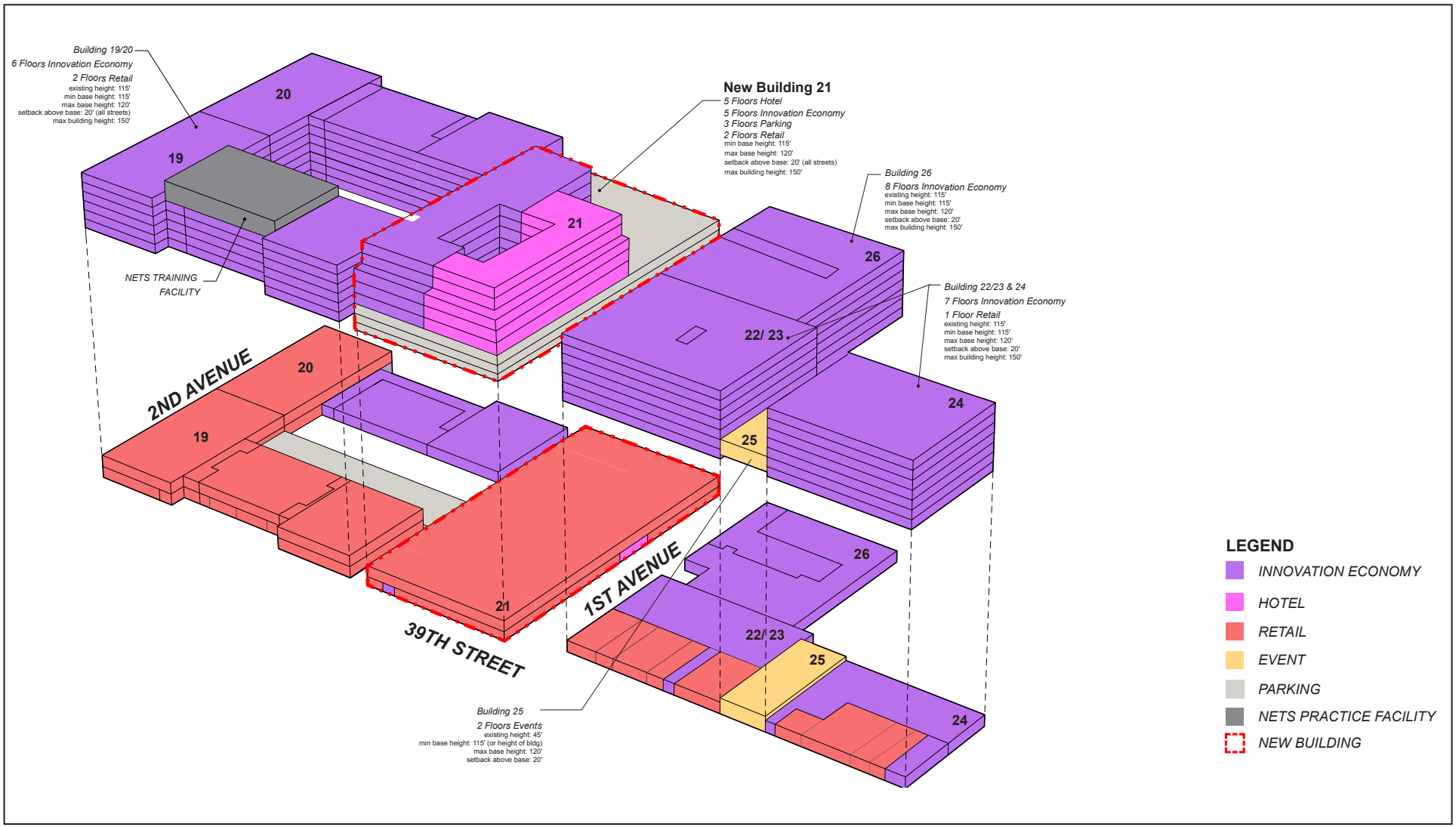
For technical analysis areas where the quantification of potentially significant impacts is very dependent on the amount of density proposed for specific land uses (e.g., open space analysis, transportation analysis, and socioeconomic conditions analysis) an alternate, more conservative, program scenario would be analyzed (the Density-Dependent Scenario). For technical analysis areas that evaluate bulk, mass, and urban design where the qualification or quantification of potentially significant impacts is dependent on the built form, an alternate, more conservative, program scenario would be analyzed (the Overbuild Scenario). This conservative methodology will therefore fully disclose any impacts, and describe any required mitigation that could be associated with the ~~Proposed Scenario~~Baseline Scenario, Density-Dependent Scenario, or the Overbuild Scenario.



Source: S9 Architecture

NOTE: *This figure is strictly illustrative. The figure shows the existing bulk and massing of the Industry City complex as well as the proposed in-fill developments as planned in the With Action condition. The red-dotted outline identifies structures that do not exist in the current as-built condition of the Industry City complex, but would result with development under the Proposed Project.*

Baseline Scenario
Finger Buildings Axonometric View (Looking Northeast)



Source: S9 Architecture

NOTE: *This figure is strictly illustrative. The figure shows the existing bulk and massing of the Industry City complex as well as the proposed in-fill developments as planned in the With Action condition. The red-dotted outline identifies structures that do not exist in the current as-built condition of the Industry City complex, but would result with development under the Proposed Project.*

Baseline Scenario
39th Street Buildings Axonometric View (Looking Southeast)

~~PROPOSED SCENARIO~~BASELINE SCENARIO

The Proposed Actions are intended to be flexible enough and allow for a range of permitted use groups and various densities so that ~~the~~ Industry City ~~complex~~ may respond to trends and the market. Because of the inherent uncertainty of current and future markets, a specific breakdown of the final proposed development program is unknown at this time. Therefore, since a specific breakdown of permitted uses and sizes cannot be specified, for analysis purposes, the ~~Proposed Scenario~~Baseline Scenario has been determined, a scenario that reflects what would represent a worst-case scenario for the environmental review while balancing certain development constraints, including reasonable market demand and realistic physical programing assumptions. This Baseline Scenario includes the land identified as Assemblage D in the ULURP Application. The ~~Proposed Scenario~~Baseline Scenario analysis assumptions for the No Action condition, With Action condition, and increment for analysis are summarized below in **Table 2**.

Table 2

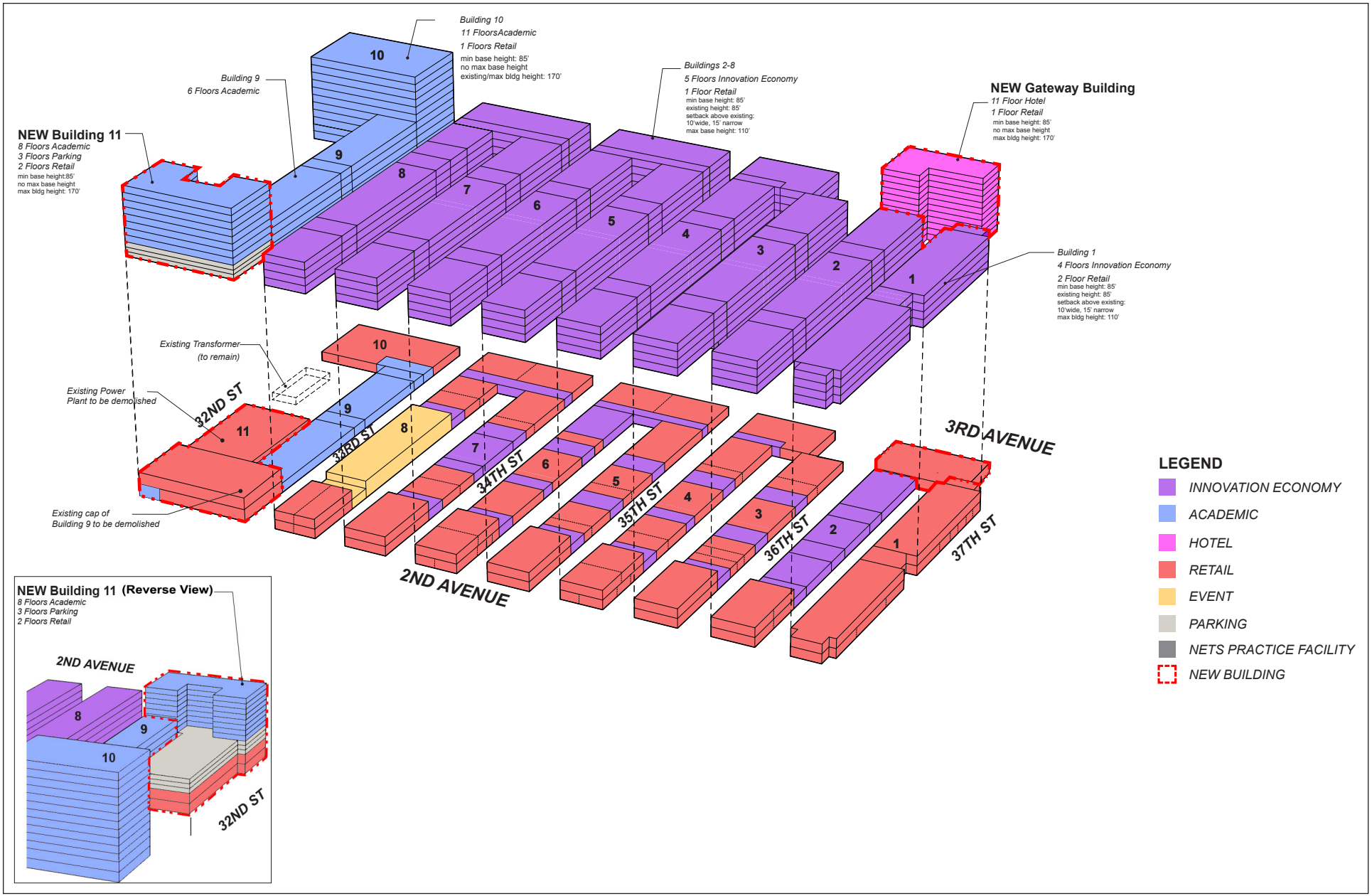
Comparison of No Action and the ~~Proposed Scenario~~Baseline Scenario (approximate sf)

Uses	No Action Condition	With Action Condition	Increment for Analysis
Retail[1]	200,000	900,000	+700,000
Local Retail	*97,050*	*512,272*	*+415,222*
Destination Retail	*102,950*	*387,728*	*+284,778*
Event Space	10,000	43,003	+33,003
Storage/Warehousing[2]	1,707,558	415,000	(1,292,558)
Innovation Economy	2,238,276	3,573,782	+1,335,506
Brooklyn Nets Training Facility	74,824	74,824	-
Hotel	-	287,000~~71,619~~	+287,000~~71,619~~
Hotel Rooms	-	420	420
Academic	-	386,546	+386,546
Vertical Circulation/Mechanical	358,782	419,957~~35,337~~	+61,175~~76,555~~
Vacant	679,960	-	(679,960)
Parking	-	477,910~~1,094~~	+477,910~~1,094~~
Total With Action SF	**5,269,400**	**6,578,021~~1,205~~**	**+1,308,621~~1,805~~**

Notes:
[1] The breakdown between local and destination retail use is assumed for analysis purposes only.
[2] The density-driven technical areas in the EIS are open space, transportation, and the socioeconomic conditions; for these areas, the Density-Dependent Scenario would be assumed, where the proposed warehouse/storage use would be removed from the program, and replaced by 176,546 sf of Innovation Economy use and 238,454 sf of academic/community facility use.

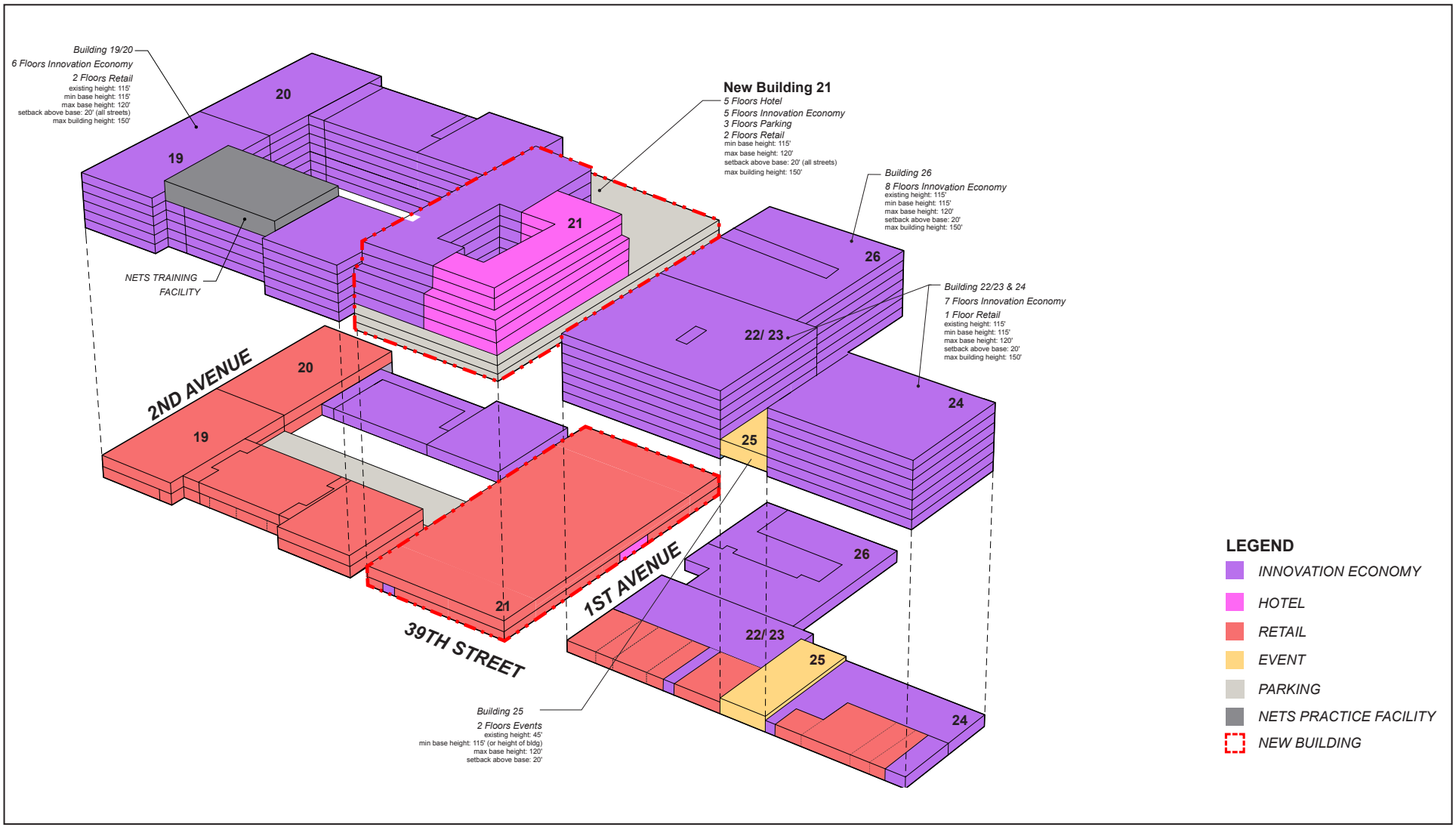
DENSITY-DEPENDENT SCENARIO

In considering the potential environmental impacts of the Proposed Project, most categories of analysis in the EIS would analyze the program as defined by the ~~Proposed Scenario~~Baseline Scenario; however, in order to account for flexibility in the program of the proposed warehouse/storage use, an alternate and more conservative program has been developed for ~~density-driven technical areas for the Proposed Project (~~the Density-Dependent Scenario~~)~~. The density-driven technical areas in the EIS are open space, transportation, and socioeconomic conditions. Under the Density-Dependent Scenario, the proposed warehouse/storage use would be removed from the program, and replaced by 173,874 sf of Innovation Economy use and 241,128 sf of academic/community facility use (see **Table 3** and~~,~~ **Figures 8~~12~~ and 9~~13~~,** ~~and **Appendix I**~~).



Source: S9 Architecture

Density Dependent Scenario
Finger Buildings Axonometric View (Looking Northeast)
Figure 8



Source: S9 Architecture

Density Dependent Scenario
39th Street Buildings Axonometric View (Looking Southeast)

INDUSTRY CITY

This figure has been updated for the Final Scope of Work

Figure 9

Table 3
Comparison of the No Action and Density-Dependent Scenario (approximate sf)

Use	No Action Condition	Density-Dependent Scenario	Increment
Retail	200,000	900,000	+700,000
Event Space	10,000	43,003	+33,003
Storage/Warehousing[1]	1,707,558	-	(1,707,558)
Innovation Economy	2,238,276	3,747,656	+1,509,380
Brooklyn Nets Training Facility	74,824	74,824	-
Hotel	-	287,000~~71,619~~	+287,000~~71,619~~
Hotel Rooms	-	420	420
Academic	-	627,674	+627,674
Vertical Circulation/Mechanical	358,782	419,954~~35,337~~	+61,172~~76,555~~
Vacant ~~and Unimproved~~	679,960	-	(679,960)
Accessory Parking[2]	-	477,910~~1,094~~	+477,910~~1,094~~
Total SF	**5,269,400**	**6,578,021~~1,205~~**	**+1,308,621~~1,805~~**

Notes:
[1] The density-driven technical areas in the EIS are open space, transportation, and the socioeconomic conditions; for these areas, the Density-Dependent Scenario would be assumed, where the proposed warehouse/storage use would be removed from the program, and replaced by 173,874 sf of Innovation Economy use and 241,128 sf of academic/community facility use.
[2] Parking includes only on-site spaces controlled by Industry City.

OVERBUILD SCENARIO

In consultation with the City, t~~T~~he bulk regulations applicable to the Proposed Project that have been developed in consultation with the City would permit certain limited enlargements to existing buildings. ~~An additional analysis scenario (the~~ The Overbuild Scenario~~)~~ has been developed that would assume some buildings are enlarged pursuant to these regulations. The Overbuild Scenario will also be analyzed in the EIS for technical areas that evaluate bulk, mass, and urban design.

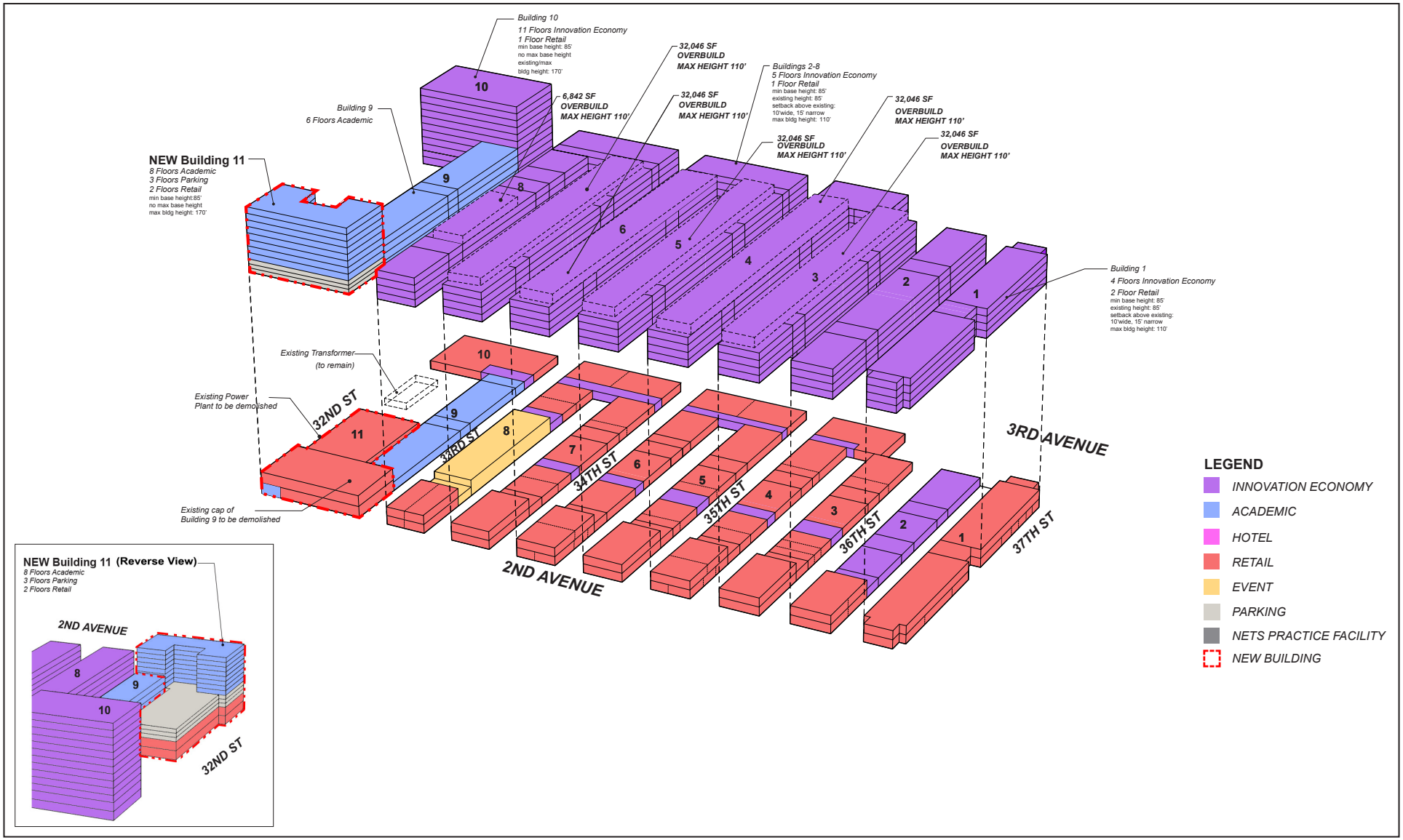
The Overbuild Scenario assumes that the properties on Block 695 that are not yet controlled by the Applicant would not be acquired and the 182,400-gsf Gateway Building would not be built as part of the Proposed Actions; also assumed is the reduction of Innovation Economy use proposed in Building 21 by ~~68,888~~ 83,000 gsf. The bulk and mass from these reductions would be redistributed to overbuilt bulk above the Finger Buildings and the 39th Street Buildings. ~~(see.~~ The Overbuild Scenario would introduce a total of 6,549,035 gsf, built to a total ~~blended~~ FAR of ~~4.99~~5.0; the redistribution of FAR would be counterbalanced by the removal of the Gateway Building and the reduction in the size of the proposed Building 21 structure by two stories, an equivalent square footage to the combined size of the overbuilt bulk (see **Figures 10 and 11** ~~and **Appendix I**~~). This Overbuild Scenario includes the land identified as Assemblage C in the ULURP Application.

H. PROPOSED SCOPE OF WORK FOR THE EIS

Environmental review provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to evaluate reasonable alternatives, and to identify, and mitigate (where practicable) any significant adverse environmental impacts.

The EIS will contain:

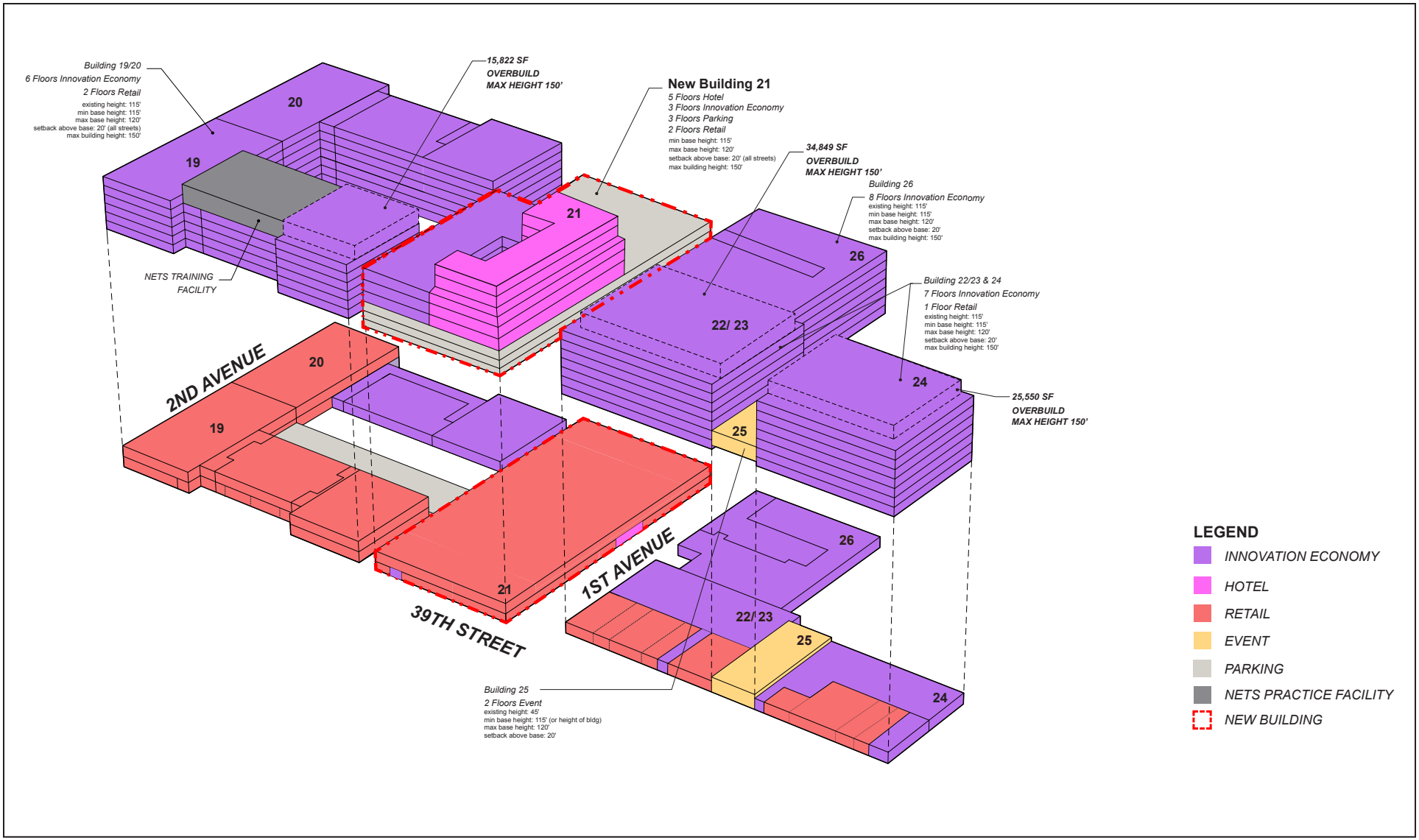
- A description of the Proposed Project and the environmental setting;
- A statement of the environmental impacts of the Proposed Project, including its short- and long-term effects and typical associated environmental effects;



Source: S9 Architecture

NOTE: *This figure is strictly illustrative. The figure shows the existing bulk and massing of the Industry City complex as well as the proposed in-fill developments as planned in the With Action condition. The red-dotted outline identifies structures that do not exist in the current as-built condition of the Industry City complex, but would result with development under the Proposed Project.*

Overbuild Scenario
Finger Buildings Axonometric View (Looking Northeast)
Figure 10



Source: S9 Architecture

NOTE: *This figure is strictly illustrative. The figure shows the existing bulk and massing of the Industry City complex as well as the proposed in-fill developments as planned in the With Action condition. The red-dotted outline identifies structures that do not exist in the current as-built condition of the Industry City complex, but would result with development under the Proposed Project.*

Overbuild Scenario
39th Street Buildings Axonometric View (Looking Southeast)

- An identification of any adverse environmental effects that cannot be avoided if the Proposed Project is implemented;
- A discussion of reasonable alternatives to the Proposed Project;
- An identification of irreversible and irretrievable commitments of resources that would be involved if the Proposed Project is built; and
- A description of measures proposed to minimize or fully mitigate any significant adverse environmental impacts.

The first step in preparing the EIS is the public scoping process. Scoping is the process of focusing the environmental impact analysis on the key issues that are to be studied in the EIS. The proposed scope of work for each technical area to be analyzed in the EIS follows. The EAS has been prepared for the Proposed Project and identified several technical areas that would not result in significant adverse impacts; therefore, these technical areas do not require further analysis in the EIS: Community Facilities, ~~Natural Resources,~~ and Solid Waste and Sanitation.

Specifically regarding community facilities, 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. 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. Generally, a detailed assessment of health care facilities, fire protection services and police protection services is included only if a proposed project would directly affect the physical operations of, or access to and from, a hospital or public health clinic, fire station house, or precinct house, or if a proposed action would create a sizeable new neighborhood where none existed before (e.g., Hunters Point South). The Proposed Project would be located within an existing neighborhood and would not directly affect the physical operations of, or access to and from, a hospital, public health clinic, fire station house, or precinct house. 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 will not be included in the EIS.

The scope of work and the proposed impact assessment criteria are based on the methodologies and guidance set forth in the *CEQR Technical Manual*.

TASK 1: PROJECT DESCRIPTION

As the first chapter of the EIS, the Project Description will introduce the reader to the Proposed Project and set the context in which to assess impacts, including a brief description and location of the Proposed Project; and provide the following:

- An introduction to the background and history of the Industry City complex and the adjacent areas;
- A statement of the public purpose and need for the Proposed Project and key planning considerations that have shaped the proposal;
- A description of the analysis framework for the environmental review, including a discussion of the No Action condition and the build year for analysis;

- A detailed description of the Proposed Project, including both the No Action condition and the With Action condition;
- A description of the design of the Proposed Project with supporting figures;
- A discussion of the approvals required, procedures to be followed, the role of the EIS in the process, and its relationship to any other approvals.

~~**TASK 2: ANALYSIS FRAMEWORK**~~

The ~~analysis framework chapter will first~~Project Description also will set the regulatory context in which the EIS is being undertaken (i.e., Uniform Land Use Review Procedure [ULURP] and CEQR—their timing, public review, hearings, etc.), and then explain the basic approach to the technical chapters—that each chapter will address existing conditions, a future analysis year without the Proposed Actions, and the future analysis year with one of three analysis scenarios (the Proposed Scenario, the Density-Dependent Scenario, or the Overbuild Scenario). For each technical area, the future analysis will consider whichever of the three scenarios are the most conservative. Impacts will be identified by comparing the three future analysis scenarios; and mitigation will be proposed for any identified significant adverse environmental impacts. If necessary, alternatives will be considered that meet the goals of the proposed action but reduce or eliminate identified impacts.

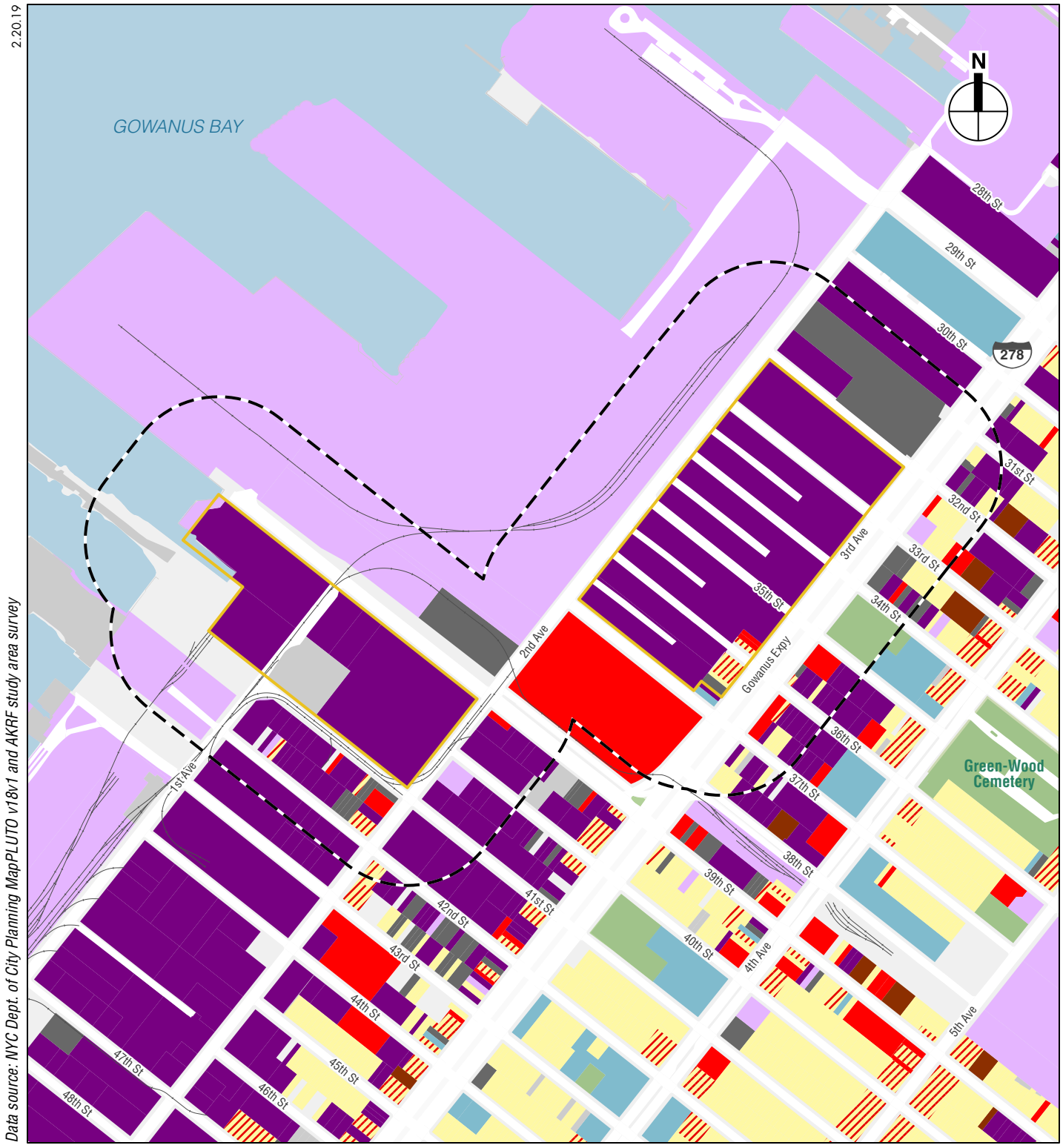
As part of this discussion, the rationale for the future analysis year (2027) will be presented~~. Proposals and projects anticipated for completion by the future analysis year will be listed in this chapter,~~ and the No Action conditions on the Project Area will be presented~~, using the same types of graphics as those presented in Chapter 1 for the Proposed Action.~~

TASK 2~~3~~: LAND USE, ZONING, AND PUBLIC POLICY

Under CEQR, a land use analysis characterizes the uses and development trends in the area that may be affected by a Proposed Project, describes the public policies that guide development, and determines whether a Proposed Project is compatible with those conditions and policies or whether it may affect them. In addition to considering the Proposed Project's effects in terms of land use compatibility and trends in zoning and public policy, this chapter will also provide a baseline for other analyses. The three analysis scenarios would have comparable effects on land use, zoning and public policy; therefore, for purposes of this technical area, the ~~Proposed Scenario~~Baseline Scenario would be analyzed.

The land use analysis will provide the following:

- A brief development history of the Directly Affected~~Project~~ Area and the Primary Study Area. The Primary Study Area will focus on the Directly Affected~~Project~~ Area and the area within 400 feet of the Directly Affected~~Project~~ Area; this is the area with the greatest potential to experience possible impacts related to land use. Additional consideration will also be given to a Secondary Study Area, approximately a half-mile from the Directly Affected ~~Project~~ Area (see **Figure 12~~6~~**).
- Describe conditions in the study area, including existing uses and the current zoning.
- Describe predominant land use patterns in the study area, including recent development trends and zoning changes.



Existing Land Use

INDUSTRY CITY

This figure has been updated for the Final Scope of Work

Figure 12

- Summarize other public policies that may apply to the Directly Affected~~Project~~ Area and study area, including any formal neighborhood or community plans, the New York City Waterfront Revitalization Program (WRP), and OneNYC.
- Prepare a list of other projects expected to be built in the study area that would be completed by the 2027 analysis year. Describe the effects of these projects on land use patterns and development trends. Also, describe any pending zoning actions or other public policy actions that could affect land use patterns and trends in the study area.
- Describe the Proposed Actions and provide an assessment of the impacts of the Proposed Project on land use and land use trends, zoning, and public policy. Consider the effects of the Proposed Project related to issues of compatibility with surrounding land use, consistency with public policy initiatives, and the effect on development trends and conditions in the area.

In addition, as the SICD would allow the application of a special permit to allow for a school use pursuant to a special permit, the DEIS will analyze the potential impacts associated with the siting of a public high school at Industry City.

TASK 43: SOCIOECONOMIC CONDITIONS

The analysis will follow the guidelines of the *CEQR Technical Manual* in assessing the project's potential effects on socioeconomic conditions within the surrounding area, including population characteristics, housing, and economic activities. According to the *CEQR Technical Manual,* the six principal issues of concern with respect to socioeconomic conditions are whether a Proposed Project would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement due to increased rents; (5) indirect business displacement due to retail market saturation; and (6) adverse effects on a specific industry. The following describes how each of these issues will be addressed. The Density-Dependent Scenario would be more conservative for a socioeconomic assessment because it results in more development within the neighborhood. Further, the Density-Dependent Scenario would be the more conservative scenario because increased development is of a type, academic community facility use, which is a less prevalent land use within the neighborhood.

DIRECT RESIDENTIAL DISPLACEMENT

Direct residential displacement is the involuntary displacement of residents from a site directly affected by a project. According to the *CEQR Technical Manual*, direct displacement of fewer than 500 residents would not typically be expected to alter the socioeconomic characteristics of a neighborhood. The Proposed Project would not exceed the *CEQR Technical Manual* analysis threshold of 500 directly displaced residents, and therefore is not expected to result in significant adverse socioeconomic impacts due to direct residential displacement. The EIS will disclose the estimated numbers of DUs and residents that would be directly displaced by the Proposed Actions, and will determine the amount of displacement relative to study area population.~~The Proposed Project would not directly displace any residents, and therefore this issue does not require analysis in the EIS.~~

DIRECT BUSINESS DISPLACEMENT

Direct business displacement is the involuntary displacement of businesses from a site directly affected by a project. The Project Area contains several active businesses that would be retained

or relocated into other space on the Project Area as part of the Proposed Project, and therefore would not be directly displaced by the project. However, there is the potential for some businesses to be directly displaced. Therefore, a screening-level assessment will be provided in which the directly displaced businesses and the employment associated with those businesses is estimated and disclosed. If the Proposed Project has the potential to directly displace more than 100 employees, a preliminary assessment of direct business displacement will be conducted.

The assessment of direct business displacement would estimate the number of employees and the number and types of businesses that could be displaced by the Proposed Project, and characterize the economic profile of the study area using current employment and business data from the New York State Department of Labor or U.S. Census Bureau. This information would be used in addressing the following CEQR criteria for determining the potential for significant adverse impacts: (1) whether the potentially displaced businesses provide products or services essential to the local economy that would no longer be available in its "trade area" to local residents or businesses due to the difficulty of either relocating the businesses or establishing new, comparable businesses; and (2) whether a category of potentially displaced businesses is the subject of other regulations or publicly adopted plans to preserve, enhance, or otherwise protect it.

If the preliminary assessment cannot rule out the potential for significant adverse impacts due to direct business displacement, then a detailed analysis will be conducted. The detailed analysis, if determined to be warranted, would describe existing and anticipated future conditions to a level necessary to understand the operational characteristics of the displaced businesses, determine whether they can be relocated, and assess whether the potential loss of the businesses from the study area could result in changes that would be significant and adverse.

INDIRECT RESIDENTIAL DISPLACEMENT

Indirect residential displacement (also known as secondary displacement) is the involuntary displacement of residents that may result from a change in socioeconomic conditions created by a project. According to the *CEQR Technical Manual*, residential development of 200 units or less would typically not result in significant socioeconomic impacts due to indirect residential displacement. Since the Proposed Project would not introduce any residential uses, there is no potential for impacts, and this issue does not require analysis in the EIS.

INDIRECT BUSINESS DISPLACEMENT DUE TO INCREASED RENTS

The Proposed Project would introduce commercial uses totaling well in excess of CEQR's 200,000-sf commercial threshold requiring analysis of potential indirect business displacement due to increased rents. In most cases, the issue for indirect displacement of businesses is that a project would markedly increase property values and rents throughout the study area, making it difficult for some categories of businesses to remain in the area. An example provided in the *CEQR Technical Manual* is industrial businesses in an area where land use change is occurring, and the introduction of a new population would result in new commercial or retail services that would increase demand for services and cause rents to rise.

Following *CEQR Technical Manual* guidelines, the analysis begins with a preliminary assessment that will describe and characterize conditions and trends in employment and businesses within the study area using the most recent available data from public and private sources such as New York State Department of Labor and the U.S. Census Bureau. This information will be used in a preliminary assessment to consider:

- Whether the Proposed Project would introduce enough of a new economic activity to alter existing economic patterns;
- Whether the Proposed Project would add to the concentration of a particular sector of the local economy enough to alter or accelerate existing economic patterns;
- Whether the Proposed Project would directly displace uses that directly support businesses in the area or bring people to the area that form a customer base for local businesses; and
- Whether the Proposed Project would directly or indirectly displace residents, workers, or visitors who form the customer base of existing businesses in the area.

If the preliminary assessment cannot rule out the potential for significant adverse impacts due to indirect business displacement, then a detailed analysis will be conducted. The detailed analysis would utilize more in-depth demographic analysis and field survey to characterize existing business conditions; identify businesses at risk for displacement; and assess potential impacts on any identified businesses at risk.

INDIRECT BUSINESS DISPLACEMENT DUE TO RETAIL MARKET SATURATION

The Proposed Project would introduce in excess of 200,000 sf of regional-serving retail, which is the CEQR threshold for assessment of potential indirect business displaced due to retail market saturation (i.e., competition). The CEQR concern is whether the project would create a retail concentration that may draw a substantial amount of sales from existing businesses within the study area to the extent that certain categories of business close and vacancies in the area increase, thus resulting in a potential for disinvestment on local retail streets.

Following *CEQR Technical Manual* guidelines, the analysis of indirect business displacement due to retail market saturation starts with a preliminary assessment to determine whether the project may capture the retail sales in a particular category of goods to the extent that the market for such goods would become saturated as a result. Specifically, the preliminary assessment will:

- Determine the primary trade area for the proposed anchor store(s);
- Estimate sales volumes of relevant retail stores within the trade area;
- Determine the expenditure potential of shoppers within the trade area;
- Compare sales generated by retail stores to the expenditure profile of the trade area;
- Determine whether any factors would emerge, such as other planned retail projects or major residential projects, that would affect conditions within the trade area by the project's build year;
- Project the sales volume for the Proposed Project's anchor tenant(s); and
- Compare the project's sales volumes with the dollars available within the trade area.

Based on this analysis, if the capture rate for specific, relevant categories of goods does not exceed 100 percent, according to the *CEQR Technical Manual*, the project would not have the potential for significant adverse impacts due to indirect business displacement as a result of competition, and no further analysis would be warranted.

If it is determined that projected capture rates for one or more retail category would exceed 100 percent within the project's primary trade area, a detailed analysis would be conducted following CEQR guidance.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

Based on the findings of the direct and indirect displacement assessments described above, a preliminary assessment of potential effects on specific industries will examine the following:

- Whether the Proposed Project would significantly affect business conditions in any industry or category of businesses within or outside the study area; and
- Whether the Proposed Project would indirectly substantially reduce employment or impair the economic viability in a specific industry or category of businesses.

The industries or categories of businesses that will be considered in this assessment are those specified in the North American Industry Classification System (NAICS) as promulgated by the U.S. Census Bureau.

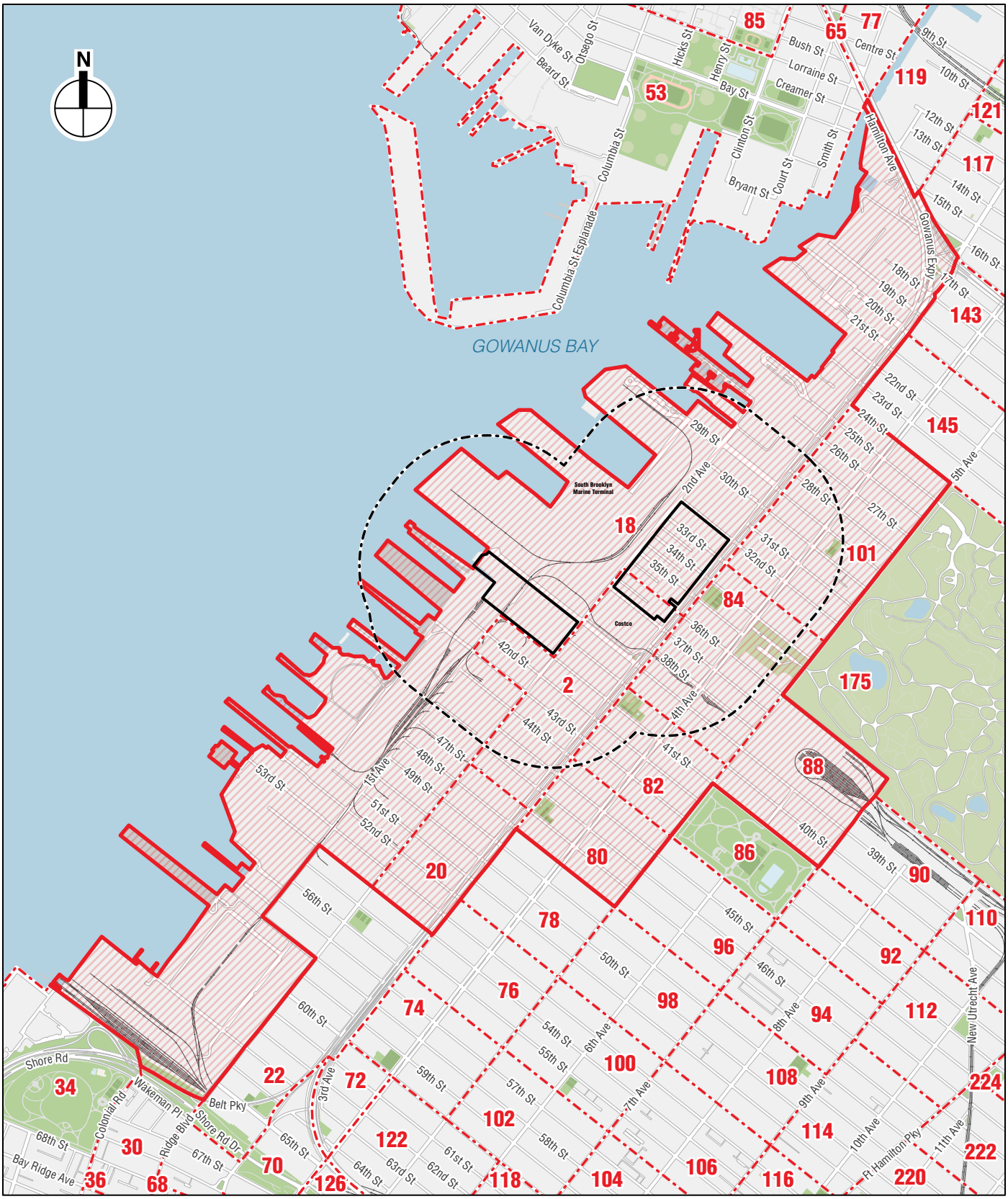
TASK 4~~5~~: OPEN SPACE

The *CEQR Technical Manual* recommends performing an open space assessment if a project would have a direct effect on an area open space (e.g., displacement of an existing open space resource) or an indirect effect through increased population size (for the Project Area, an assessment would be required if the Proposed Project's population is greater than 200 residents or 500 employees).

The Proposed Project is likely to exceed the 500-worker threshold requiring a non-residential open space analysis. The methodology set forth in the *CEQR Technical Manual* consists of establishing a study area for analysis, calculating the total population in the study area, and creating an inventory of publicly accessible open spaces within a 1/4-mile of the Project Area; this inventory will include examining these spaces for their facilities, condition, and utilization (see **Figure 13~~7~~**). The analysis will determine the impacts of the Proposed Project based on quantified ratios and qualitative factors. The analysis will begin with a preliminary assessment to determine the need for further analysis. If warranted, a detailed assessment will be prepared following the guidelines of the *CEQR Technical Manual.* Open space will be assessed in the future without the Proposed Actions and in the future with the Proposed Actions. The worker population projections will be developed for the more conservative Density-Dependent Scenario, which would account for 173,874 sf of Innovation Economy use and 241,128 sf of academic/community facility use over the RWCDS.

TASK 5~~6~~: SHADOWS

The *CEQR Technical Manual* requires a shadows assessment for proposed actions that would result in new structures (or additions to existing structures) greater than 50 feet in height or located adjacent to, or across the street from, a sunlight-sensitive resource. Such resources include publicly accessible open spaces, important sunlight-sensitive natural features, or historic resources with sun-sensitive features. For purposes of this technical area, the Baseline Scenario and Overbuild Scenario will be analyzed together as the "Shadow Assessment Scenario"; as the Baseline Scenario would introduce three new structures, the Gateway Building, Building 11, and Building 21 and be built to 4.96 FAR; while the Overbuild Scenario would introduce only two new structures, the Gateway Building and Building 21, and allocate additional bulk to Buildings 3, 4, 5, 6, 7, 8, 19, 22/23, and 24; and be built to 4.99 FAR.~~The Overbuild Scenario will be analyzed for the shadows assessment, as the Overbuild Scenario would allocate additional bulk to Buildings 3, 4, 5, 6, 7, 8, 19, 22/23, and 24; and be built to 4.99 FAR.~~



Open Space Study Area

INDUSTRY CITY

This figure has been updated for the Final Scope of Work

Figure 13

A preliminary shadows assessment will be conducted to determine whether any new structures could cast shadows on the Upper New York Bay, the D'Emic Playground across 3rd Avenue from a portion of the Project Area, or any other sunlight-sensitive resources. The Gowanus Expressway is an elevated intervening structure to be considered in the analysis. The assessment would be coordinated with the other EIS tasks, such as open space and historic resources, and would include the following tasks:

- Develop a base map illustrating the Project Area in relation to publicly accessible open spaces, historic resources with sunlight-dependent features, and natural features in the area.
- For any new structures over 50 feet tall or adjacent to sunlight-sensitive resources, determine the longest possible shadow that could be cast and whether it could reach any sunlight-sensitive resources.

If the preliminary assessment cannot eliminate the possibility of new shadows on a sunlight-sensitive resource, a detailed analysis would be required. The detailed analysis would include the following tasks:

- Develop a three-dimensional computer model of the elements of the base map developed in the preliminary assessment.
- Develop three-dimensional representations of the proposed structures.
- Using three-dimensional computer modeling software, determine the extent and duration of new shadows that would be cast on sunlight-sensitive resources as a result of the Proposed Actions on four representative days of the year.
- Document the analysis with graphics comparing shadows resulting from the No Action condition with shadows resulting from the Proposed Project, with incremental shadow highlighted in a contrasting color. Include a summary table listing the entry and exit times and total duration of incremental shadow on each applicable representative day for each affected resource.
- Assess the significance of any shadow impacts on sunlight-sensitive resources. If any significant adverse shadow impacts are identified, identify and assess potential mitigation strategies.

TASK ~~7~~6: HISTORIC AND CULTURAL RESOURCES

According to the *CEQR Technical Manual*, a historic and cultural resources assessment is required if there is the potential to affect either archaeological or architectural resources.

In 1986, the New York State Office of Parks, Recreation & Historic Preservation officially determined that much of the Bush Terminal Complex was eligible for listing on the State and National Registers of Historic Places. This Bush Terminal Historic District has an irregularly shaped boundary roughly bordered by 32nd Street on the north, 3rd and 2nd Avenues on the east, 51st Street on the south, and 2nd Avenue and the waterfront on the west. This historic district boundary includes Industry City and the properties on the block bounded by 2nd Avenue, 39th and 41st Streets, and New York Harbor.

Therefore, following the guidelines in the *CEQR Technical Manual*, a historic and cultural resources analysis is required. This analysis will focus on the project's effects to the Bush Terminal Historic District. It will identify and briefly describe the historic district and any known architectural resources within a surrounding 400-foot study area. A field survey will also be conducted to determine whether there are any potential architectural resources (properties that

appear to meet State and National Registers of Historic Places or New York City Landmark [NYCL] criteria but have not yet been so determined) in the study area. The historic and cultural resources analysis will assess the project's potential impacts, including visual and contextual changes, as well as any direct physical impacts on any designated and potential architectural resources. ~~The three analysis scenarios would have comparable effects on the historic and cultural resources within the Proposed Project's study area; therefore~~ For purposes of this technical area, the ~~Proposed Scenario~~Baseline Scenario and Overbuild Scenario would be analyzed.

Since the Proposed Project would require at least some subsurface disturbance on portions of the Project Area, it will be necessary to analyze the potential impacts of the Proposed Project on archaeological resources. If the site is not determined to be archaeologically sensitive, no further work will be required with respect to archaeological resources.

Consistent with the *CEQR Technical Manual*, the historic and cultural resources analysis will include the following tasks:

- Request a preliminary determination of archaeological sensitivity for the portions of the Project Area that would experience subsurface disturbance from the New York City Landmarks Preservation Commission (LPC). If it is determined that all or part of the Project Area may be sensitive for archaeological resources, a Phase 1A Archaeological Documentary Study of the affected area will be prepared as directed by LPC;
- ~~Select the study area for architectural resources, and~~ Map and briefly describe designated architectural resources in the study area. Consistent with the guidance of the CEQR Technical Manual, designated architectural resources include: New York City Landmarks, Interior Landmarks, Scenic Landmarks, New York City Historic Districts; resources calendared for consideration as one of the above by LPC; resources listed on or formally determined eligible for inclusion on the State and/or National Registers of Historic Places, or contained within a district listed on or formally determined eligible for listing on the Registers; resources recommended by the New York State Board for listing on the Registers; and National Historic Landmarks (NHL);
- Conduct a field survey of the Project Area and study area to identify any potential architectural resources that could be affected by the Proposed Project, Identification of potential architectural resources also will include a review of the Community Board 7 Sunset Park 197-a Plan and the Pratt Center for Community Development's "Sunset Park Voices in the Rezoning Process" document;
- Assess the potential effects of the Proposed Project on archaeological and architectural resources, including visual and contextual changes as well as any direct physical impacts; and
- If necessary, measures to avoid, minimize, or mitigate any adverse impacts on historic and cultural resources would be developed and described.

TASK 7~~8~~: URBAN DESIGN AND VISUAL RESOURCES

As described in the *CEQR Technical Manual*, an assessment of urban design is needed when a project would result in a physical alteration, observable to the pedestrian, beyond that allowed by existing zoning. ~~While~~ The Proposed Project would change the urban design and visual character of the Project Area and~~, it is not clear if construction of the Proposed Project~~ the Special Permit would allow for modifications to underlying height, setback, and yard regulations along with required street wall locations~~require the modification of yard, height, and setback requirements or other such actions~~ that would result in changes beyond the bulk and form permitted as-of-right.

Following the guidance of the *CEQR Technical Manual*, the preliminary assessment will include a concise narrative of the existing Project Area, the future With Action condition, and the future No Action condition and will present photographs, relevant zoning and floor area information, building heights, project drawings and site plans, and view corridor assessments. Preliminary urban design analysis will be prepared for the Baseline Scenario and Overbuild Scenario, as the new buildings and overbuilt bulk on Buildings 3, 4, 5, 6, 7, 8, 19, 22/23, and 24 would introduce changes to the massing and form of the existing Industry City complex. An urban design analysis will be prepared in accordance with the *CEQR Technical Manual* and will include project images, such as site plans, elevations, and renderings from the pedestrian's perspective from within the Project Area, study area, and Sunset Park, as well as images that compare the No Action and With Action conditions. If warranted based on the preliminary assessment, a detailed urban design and visual resources analysis would be prepared.

TASK 8~~9~~: HAZARDOUS MATERIALS

A hazardous materials assessment determines whether a proposed action may increase the exposure of people or the environment to hazardous materials and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. The potential for significant impacts related to hazardous materials can occur when: (1) elevated levels of hazardous materials exist on a site and the project would increase pathways to human or environmental exposure; (2) a project would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increased; or (3) the project would introduce a population to potential human or environmental exposure from off-site sources.

The hazardous materials section will examine the potential for significant hazardous materials impacts from the Proposed Project. The three analysis scenarios would have comparable effects within the Proposed Project's study area; therefore, for purposes of this technical area, the ~~Proposed Scenario~~Baseline Scenario would be analyzed. The EIS will include a discussion of the Project Area's history and current environmental conditions. The analysis will use an updated Phase I Environmental Site Assessment (ESA) to be prepared based on an earlier study from October 2012; the ESA includes the review of historic Sanborn maps, regulatory databases, and a site reconnaissance. The results of the Phase I ESA and previous relevant environmental studies~~Phase II Subsurface Site Investigations~~ will be summarized in the hazardous materials chapter. The chapter will include a discussion of the Proposed Project's potential to result in significant adverse hazardous materials impacts and, if necessary, will include a description of any additional further testing, remediation, or other measures that would be necessary to avoid impacts.

TASK 9~~10~~: WATER AND SEWER INFRASTRUCTURE

The *CEQR Technical Manual* outlines thresholds for analysis of a project's water demand and its generation of wastewater and stormwater. The Proposed Project would ~~not~~ result in an incremental demand for water of more than 1 million gallons per day (gpd) and therefore, would ~~not~~ require a~~n~~ preliminary analysis of water supply. The Proposed Project would exceed the 150,000-sf development threshold in the *CEQR Technical Manual* for new development in combined sewer areas of Brooklyn; therefore, preliminary analysis of the Proposed Project's effects on wastewater and stormwater infrastructure is warranted. The water demand and sanitary sewage generation rates will be analyzed for the Density-Dependent Scenario, which would approximately account for an additional 173,875~~4~~ sf of Innovation Economy use and 241,128 sf of academic and ~~/~~community facility use over the RWCDS, and would therefore be more conservative. New York

City Department of Environmental Protection (~~NYC~~DEP) will be consulted during the preparation of the preliminary stormwater and wastewater infrastructure assessment.

- The existing stormwater drainage system and surfaces (pervious or impervious) on the Project Area will be described, and the amount of stormwater generated on the site will be estimated using ~~NYC~~DEP's volume calculation worksheet.
- The existing sewer system serving the Project Area will be described based on records obtained from ~~NYC~~DEP. Records obtained will include sewer network maps, drainage plans, capacity information for sewer infrastructure components, and other data (such as sewer backup complaints/repair data), if warranted. The existing flows to the wastewater treatment plant (WWTP) that serves the site (Owls Head WWTP) will be obtained for the latest 12-month period, and the average dry weather monthly flow will be presented. Existing capacity information for pump stations, regulators, etc. downstream of the affected drainage area will be presented based on available information.
- Any changes to the Project Area's stormwater drainage system and surface area coverage expected in the future without the Proposed Actions will be described. Any changes to the sewer system that are expected to occur in the future without the Proposed Actions will be described based on information provided by ~~NYC~~DEP.
- The stormwater assessment will discuss any planned sustainability elements and best management practices (BMPs) that are intended to reduce stormwater runoff from the site. Changes to the Project Area's proposed surface area (pervious or impervious) will be described, and runoff coefficients and runoff for each surface type/area will be presented. Volume and peak discharge rates of stormwater from the site will be determined based on the ~~NYC~~DEP volume calculation worksheet.
- Water demand and sanitary sewage generation for the project will be estimated. The effects of the incremental demand on the system will be assessed to determine if there will be any impact on operations of the WWTP.
- Based on the assessment of future stormwater and wastewater generation, the change in flows and volumes to the sewer system and/or waterbodies due to the Proposed Project will be determined.
- All information will be presented in DEP's matrix format per the *CEQR Technical Manual.*

TASK 10~~11~~: ENERGY

According to the *CEQR Technical Manual*, a detailed assessment of energy impacts would be limited to actions that could significantly affect the transmission or generation of energy or that generate substantial indirect consumption of energy (such as a new roadway). It is estimated that the Proposed Project would result in an incremental increase in annual energy consumption of approximately 678,293,860 thousand BTUs, a very small percentage of overall consumption. As described in the *CEQR Technical Manual*, a significant adverse impact to energy is very unlikely. Therefore, a detailed analysis of energy is not warranted. However, the EIS will disclose the projected energy consumption resulting from the Proposed Actions.

TASK 11~~12~~: TRANSPORTATION

The transportation analysis will evaluate whether the Proposed Project would create significant impacts on vehicular traffic, parking, transit services, pedestrian circulation, or traffic safety. Should significant impacts be identified per *CEQR Technical Manual* criteria, the EIS will then

further evaluate the ability of transportation system improvements to mitigate those impacts. The transportation analysis will include the subtasks outlined below.

TRAVEL DEMAND ANALYSIS

Trip generation projections will be developed for the three program scenarios by travel mode for each of the land uses. 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, would generate more transportation activity than the ~~Proposed Scenario~~Baseline Scenario and Overbuild Scenario; the Density-Dependent Scenario will be analyzed for this condition, as it is the most conservative program. Trip generation projections will be developed in consultation with the lead agency and New York City Department of Transportation (~~NYC~~DOT) using trip generation rates, temporal distributions, modal splits, average vehicle occupancies, and in/out splits that are published in the *CEQR Technical Manual* or in previously conducted EISs or EASs or other professional reference materials, or via surveys conducted for this project. This will be done for the weekday AM, midday, and PM peak periods and for the Saturday peak period; the Saturday peak period will be determined based on both the peak period for trip generation associated with the proposed actions, and existing Saturday ATR's traffic counts.

The Density-Dependent Scenario would account for an additional 173,874 sf of Innovation Economy use and an additional 241,128 sf of academic/community facility use. The EIS transportation analysis would analyze the Density-Dependent Scenario as it would increase transportation activity and therefore be more conservative.

This process begins with a Level 1 screening analysis to determine whether vehicle, transit, and/or pedestrian trip thresholds outlined in the *CEQR Technical Manual* are exceeded, thus indicating the need for additional detailed analyses. The Level 1 screening analysis will produce peak hour person trip projections and vehicle trip projections for the four traffic and transportation analysis periods.

The second part of the travel demand analysis is a Level 2 screening for vehicular, transit, and pedestrian trips—the distribution and assignment of trips through the study area's roadway network, subway and bus services, and pedestrian network, and the identification of the specific intersections and subway and bus lines requiring a data collection effort and detailed quantitative analyses.

A Travel Demand Analysis (TDA) Technical Memorandum will be prepared that documents the assumptions, and the analysis findings and will be submitted to DCP and/or ~~NYC~~DOT for review and approval.

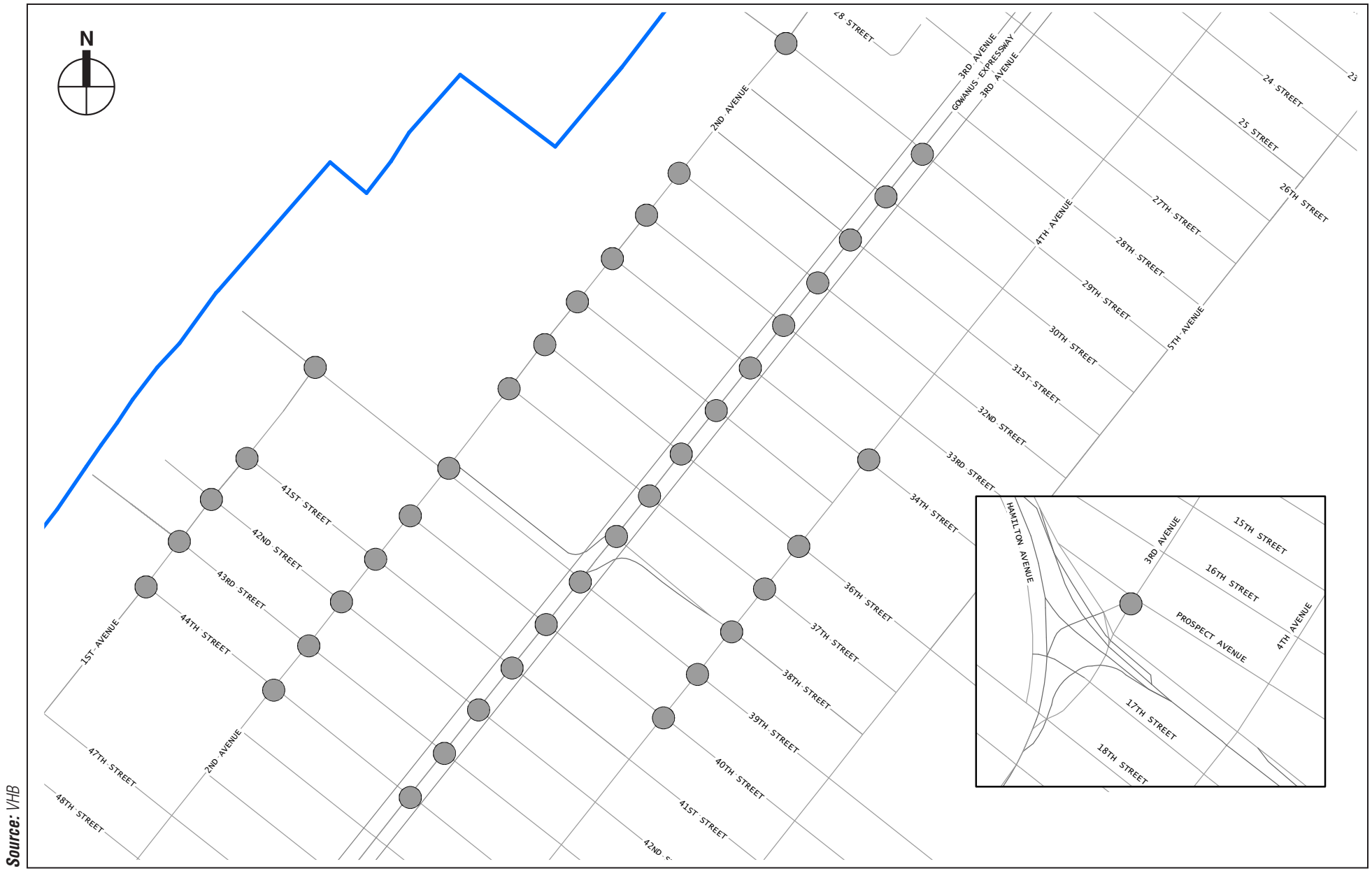
TRANSPORTATION ANALYSIS

The traffic studies for this project will include analyses of both intersections within the street network near the Project Area and adjacent segments of the Gowanus Expressway that would be used by vehicular traffic approaching and leaving the site.

Street Network

- Define a traffic study area which would include the street intersections listed below (see **Figure 1~~4~~8**)~~; additional intersections may need to be included in the traffic study area based on the results of the travel demand analysis, the analysis location selection criteria in the *CEQR Technical Manual*, and consultation with DCP and NYCDOT~~:

2.12.19



Source: VHB

Traffic Analysis Locations

Transportation Study Area

INDUSTRY CITY

This figure has been updated for the Final Scope of Work

Figure 14

- 1st Avenue at 39th, 41st, 42nd, 43rd, and 44th Streets;
- 2nd Avenue at 29th, 32nd, 33rd, 34th, 35th, 36th, 37th, 39th, 40th, 41st, 42nd, 43rd, and 44th Streets;
- 3rd Avenue at 29th, 30th, 31st, 32nd, 33rd, 34th, 35th, 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, and 44th Streets and at Prospect Avenue; and
- 4th Avenue at 34th, 36th, 37th, 38th, 39th, and 40th Streets.

- Conduct intersection through and turning movement counts at each of the study locations during weekday AM, midday, and PM peak periods, and during the Saturday peak period. Automatic Traffic Recorder (ATR) machine counts will also be conducted for a full week and two weekends, and will be used to determine if the one-day manual counts need to be adjusted for average weekday conditions. ATR machines will be placed at approximately 20 locations along the street network. Field observations will be conducted of traffic operations that will be used to calibrate subsequent level of service analyses to observed field conditions. ~~Vehicle classification counts (e.g., autos, taxis, trucks, buses) will be conducted at representative intersections within the traffic study area, to be identified upon completion of the Travel Demand Analysis memo and in consultation with the lead agency and NYCDOT.~~
- Conduct travel speed and delay runs along the key corridors in support of the mobile source analysis described in Task 13, Air Quality. Additional intersections may need to be included to the traffic analysis locations based on the Air Quality mobile source screening analysis.
- Identify the weekday AM, midday, and PM peak hours, and the Saturday peak hour and prepare traffic volume maps for each of the four traffic peak hours.
- Inventory streets and intersections for street and lane widths, lane use designations, posted parking regulations and parking maneuvers, signal phasing and timing, and other factors needed to calculate intersection capacities.
- Determine existing traffic conditions for intersections being analyzed using Highway Capacity Manual (HCM) procedures and Highway Capacity Software (HCS+ version 5.5) and Synchro software, i.e., existing volume-to-capacity (v/c) ratios, average vehicle delays, and levels of service—for individual traffic movements and lane groups, overall approaches to the intersection.~~;~~
- Develop future No Action traffic volumes using the annual background traffic growth rate cited in the *CEQR Technical Manual* plus traffic expected to be generated by significant development projects expected to be operational near the Project Area by its analysis year.
- Identify any proposed changes to the street network expected to occur by the analysis year, and incorporate changed intersection capacity or operational conditions attributable to those changes in consultation with DCP and ~~NYC~~DOT.
- Determine future No Action traffic conditions for the intersections being analyzed.
- Develop future With Action traffic volumes by adding project-generated traffic assignments to the future No Action traffic volumes.
- Identify proposed changes to the street network expected to occur in conjunction with the Proposed Project, if any, and incorporate changed capacity or operational conditions into the With Action conditions analysis.
- Determine future With Action traffic conditions for the intersections being analyzed and identify significant traffic impacts using criteria stipulated in the *CEQR Technical Manual*.

Gowanus Expressway

- Define a highway traffic analysis study area extending from 17th Street to 65th Street and including the northbound exit ramp at 39th Street and the southbound exit ramp at 36th Street.
- Conduct ATR machine counts at representative locations within the above highway study area, i.e., at three northbound and three southbound mainline locations and along six key on/off ramps.
- Conduct travel speed and delay runs along the Gowanus Expressway mainline from the vicinity of the "split" with the Prospect Expressway to the vicinity of the "split" with the Shore Parkway.
- Determine existing traffic conditions along the Gowanus Expressway adjacent to the Project Area using HCM procedures and FREEVAL 2015e software~~CORSIM procedures~~, i.e., travel speed, density, and levels of service. The calculated speeds and levels of service will be compared to field-observed conditions so they reasonably replicate field observations.
- Incorporate traffic volumes generated under the No Action condition and determine future No Action traffic conditions for the segments of the Gowanus Expressway being analyzed.
- Incorporate traffic volumes generated by the Proposed Project that would use the Gowanus Expressway to approach and leave the Project Area, and determine future With Action traffic conditions for the segments of the Gowanus Expressway being analyzed. Identify significant traffic impacts using criteria stipulated in the *CEQR Technical Manual*.

Parking Analysis

- Inventory the amount of parking existing within public parking lots and garages within a five-minute walk (one-quarter mile) of the overall Project Area. This will include the location, capacity, and utilization of such lots and garages on weekdays and Saturdays.
- Inventory the amount of on-street parking existing within a five-minute walk (one-quarter mile) of the overall Project Area. This will include determining the capacity and utilization, on weekdays and Saturdays, and existing curbside regulations.
- Determine the amount of parking expected to be generated by the Proposed Project by land use and determine whether parking to be provided as part of the project would be sufficient to accommodate the demand or, if not, whether available on- and off-street parking spaces in the area would be sufficient to supplement project-provided parking.

Transit Analysis

Subways

- Identify and describe the subway routes and stations serving the Project Area, station access facilities, hours of operation, and frequency of service.
- Identify the volume of patrons using the 36th Street subway station which is located closest to the Project Area based on information to be obtained from MTA/New York City Transit, as well as line-haul ridership data for weekdays and Saturdays.
- Conduct pedestrian counts along subway station stairwells at the 36th Street stop during the AM and PM commuter periods.
- Determine existing station element utilization characteristics—stairwell levels of service and turnstile capacities and utilization—and line-haul capacity utilization.
- Determine future No Action station volumes and utilization characteristics.

- Assign project-generated subway trips, with consultation with New York City Transit, to potentially affected stations and station stairwells and turnstiles, and determine whether there would be significant subway impacts under future With Action conditions. Similarly, determine future With Action increments on line-haul utilization.

Buses

- Identify and describe the bus routes and bus stops serving the Project Area, hours of operation, and frequency of service.
- Identify the volume of patrons using study area bus routes based on information to be obtained from MTA/New York City Transit, for peak bus route load points and, if available from MTA/New York City Transit, for local check points.
- Determine future No Action bus ridership and incremental effects on peak load levels.
- Assign project-generated bus trips to study area bus stops and determine whether there would be significant impacts on bus load levels.

PEDESTRIAN ANALYSIS

- Conduct pedestrian counts at intersections along key walking routes between subway stations and bus stops and the Project Area and other potentially affected locations in the traffic study area. These counts will be conducted at intersection crosswalks, sidewalks, and corner reservoir areas at these locations during the four analysis periods. The intersections listed below were ~~preliminarily~~ identified as part of the pedestrian study area~~; additional intersections may need to be included in the pedestrian study area based on the results of the travel demand analysis, the analysis location selection criteria in the *CEQR Technical* Manual, and consultant with DCP and NYCDOT~~.
  - 1st Avenue at 39th Street
  - 2nd Avenue at 39th Street
  - 3rd Avenue at 35th, 36th, 37th, and 39th Streets
  - 4th Avenue at 35th, 36th, 38th, and 39th Streets.
- Tabulate the pedestrian counts and establish the specific peak traffic hours to be analyzed for weekday AM, midday, PM**,** and Saturday conditions. Develop pedestrian volume maps for each analyzed intersection for the four traffic peak hours.
- Determine existing pedestrian conditions for the intersections being analyzed using HCM procedures and in accordance with CEQR Technical Manual protocols.
- Develop future No Action pedestrian volumes using the annual background traffic growth rate cited in the *CEQR Technical Manual* plus pedestrian traffic expected to be generated by significant development projects expected to be operational near the proposed Project Area by its analysis year.
- Identify any proposed changes to the street network expected to occur under No Action conditions by the analysis year, and incorporate changed capacity or operational conditions attributable to those changes on pedestrian conditions, in consultation with DCP and ~~NYC~~DOT.
- Develop future With Action pedestrian volumes by adding project-generated pedestrian assignments to the future No Action pedestrian volumes.

- Identify proposed changes to the roadway network expected to occur in conjunction with the Proposed Project, if any, and incorporate changed capacity or operational conditions into the future With Action pedestrian analyses.
- Identify significant pedestrian impacts, if any, using criteria stipulated in the *CEQR Technical Manual*.

SAFETY ANALYSIS

Review vehicular and pedestrian crash data for the most recent three-year period for which such data are available and summarize the number and severity of crashes by year for each of the traffic study area intersections. Then determine whether any of the intersections being analyzed are considered high accident locations based on *CEQR Technical Manual* criteria, and also determine whether vehicular and pedestrian traffic generated by the Proposed Project would contribute materially at such locations. Potential improvements will be identified.

TASK 12~~13~~: NATURAL RESOURCES

Under CEQR, a natural resource is defined as the City's biodiversity (plants, wildlife and other organisms); any aquatic or terrestrial areas capable of providing suitable habitat to sustain the life processes of plants, wildlife, and other organisms; and any areas capable of functioning in support of the ecological systems that maintain the City's environmental stability. Such resources include ground water, soils, and geologic features; numerous types of natural and human-created aquatic and terrestrial habitats (including wetlands, dunes, beaches, grasslands, woodlands, landscaped areas, gardens, parks, and built structures); as well as any areas used by wildlife.

This chapter of the EIS will examine the potential impacts from the Baseline Scenario for the Proposed Project on natural resources and floodplains within Industry City in the Sunset Park neighborhood in Brooklyn (the Project Area). However, it should be noted the Project Area is within a developed urban area with limited natural resources.

The analysis will describe the following tasks:

- The regulatory programs that protect floodplains and natural resources (e.g., groundwater, wildlife, and threatened or endangered species);
- The current condition of the floodplain and natural resources within the natural resources study area (e.g., groundwater, ecological communities, wildlife, and threatened or endangered species and species of special concern);
- The floodplain and natural resources conditions in the future without the Proposed Project (the No Action Condition);
- The potential impacts of the Proposed Project on the floodplain and natural resources (the With Action Condition); and
- The measures that would be developed, as necessary, to mitigate and/or reduce any of the Proposed Project's potential significant adverse effects on natural resources and floodplains.

If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

TASK 13: AIR QUALITY

The number of project-generated trips will likely exceed the *CEQR Technical Manual* carbon monoxide (CO) analysis screening threshold of 170 vehicles in the peak hour at a number of locations within the study area. In addition, the projected number of heavy-duty trucks or equivalent vehicles will likely exceed the applicable fine particulate matter ($PM_{2.5}$) screening thresholds in the *CEQR Technical Manual*. Therefore, a microscale analysis of $PM_{2.5}$ mobile source emissions at affected intersections is necessary. The Proposed Project would also introduce new uses within 200 feet of the elevated section of the Gowanus Expressway. The effect of this existing roadway on the proposed uses will therefore be analyzed, as recommended in the *CEQR Technical Manual*. In addition, the Proposed Project is expected to include new parking facilities; therefore, the mobile source analysis must account for the additional impacts from these sources.

Depending on the element (mobile source or stationary source), either the ~~Proposed Scenario~~Baseline Scenario or the Density-Dependent Scenario will be analyzed for this condition. The ~~Proposed Scenario~~Baseline Scenario may be more conservative for the mobile source analysis as it may generate additional delivery trucks due to greater storage/warehouse space and hence a higher level of traffic, while the Density-Dependent Scenario may generate greater emissions from fossil fuel-fired heating~~, ventilation,~~ and ~~air conditioning (HVAC)~~hot water systems and hence would be analyzed for the stationary source analysis.

The stationary source air quality impact analysis will have to determine the effects of emissions from any proposed fossil fuel-fired heating and hot water~~HVAC~~ systems on pollutant levels. While screening studies can be usefully employed for single sites, the number, size, and location of the potential areas for redevelopment are such that refined modeling will likely be necessary to demonstrate the project's compliance with National Ambient Air Quality Standards (NAAQS) and other relevant impact criteria. Therefore, a detailed stationary source analysis using EPA's AERMOD dispersion model will be performed. Five years of current meteorological data comprising surface data from the nearest National Weather Service (NWS) station and concurrent upper air data from Brookhaven, New York, will be used for the simulation modeling.

The RWCDS would include a mix of light industrial, hotel, commercial uses. Therefore, potential impacts from pollutant emissions from potential tenanting of manufacturing use groups in the Rezoning Area that are co-located with sensitive receptors will be evaluated to ensure the viability of the proposed Special ~~Sunset Park Innovation~~Industry City District. This analysis will include project-on-project and project-on-existing analyses. In addition, the Project Area is within an area zoned for industrial and manufacturing uses. Therefore, ~~a screening~~an ~~and detail~~ analysis is warranted to examine the potential for impacts on the Proposed Project from industrial emissions. Finally, emissions from large and major sources within 1,000 feet of the rezoning area (both existing and proposed) will be examined for their potential impact on the Proposed Project's sensitive uses.

MOBILE SOURCE ANALYSES

- Gather existing air quality data. Collect and summarize existing ambient air quality data for the study area. Specifically, ambient air quality monitoring data published by the New York State Department of Environmental Conservation (NYSDEC) will be compiled for the analysis of existing and future conditions.
- Determine receptor locations for the microscale analysis. Select critical intersection locations in the study area, and outside the study area, based on data obtained from the Proposed

Project's traffic analysis. At each intersection, multiple receptor sites will be analyzed in accordance with CEQR guidelines.

- Select dispersion model. At each of the identified receptor sites, the appropriate dispersion model will be used in the microscale analyses. It is anticipated that the CAL3QHC screening dispersion model (Version 2) will be used for the CO microscale analysis. The refined U.S. Environmental Protection Agency (EPA) CAL3QHCR intersection model will be used to predict the maximum change in $PM_{2.5}$ concentrations.
- Select emission calculation methodology and "worst-case" meteorological conditions. Vehicular cruise and idle emissions for the dispersion modeling will be computed using EPA's MOVES 2014a model. Conservative meteorological conditions to be assumed in the CAL3QHC dispersion modeling are a 1-meter per second wind speed, Class D stability and a 0.70 persistence factor. In addition, a winter temperature value provided by NYSDEC for the Borough of Brooklyn will be used as input to the model. For the CALQHCR analysis, five years of meteorological data from the nearest NWS station and concurrent upper air data from Brookhaven, New York for the simulation program will be used.
- At each mobile source microscale receptor site, the maximum 1- and 8-hour CO concentrations for ~~existing conditions will be calculated; t~~he future conditions without the Proposed Project and the future conditions with the Proposed Project will ~~also~~ be calculated. 24-hour and annual average $PM_{2.5}$ and PM_{10} concentrations for the future conditions without the Proposed Project and the future conditions with the Proposed Project will be calculated. Concentrations will be determined for up to four peak periods (AM, midday, PM, and Saturday peak). All data required for MOVES (i.e., volume, speeds and vehicle classification) should be collected from the field.
- The potential CO and PM impacts associated with proposed parking facilities will be assessed. One to two parking facilities will be selected for analysis. Information on the conceptual design of the parking facilities will be employed to determine potential on-site and off-site impacts from emissions. Cumulative impacts from on-street sources and emissions from the proposed parking facilities will be calculated, Emissions from the elevated Gowanus Expressway on the Proposed Project will be analyzed. Information on traffic volumes will be obtained from field data or from published sources of information.
- Existing and future pollutant levels with standards will be compared. Future pollutant levels with and without the Proposed Project will be compared with the CO and PM_{10} NAAQS, and the City's CO and $PM_{2.5}$ *de minimis* criteria to determine the impacts of the Proposed Project.
- The consistency of the Proposed Project with the strategies contained in the State Implementation Plan for the area will be determined. At any receptor sites where violations of standards occur, analyses would be performed to determine what mitigation measures would be required to attain standards.
- Mitigation measures will be examined, as necessary.
- A quantitative assessment from the South Brooklyn Marine Terminal will be provided, if warranted.

STATIONARY SOURCE ANALYSES

- A stationary source analyses will be performed using the AERMOD model to determine the potential ~~fossil fuel-fired HVAC~~ impacts <u>from fossil fuel-fired heating and hot water systems associated with</u>~~from~~ the Proposed Project. For the stationary source analysis, five recent years

of meteorological data from the nearest representative National Weather Service station and concurrent upper air data will be utilized for the simulation program. Concentrations of the air contaminants of concern (e.g., nitrogen dioxide, sulfur dioxide, and particulate matter) will be determined at on and off-site receptor sites, as well on project receptors from the cumulative effects of the emission sources associated with the proposed project. Predicted values will be compared with national and State ambient air quality standards and other relevant standards. In the event that violations of standards are predicted, examine design measures to reduce pollutant levels to within standards.

- Air emissions will be analyzed from existing process uses at Industry City, as well as proposed Innovation Economy uses, to assess their potential impacts on the potential sensitive uses. Representative profiles of potential sources will be developed based on existing permit data for sources located in New York City, based on use groups, size and other factors. EPA's AERMOD dispersion model will be used to estimate the short-term and annual concentrations of air toxic pollutants at sensitive receptor locations in the Rezoning Area. Predicted worst-case impacts on the RWCDS will be compared with the short-term guideline concentrations (SGC) and annual guideline concentrations (AGC) reported in NYSDEC's DAR-1 AGC/SGC Tables guidance document to determine the potential for significant impacts.
- A field survey will be performed to identify manufacturing or processing facilities within 400 feet of the Proposed Project. ~~NYC~~DEP's Bureau of Environmental Compliance (BEC) files will be examined to determine if there are permits for any industrial facilities that are identified. A review of federal and state permits will also be conducted. Based on the results of the field survey and permit searches, an industrial stationary source air quality analysis, as detailed in the *CEQR Technical Manual*, will be performed. EPA's AERMOD dispersion model screening database will be used to estimate the short-term and annual concentrations of critical pollutants at sensitive receptor sites. Predicted worst-case impacts on the project will be compared with the ~~short-term guideline concentrations (~~SGC~~)~~ and ~~annual guideline concentrations (~~AGC~~)~~ reported in the 2016 NYSDEC's DAR-1 AGC/SGC Tables guidance document to determine the potential for significant impacts. Hazardous Index will be used to assess the cumulative impacts for multiple pollutants.
- A quantitative assessment of current/existing/proposed manufacturing uses within the proposed building that will co-exist with proposed sensitive uses at the same building will be conducted.

TASK 14: GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

As per the *CEQR Technical Manual*, a greenhouse gas (GHG) consistency assessment is appropriate for projects being reviewed in an EIS that would result in development of 350,000 square feet or greater. Therefore, GHG emissions generated by the Proposed Project will be quantified and an assessment of consistency with the City's established GHG reduction goal will be prepared. Project-related GHG emissions, for the Density-Dependent Scenario, will be estimated for the analysis year and reported as carbon dioxide equivalent (CO_2e) metric tons per year. GHG emissions other than carbon dioxide (CO_2) will be included if they would account for a substantial portion of overall emissions, adjusted to account for the global warming potential.

~~Relevant measures to reduce energy consumption and GHG emissions that could be incorporated into the Proposed Project will be discussed, and the potential for those measures to reduce GHG emissions from the Proposed Project will be assessed to the extent practicable.~~

Since the proposed site is within the flood hazard zone, the potential impacts of climate change on the Proposed Project and its infrastructure will be evaluated. The discussion will focus on sea level rise and ~~changes in storm frequency projected to result from global climate change and~~ the potential future impact of ~~those~~ changes in storm frequency on project infrastructure and uses.

The GHG analysis would consist of the following subtasks:

- The potential effects of climate change on the Proposed Project will be evaluated based on the best available information. The evaluation will focus on potential future sea and storm levels and the interaction with project infrastructure and uses. The discussion will focus on early integration of climate change considerations into the project design to allow for uncertainties regarding future environmental conditions resulting from climate change.
- Direct and Indirect Operational Emissions—emissions from on-site fossil fuel use, for example in heat and hot water boilers, and from purchased electricity and/or steam generated off-site and consumed on-site during the project's operation will be quantified. Emissions will be based on available project specific information regarding the expected energy and fuel use or the carbon intensity factors specified in the *CEQR Technical Manual*.
- ~~Indirect Operational Emissions—emissions from purchased electricity and/or steam generated off-site and consumed on-site during the project's operation will be estimated.~~
- Indirect Mobile Source Emissions—emissions from vehicle trips to or from the Proposed Project will be quantified using trip distances and emission factors provided in the *CEQR Technical Manual*. It is assumed that additional ferry service would not be provided as part of the Proposed Project.
- Emissions from construction and emissions associated with the extraction or production of construction materials will be ~~qualitatively~~ discussed. Opportunities for reducing GHG emissions associated with construction will be considered.
- Features of the Proposed Project that reduce energy use and GHG emissions will be discussed and quantified to the extent that information is available.
- Consistency with the City's GHG reduction goal will be assessed. While the City's overall goal is to reduce GHG emissions by 30 percent below 2005 level by 2030, individual project consistency is evaluated based on proximity to transit, incentives for sustainable transportation, building energy efficiency, on-site production of renewable or clean energy, efforts to reduce carbon fuel intensity or improve vehicle efficiency for project-generated vehicle trips, and other efforts to reduce the project's carbon footprint.

TASK 15: NOISE

The noise analysis will examine the impacts of project-generated traffic and stationary sources on noise-sensitive land uses near the Project Area and the effects of noise generated by existing noise sources and project-generated stationary sources on the Proposed Project buildings. Existing noise levels adjacent to the Project Areas is relatively high due to traffic on the elevated Gowanus Expressway and local streets.

The Density-Dependent Scenario is analyzed for this condition, as it would generate more transportation activity than the ~~Proposed Scenario~~Baseline Scenario, and is therefore more conservative.

~~A screening level analysis using~~ Proportional modeling techniques will be used to assess ~~the~~ potential ~~for a~~ mobile source noise impacts. ~~If the screening level analysis indicates the potential~~

~~for a mobile source significant noise impact then a detailed mobile source analysis using the TNM model will be performed.~~

As the project site would be zoned M2-3 and M1-2 in the future with the Proposed Project, stationary noise sources associated with the Proposed Project would be subject to the noise level limits included in Section 42-213 of the New York City Zoning Resolution. It is assumed that all stationary sources included in the Proposed Project will be designed to comply with these noise level limits, which are more stringent than the limits for the M3 zoning currently in place on the project site. Since the performance standard compliance is mandated at the boundary of an industrial building, a quantitative assessment will be included in the EIS to determine the potential impacts from the current and/or proposed manufacturing uses that will co-exist with proposed sensitive uses in the same buildings. This assessment will be based on measured noise levels form a worst-case representative manufacturing use. The New York City Building Code compliance will be assumed for all stationary noise sources within a partition of an industrial building.

The focus of the noise analysis will be to identify the levels of building attenuation necessary to meet CEQR interior noise levels requirements. The required level of building attenuation will be specified and the general recommendations for meeting the requirements will be provided.

The proposed work program will include the following tasks:

- Select appropriate noise descriptors. Appropriate noise descriptors to describe the existing noise environment will be selected. The L_{eq} and L_{10} levels will be the primary noise descriptors used for the noise analysis including the Noise PCE screening analysis, the stationary source noise analysis, and the building attenuation analysis.
- Based on the traffic studies of the Density-Dependent Scenario (which would have the potential to generate a higher level of traffic and is therefore more conservative with respect to noise), perform a screening analysis using proportional modeling techniques to determine whether there are any locations where there is the potential for the Proposed Project to result in significant noise impacts (i.e., doubling of Noise PCEs) due to project generated traffic.
- Select receptor locations for building attenuation analysis purposes. Two elevated receptor locations (one directly adjacent to the Gowanus Expressway and the other with setback) will be selected to account for noise from the elevated Gowanus Expressway. Receptor locations will include locations adjacent to the Project Area.
- Perform 20-minute, 1-hour and 24 hours measurements at each receptor location during typical weekday AM, midday, and PM peak periods, as well as the Saturday midday period. L_1, L_{10}, L_{50}, L_{90}, L_{min}, and L_{max} values will be recorded.
- Perform spot noise measurement at existing representative worst-case manufacturing use.
- Perform spot noise measurement at existing electrical transformers on 32nd Street.
- Data analysis and reduction. The results of the noise measurement program will be analyzed and tabulated.
- Determine the level of attenuation necessary to satisfy CEQR criteria. The level of building attenuation necessary to satisfy CEQR requirements is a function of exterior noise levels and will be determined. The building attenuation study will identify the level of building attenuation required to satisfy CEQR requirements by building and façade. Recommendations regarding general noise attenuation measures needed for the Proposed Project to achieve compliance with standards and guideline levels will be made. Due to the relatively high ambient noise levels adjacent to the Project Area, any development in the area would be

expected to require acoustically rated windows together with the provision for some kind of alternate ventilation—that does not degrade the acoustical performance of the façade—to achieve acceptable interior noise levels. The attenuation requirements will be based on projected noise levels in the future with the Proposed Project, including contributions from future increases in traffic as well as project-generated stationary noise sources.

- ~~Quantitative~~ Noise ~~assessment will be included for~~ from the railroad track on 39th street will be assessed based on noise measurements and applied to noise projections as appropriate for all sensitive uses projected within 1500 feet with direct line of sight to the track.
- Noise from the existing electrical transformers on 32nd street will be assessed based on noise measurements and applied to noise projections as appropriate for all sensitive uses projected with direct line of sight to the transformers.

TASK 16: PUBLIC HEALTH

According to the *CEQR Technical Manual*, a public health analysis is not warranted if a project does not result in a significant unmitigated adverse impact in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise. However, the lead agency may require a public health analysis if an unmitigated significant adverse impact is identified in the EIS. The Proposed Project will be screened under a level of assessment in conformance with the *CEQR Technical Manual*.

TASK 17: NEIGHBORHOOD CHARACTER

Neighborhood character is determined by a number of factors, including land use, socioeconomic conditions, open space, historic and cultural resources, urban design, visual resources, shadows, transportation, and noise. According to the guidelines of the *CEQR Technical Manual,* an assessment of neighborhood character is generally needed when a Proposed Project has the potential to result in significant adverse impacts in one of the technical areas presented above, or when a project may have moderate effects on several of the elements that define a neighborhood's character. Therefore, if warranted based on an evaluation of the Proposed Project's impacts, an assessment of neighborhood character would be prepared following the methodologies outlined in the *CEQR Technical Manual*.

The analysis would begin with a preliminary assessment, which would involve identifying the defining features of the area that contribute to its character. If the preliminary assessment establishes that the Proposed Project would affect a contributing element of neighborhood character, a detailed assessment will be prepared to examine the potential neighborhood character-related effects of the Proposed Project through a comparison of future conditions both with and without the Proposed Project. The neighborhood character assessment will be prepared for the Overbuild Scenario, as the Overbuild Scenario would allocate bulk to Buildings 3, 4, 5, 6, 7, 8, 19, 22/23, and 24; and be built to 4.99 FAR. Development under the Overbuild Scenario would introduce changes to the existing Industry City complex.

TASK 18: CONSTRUCTION ~~IMPACTS~~

Construction activities, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction activity could affect transportation conditions, archaeological resources and the integrity of historic resources, community noise patterns, air quality conditions, and mitigation of hazardous materials.

The three analysis scenarios would have comparable effects on construction impacts; however for purposes of this technical area, the ~~Overbuild~~ Density-Dependent Scenario would be analyzed as it is likely to generate the most overall site activity compared with the other two scenarios and is therefore used to determine potential construction impacts from the Proposed Project.~~there would be additional structural components as introduced by the overbuild on Buildings 3, 4, 5, 6, 7, 8, 19, 22/23, and 24; and be built to 4.99 FAR~~ The reasonable worst-case conceptual construction phasing and related construction activity will be described.

Technical areas to be analyzed include the following:

- *Transportation Systems*. An assessment of potential construction traffic impacts will be conducted for construction conditions at a representative set of key intersections for peak morning and afternoon construction-related activities. Based on the volume of construction workers expected to drive to the construction sites and the volume of construction trucks and delivery vehicles during the peak quarter of the peak overall construction year, the following analysis will be conducted:
  - Assign construction worker auto trips to the roadway network and to nearby parking facilities or to construction staging areas where on-site parking might be allowed; and, assign construction-related trucks and delivery vehicles to the roadway network en route to construction sites.
  - Evaluate potential traffic impacts at eight intersections to be identified in consultation with the lead agency and ~~NYC~~DOT for peak construction hours, i.e., 6–7 AM and 3–4 PM on weekdays.
  - Identify potential significant traffic impacts and determine whether available traffic improvement measures can mitigate such impacts.

These analyses will be conducted for a single peak year that could either reflect peak construction activity or the peak combination of partial buildout on some of the project parcels plus construction activity on other remaining parcels to be determined by trip generation projections to be developed with the lead agency and ~~NYC~~DOT. Potential construction-related impacts on transit and pedestrian activities will be assessed and addressed quantitatively, if needed.

- *Air Quality*. ~~The construction air quality impact section will contain a detailed discussion of~~A detailed analysis of construction sources will be performed to determine the potential for air quality impacts on sensitive receptor locations. Air pollutant sources would include combustion exhaust associated with ~~emissions from~~ on-site construction equipment and trucks, on-road construction-related vehicles, and ~~fugitive~~ activities that generate dust. The pollutants of concern include CO, PM, and NO_2. The potential for significant impacts will be determined by a comparison of the model predicted concentrations to the NAAQS, or by comparison of the predicted increase in concentrations to applicable interim guidance thresholds. ~~The analysis will qualitatively review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations, and identify any~~Project-specific control measures required to further reduce the effects of construction and to ensure that significant impacts on air quality do not occur will be identified. ~~Potential construction-related air quality impacts will be assessed and addressed quantitatively.~~
- *Noise*. The construction noise impact section will contain a ~~detailed discussion~~quantitative analysis of noise from ~~each phase of~~the Proposed Project's construction activity. Appropriate recommendations will be made to comply with ~~NYC~~DEP Rules for Citywide Construction

Noise Mitigation and the New York City Noise Control Code. The analysis will conservatively estimate construction noise levels based on projected activity on the project site throughout the construction schedule. The projected construction noise levels will be compared to existing condition noise levels as determined by the operational noise analysis. The noise analysis will identify potential construction noise impacts based on the intensity, duration, and location of emissions relative to nearby sensitive locations. Feasible and practicable project-specific control measures to further reduce construction noise disruption to the surrounding community will be considered.~~The analysis will qualitatively review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations, and identify any project-specific control measures required to further reduce construction noise. Potential construction-related noise impacts will be assessed and addressed quantitatively.~~ Feasible and practicable project-specific control measures to further reduce construction noise disruption to the surrounding community will be considered

- *Hazardous Materials*. In coordination with the hazardous materials summary, determine whether the construction of the project has the potential to expose construction workers to contaminants.
- *Other Technical Areas*. As appropriate, discuss other areas of environmental assessment for potential construction-related impacts.
- If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

TASK 19: ALTERNATIVES

The purpose of an alternatives analysis is to examine reasonable and feasible options that avoid or reduce project-related significant adverse impacts and achieve the stated goals and objectives of the Proposed Actions. The EIS will include an analysis of the following alternatives:

- A No Action Alternative, which is analyzed throughout the EIS as the No Action condition;
- An alternative that reduces any unmitigated significant adverse impacts; and
- Other possible alternatives that may be developed during the EIS preparation process.

The specifics of these alternatives will be finalized as project impacts become clarified. The description and evaluation of each alternative will be provided at a level of detail sufficient to permit a comparative assessment of each alternative discussed.

TASK 20: MITIGATION

Where significant adverse project impacts have been identified for the Proposed Project, measures to mitigate those impacts will be identified and described. The Mitigation chapter will address the anticipated impacts requiring mitigation, likely mitigation measures, and the timing of the mitigation measures. Where impacts cannot be practicably mitigated, they will be disclosed as unavoidable adverse impacts.

TASK 21: UNAVOIDABLE ADVERSE IMPACTS

Any significant impacts for which no mitigation can be implemented will be presented as unavoidable adverse impacts.

TASK 22: GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

This chapter will consider whether the Proposed Actions would have the potential to induce new development within the surrounding area.

TASK 23: IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

This chapter will focus on those resources, such as energy and construction materials, that would be irretrievably committed should the proposed project be built.

TASK 2~~4~~2: EXECUTIVE SUMMARY

The executive summary will utilize relevant material from the body of the EIS to describe the Proposed Project, its significant and adverse environmental impacts, measures to mitigate those impacts, and alternatives to the Proposed Project. ✷

APPENDIX A
Response to Comments

Appendix A: Response to Comments on the Draft Scope of Work

A. INTRODUCTION

This appendix to the Final Scope of Work (FSOW) summarizes and responds to substantive comments received during the public comment period for the Draft Scope of Work (DSOW), issued on September 20, 2017, for the Draft Environmental Impact Statement (DEIS) for the proposed Industry City project.

City Environmental Quality Review (CEQR) requires a public scoping meeting as part of the environmental review process. A public scoping meeting was held on October 24, 2017, at Spector Hall, 22 Reade Street, New York, at 10:00 AM. The comment period remained open until the close of business on November 3, 2017.

Section B lists the organizations and individuals that provided comments relevant to the DSOW. Section C contains a summary of these relevant comments 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 DSOW. Where more than one commenter expressed similar views, those comments have been grouped and addressed together. All written comments are included in Appendix B, "Written Comments Received on the Draft Scope of Work."

Where relevant, in response to comments on the DSOW, changes have been made and are shown with double underlines in the FSOW.

B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DRAFT SCOPE OF WORK[1]

ELECTED OFFICIALS

1. Eric Adams, Brooklyn Borough President, letter dated November 3, 2017 (Adams_111)
2. Carlos Menchaca, New York City Council, oral testimony delivered October 24, 2017 (Menchaca_NYCC_063) and letter dated November 1, 2017 (Menchaca_NYCC_109)
3. Velmanette Montgomery, New York State Senate, oral testimony delivered October 24, 2017 (Montgomery_079)
4. Nydia Velasquez, United States Congress, oral testimony delivered October 24, 2017 (Velasquez_070)

COMMUNITY BOARDS

5. John Fontillas, Chair, Brooklyn Community Board 7, letter dated October 31, 2017 (Fontillas_CB7_1066)

[1] Citations in parentheses refer to internal comment tracking annotations.

ORGANIZATIONS AND BUSINESSES

6. Pete Abel, founder, AbelCine, oral testimony notes (Abel_011) and oral testimony delivered October 24, 2017 (Abel_097)
7. Kartik Amarnath, New York City Environmental Justice Alliance, oral testimony notes (Amarnath_NYCEJA_013) and oral testimony delivered October 24, 2017 (Amarnath_NYCEJA_077)
8. Jonathan Bowles, Executive Director, Center for an Urban Future, oral testimony notes (Bowles_CUF_005) (Bowles_CUF_006) (Bowles_CUF_007) and oral testimony delivered October 24, 2017 (Bowles_CUF_052)
9. Phong Bui, Publisher and Artistic Director, Brooklyn Rail, oral testimony delivered October 24, 2017 (Bui_043)
10. Dawn Cassle, One Girl Cookies, oral testimony delivered October 24, 2017 (Cassle_035)
11. Ryan Chavez, Infrastructure Coordinator, UPROSE, oral testimony notes (Chavez_UPROSE_025) and oral testimony delivered October 24, 2017 (Chavez_UPROSE_028)
12. Anthony Cirrone, Co-Owner and President, Lilac Chocolates, oral testimony delivered October 24, 2017 (Cirrone_086)
13. Jason De Salvo, Owner, Fodera Guitars, oral testimony delivered October 24, 2017 (DeSalvo_029)
14. Ashley Doukas, Stroock & Stroock & Lavan LLP, letter dated November 3, 2017 (Doukas_114)
15. Jenny Dubnau, Artist Studio Affordability Project, oral testimony notes (Dubnau_ASAP_002) and oral testimony delivered October 24, 2017 (Dubnau_ASAP_055)
16. Jennie Dundas, Co-Founder and CEO, Blue Marble Ice Cream, oral testimony delivered October 24, 2017 (Dundas_047)
17. Eric Eve, Founder and CEO, High Corp, oral testimony delivered October 24, 2017 (Eve_099)
18. Julia Fierro, Owner, Maria's Bistro, oral testimony delivered October 24, 2017 (Fierro_094)
19. Jack Flam, President, Dedalus Foundation, oral testimony delivered October 24, 2017 (Flam_032)
20. Garrett Gleeson, Chief of Staff, Call9, oral testimony delivered October 24, 2017 (Gleeson_093)
21. Egaudy Gomez, Director of Organizing and Neighborhood Strategy, Brooklyn Chamber of Commerce, oral testimony notes (Gomez_BCC_003) and oral testimony delivered October 24, 2017 (Gomez_BCC_038)
22. Darryle Hawes, M Factory, oral testimony delivered October 24, 2017 (Hawes_030)
23. Andrew Hoan, President and CEO, Brooklyn Chamber of Commerce, oral testimony notes (Hoan_BCC_004) and oral testimony delivered October 24, 2017 (Hoan_BCC_027)
24. John Israel, Colgon Patisserie, oral testimony delivered October 24, 2017 (Israel_037)
25. Samara Karasyk, Executive Vice President and Chief of Staff, Brooklyn Chamber of Commerce, oral testimony notes, (Karasyk_BCC_012) and oral testimony delivered October 24, 2017 (Karasyk_BCC_083)
26. Anwar Khoder, Master Chocolatier, Co-Owner, Lilac Chocolates, oral testimony delivered October 24, 2017 (Khoder_091)
27. Roland Lewis, President and CEO, Waterfront Alliance, oral testimony notes (Lewis_WA_001)and oral testimony delivered October 24, 2017 (Lewis_WA_033)
28. Sayar Lonial, Executive Director, Marketing and Communications, NYU Tandon School of Engineering, oral testimony notes (Lonial_NYU_021) and oral testimony delivered October 24, 2017 (Lonial_NYU_081)

29. Ben Margolis, Executive Director, Southwest Brooklyn Industrial Development Corporation oral testimony delivered October 24, 2017 (Margolis_SBIDC_053)
30. Libby Mattern, Production Director, Malia Mills, oral testimony delivered October 24, 2017 (Mattern_089)
31. Tara Montoneri, M Factory, oral testimony delivered October 24, 2017 (Montoneri_085)
32. Armando Moritz-Chapelliquen, Campaign Coordinator for Equitable Economic Development, Association for Neighborhood and Housing Development, oral testimony notes (Moritz-Chapelliquen_ANHD_024) and oral testimony delivered October 24, 2017 (Moritz-Chapelliquen_ANHD_040)
33. Joel Moskowitz, Tools For Wood, oral testimony delivered October 24, 2017 (Moskowitz_036)
34. Gala Napakh, Head of Human Resources, AbelCine, oral testimony delivered October 24, 2017 (Napakh_098)
35. Evelyn Ortiz, Chief External Affairs Officer, Opportunities for a Better Tomorrow, oral testimony delivered October 24, 2017 (Ortiz_031)
36. Liliana Polo-McKenna, CEO, Opportunities for a Better Tomorrow, oral testimony notes, (Polo-McKenna_OBT_009) and oral testimony delivered October 24, 2017 (Polo-McKenna_OBT_082)
37. John Reynolds, Director of Human Resources and Administration, Motivate International, oral testimony delivered October 24, 2017 (Reynolds_MI_039)
38. Maria Roga, Founder and Chair, Friends of Sunset Park, oral testimony delivered October 24, 2017 (Roga_FSP_044)
39. Anthony Rosado, Program Manager, Citi Bike, oral testimony delivered October 24, 2017 (Rosado_041)
40. Edward Rush, New York Working Families, oral testimony delivered October 24, 2017 (Rush_050)
41. Alejo Sanchez, Owner, Taco Mix, oral testimony delivered October 24, 2017 (Sanchez_102)
42. Brian Streem, Co-Founder and CEO, Aerobo, oral testimony delivered October 24, 2017 (Streem_088)
43. Bhav Tibrewal, Hotel Trades Council, oral testimony delivered October 24, 2017 (Tibrewal_HTC_045)
44. Lynn Tondrick, Sunset Park Landmarks Committee, oral testimony delivered October 24, 2017 (Tondrick_SPLC_064)
45. United Brotherhood of Carpenters and Joiners of America, undated letter (UBCJA_113)
46. Pat Whelan, Co-Owner, Sahadi's, oral testimony delivered October 24, 2017 (Whelan_095)

GENERAL PUBLIC

47. Kelly Anderson, oral testimony notes (Anderson_023) and oral testimony delivered October 24, 2017 (Anderson_034)
48. Tom Angotti, oral testimony notes (Angotti_022) and oral testimony delivered October 24, 2017 (Angotti_075)
49. Aru Apaza, oral testimony delivered October 24, 2017 (Apaza_061)
50. Alma Calixto, oral testimony notes (Calixto_019) and oral testimony delivered October 24, 2017 (Calixto_068)
51. George Cardona, oral testimony delivered October 24, 2017 (Cardona_100)
52. Mildreht Escivel Ceron, oral testimony delivered October 24, 2017 (Ceron_090)
53. Izzy Doughty, oral testimony notes (Doughty_008) and oral testimony delivered October 24, 2017 (Doughty_056)

54. Aminta Freeman, oral testimony notes (Freeman_010) and oral testimony delivered October 24, 2017 (Freeman_087)
55. Ricardo Gabriel, oral testimony delivered October 24, 2017 (Gabriel_042)
56. David Galarza, oral testimony delivered October 24, 2017 (Galarza_057)
57. Angel Garcia, oral testimony delivered October 24, 2017 (Garcia_051)
58. Kelly Gilbert, oral testimony delivered October 24, 2017 (Gilbert_065)
59. Megan Gilbert, oral testimony delivered October 24, 2017 (Gilbert_101)
60. Jason Gomez, oral testimony notes (Gomez_014) and oral testimony delivered October 24, 2017 (Gomez_073)
61. Naisha Gonzalez, oral testimony notes (Gonzalez_110) and oral testimony delivered October 24, 2017 (Gonzalez_105)
62. Tarry Hum, letter dated November 3, 2017 (Hum_108)
63. Jeremy Kaplan, oral testimony delivered October 24, 2017 (Kaplan_048)
64. Rigoberto Lara, oral testimony delivered October 24, 2017 (Lara_060)
65. Kate Lattin, oral testimony delivered October 24, 2017 (Lattin_058)
66. Nyiesha Mallett, oral testimony delivered October 24, 2017 (Mallett_076)
67. Antionette Martinez, oral testimony notes (Martinez_107) and oral testimony delivered October 24, 2017 (Martinez_104)
68. John McCarthy, oral testimony delivered October 24, 2017 (McCarthy_092)
69. Marcela Mitaynes, oral testimony notes (Mitaynes_026) and oral testimony delivered October 24, 2017 (Mitaynes_067)
70. Tom Murphy, oral testimony delivered October 24, 2017 (Murphy_059)
71. John Ratliff, oral testimony delivered October 24, 2017 (Ratliff_096)
72. Ivan Rivera, letter dated October 31, 2017 (Rivera_112)
73. Karen Rolnick, oral testimony delivered October 24, 2017 (Rolnick_049)
74. Luisa Santos, oral testimony delivered October 24, 2017 (Santos_078)
75. Elena Schwolsky, oral testimony delivered October 24, 2017 (Schwolsky_071)
76. Samuel Stein, oral testimony notes (Stein_016) and oral testimony delivered October 24, 2017 (Stein_062)
77. Ana Vasquez, oral testimony notes (Vasquez_015) and oral testimony delivered October 24, 2017 (Vasquez_074)
78. Albert Vergara, oral testimony delivered October 24, 2017 (Vergara_054)
79. Henry Villegas, oral testimony delivered October 24, 2017 (Villegas_103)
80. Wilfred Villegas, oral testimony delivered October 24, 2017 (Villegas_084)
81. Walter Wolfe, oral testimony notes (Wolfe_020) and oral testimony delivered October 24, 2017 (Wolfe_066)
82. Hugo Yanez, and oral testimony notes (Yanez_018) oral testimony delivered October 24, 2017 (Yanez_069)
83. Tamara Zahaykevich, oral testimony delivered October 24, 2017 (Zahaykevich_072)
84. Joanne Zhao, oral testimony notes (Zhao_017) and oral testimony delivered October 24, 2017 (Zhao_046)

C. COMMENTS AND RESPONSES

ANALYSIS FRAMEWORK

Comment 1: The RWCDS depicted in the DSOW assumes retention of existing warehouse buildings, either in the Density-Development Scenario or Overbuild Scenario. Were any scenarios assuming the demolition of an existing warehouse building lot or site, either in part or whole, considered as part of a development scenario? If not, why not? What would be the impact in terms of buildable zoning area if such a scenario were considered? (Fontillas_CB7_106)

Response: The Applicant does not propose demolition of the existing warehouse buildings. The only demolition being considered is that of a small addition next to Building 9 and the former Bush Terminal steam plant to serve as interim parking and eventual infill development. The RWCDS described in the DSOW does not assume the demolition of any existing warehouse buildings in any of the development scenarios. The Applicant's intent with the Proposed Actions is 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. The Proposed Actions would achieve this not through demolition of buildings with existing warehouse uses, but instead through expanding existing uses, re-tenanting, and the introduction of a broader range of land uses within Industry City. The zoning floor area would be limited to that established under the proposed Special District guidelines.

Comment 2: The Census Bureau statistics provided do not capture the entire community of Sunset Park because this is a highly undocumented community. (Freeman_087)

Response: The Census Bureau does not collect data on the legal status of the foreign born. The data presented in the Decennial Census and the American Community Survey (ACS) is not dependent on immigration status.

Comment 3: The community is in need of good jobs, yet the DSOW does not evaluate the quality of jobs being created. Hundreds of construction jobs will be created through the Industry City complex, with the potential to create significant economic benefits for the community. Yet, without the inclusion of labor standards in the EIS, the community will be denied these important benefits. There is a potential to create economic opportunity and mobility for a great deal of local residents, but the DSOW does nothing to allow it to happen. It does not assess the potential negative impact of the creation of low-wage construction jobs as opposed to the quality construction careers that could be generated with the insertion of labor standards. (UBCJA_113)

Response: The Proposed Actions would grow economic activity as well as the number and types of job opportunities available to local residents. However, it would be speculative to project information regarding jobs generated at the level of detail requested by the comment. *CEQR Technical Manual* 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 will not be analyzed in the DEIS.

Comment 4: The DSOW fails to state that the vacancies in Industry City were created by the owners as they speculated on the land with the expectation of a zoning change. Therefore, the "No Action" alternative fails to take into account that without the rezoning the owners, following their vested interests, would likely find tenants for their properties. (Angotti_022, Angotti_075)

Response: Vacancy levels at Industry City have decreased since current ownership took over, rather than increased, and as such, the notion of ownership creating vacancy as a speculative measure is unsupported. Nonetheless, the No Action condition takes into account known projects and activities in the Project Area and surrounding study areas to develop a benchmark against which the Proposed Project is measured. The No Action scenario assumes some level of projected decreases in vacancy at the Industry City complex, as the Applicant intends to retenant a portion of the vacant space. A higher degree of retenanting activity would result in a smaller With Action increment and therefore would present a less conservative analysis.

STUDY AREA

Comment 5: Scoping must look at the well-being of the community, both economically and residentially. To that end, the 400-foot study area used in scoping is ridiculous and must be extended to at least a half-mile radius, though the impacts should be looked at Brooklyn-wide. (Kaplan_048, Montgomery_079)

The study area must be increased to at least a half-mile radius, and the analysis must also include all the IBZs and nearby maritime manufacturing zones. The proposed primary study area of 400 feet contains little more than the Industry City complex itself. (Menchaca_NYCC_063)

The primary study area for this section should go beyond the 400-foot buffer and examine the entire Significant Maritime Industrial Area [SMIA] and the Industrial Business Zone [IBZ] areas, overlaid. The secondary study area should include the adjacent residential neighborhoods where a local workforce might be sourced. (Doughty_008)

The study area for the Proposed Project must be extended at least five miles because this project will impact the whole community and the whole neighborhood. (Apaza_061)

The study area must go beyond the half-mile border of Industry City, and must address the long-term impact of this rezoning on the entire neighborhood, block by block. (Lara_060)

The Scope of Work should be expanded to include all of the industrial business zones, as well as to include the community nearby where workers walk to work to this new employment sector. (Doughty_056)

We recommend that each task within the scope and the subsequent Environmental Impact Review analyze primary impacts within a half-mile radius of the Project Area and secondary impacts within the Sunset Park neighborhood boundary of zip codes 11232 and 11220. As noted in the *CEQR Technical Manual*, analyzing primary impacts within 400 feet of the project boundary is the minimum recommended threshold. (Amarnath_NYCEJA_077, Anderson_034, Chavez_UPROSE_025, Chavez_UPROSE_028, Garcia_051, Gonzalez_105, Martinez_104, Martinez_107, Menchaca_NYCC_063, Stein_016)

The project is of such a massive scale that the study area should be at least half-mile. Residential and business displacement and traffic impacts are likely to occur as far away as 8th Avenue. As someone who has witnessed displacement in Brooklyn neighborhoods for decades, it is clear to me that the indirect business and residential displacement caused by this project will be grossly underestimated unless the city insists on going beyond the narrowest interpretation of CEQR guidelines, taking a hard look at the proposal. (Angotti_022, Angotti_075)

This environmental review must address residential displacement, commercial displacement, social impacts, cultural impacts, and economic impacts. These potential impacts are so large that the impact area studied be done at half-mile for primary impacts and include zip codes 11232 and 11220 for secondary impacts. (Anderson_023)

Response: The study areas to be 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. For example, the analysis of urban design and visual resources will consider a 400-foot study area, but will also consider views from Sunset Park, which is an elevated park with existing views to Gowanus Bay and the Statue of Liberty, located outside the 400-foot study area. The analysis of indirect business displacement due to retail market saturation will consider a 3-mile Primary Trade Area. The Land Use,

Zoning, and Public Policy chapter of the DEIS will analyze the Proposed Project's compatibility with both the SMIA and IBZ areas.

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," are therefore expected to 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.

As detailed in the FSOW, the Socioeconomic Conditions chapter of the DEIS will include analyses of potential direct and indirect business displacement. The EIS will disclose the estimated numbers of DUs and residents that would be directly displaced by the Proposed Actions, and will determine the amount of displacement relative to study area population. With respect to potential indirect residential displacement, please see the response to Comment 38.

PROJECT DESCRIPTION

GENERAL

Comment 6: It is unfortunate that, despite Industry City's name, the applicants continue to emphasize the concept of innovation economy; it's hazy and jumbled as an industrial, arts, office, and tech center. In its analysis of the development scenarios, the proposed DSOW takes this concept of innovation economy as its unit of analysis, ignoring CEQR and longstanding practices to analyze industrial/commercial uses separately.

In analyzing the potential impacts of this plan, we must differentiate between the industrial sector and office-based commercial uses. The impact of the surrounding neighborhood of Sunset Park is vastly different if millions of square feet of tech space uses are added as opposed to industrial uses. While offices bring in more workers per square foot, workers will use our transit systems, stores and other infrastructure. Industrial uses bring more traffic, posing a very different kind of change. (Menchaca_NYCC_063)

What is an "Innovation Economy Hub?" What kinds of jobs will be created and who will get them? What will they pay? Is anybody going to track what happens after this rezoning is granted? Who's going to go back in three or five years and ask where the promised manufacturing jobs are? What happens if Jamestown sells to someone else? Where are the guarantees then? (Anderson_023)

Response: As referenced in the Reasonable Worst Case Development Scenario (RWCDS), the uses included under the Innovation Economy umbrella are manufacturing,

artisanal manufacturing, and office space. The Proposed Actions were developed based on existing Innovation Economy firms at Industry City. These firms consist of a mix of these component uses and were used to establish a baseline for the effects of future Innovation Economy uses. The discretionary zoning actions required to support the co-location of uses in the Innovation Economy District, and the effects on the surrounding neighborhood, will be analyzed in the DEIS.

Comment 7: Ensure that all of the economy that is locked in place regarding local hiring and workforce development is documented, memorialized, and tracked. We must improve our community's representation in the tech and media jobs, which, like the industrial jobs, pay good wages. (Menchaca_NYCC_063)

Response: Hiring practices and documentation is beyond the scope the DEIS. Nonetheless, the Proposed Actions are anticipated to be accompanied by enhanced support for local workforce development and community-supporting activities through partnerships with non-profit organizations that periodically report on their workforce development efforts. This would also be noted in the Land Use, Zoning, and Public Policy chapter of the DEIS.

Comment 8: The DSOW should be revised to consider the potential for siting a public high school at Industry City. (Menchaca_NYCC_063)

Response: The Proposed Land Use Actions would not seek approvals necessary to site a high school at this site, and there is no specific plan set forth for a public high school at Industry City. However, there is the potential for discretionary approvals for a high school to be sought in the future pursuant to provisions of the current Land Use Actions. Therefore, the Final Scope of Work has been revised to include the conceptual analysis of the siting of a public high school at Industry City in the DEIS.

Comment 9: The applicant should analyze an alternative of phased introduction of the proposed retail, 900,000 square feet, and academic at the 625,000 square feet uses to be added by the special district. An alternative of phased introduction of these uses by requiring separate special permits could help add public oversight to the development and soften the potential impact on the surrounding community. (Menchaca_NYCC_063)

Response: Since the Land Use Actions would permit the development of the entirety of the proposed retail and academic uses and do not require separate future special permits for these uses, phased introduction of such uses will not be analyzed in the DEIS. It should be noted, however, that public review and oversight of the project's approvals is part of the current land use review process under ULURP and environmental review process under CEQR.

Comment 10: Preserving a working waterfront should be a core goal of any development in Brooklyn, especially as Industry City falls within one of New York's six Significant Maritime and Industrial Areas (SMIAs). It is important to prioritize industrial and job-intensive uses in SMIAs and their surroundings, to expand job opportunities for local residents, especially in high-tech research and manufacturing, and eliminate environmentally hazardous truck trips by increasing capacity for rail and waterborne freight movement. (Lewis_WA_001)

Another consistent goal of existing community plans is the retention of industrial uses on the waterfront. How do we know that what is going to happen there is actually going to be industrial uses? What kind of jobs will be created? Who would get them? What will they pay? (Anderson_034)

Response: While it is correct that the Project Area is located within a coastal area as defined by the New York City Waterfront Revitalization Program, the majority of the Project Area is not physically located along the waterfront. Moreover, the existing uses within Industry City are not waterfront-related industrial uses. The DEIS will analyze the consistency of the Proposed Project with the goals of the SMIA. The Applicant expects that approval of the Proposed Actions—which would allow for new uses on the site—would provide opportunities for enhanced support for local workforce development and community-supporting activities. This will be noted in the Land Use, Zoning, and Public Policy chapter of the DEIS.

Comment 11: I would like to see City agencies study the proposed rent structure of the rezoned Industry City "Innovation Hub." If working artists and manufacturers are to be retained in any meaningful numbers, rents must be kept low. The frequent use of the term "re-tenanting" in the DSOW is deeply concerning. (Dubnau_ASAP_002, Dubnau_ASAP_055)

Response: As mentioned in the DSOW, approximately 26 percent of the Project Area is occupied by low-employment storage and warehousing uses, and an additional 25 percent is vacant. The DSOW's reference to "re-tenanting" is with respect to these uses rather than existing artist and active manufacturing space. Rent at the Proposed Project is beyond the scope of the DEIS pursuant to the *CEQR Technical Manual* (see Socioeconomic Conditions section).

Comment 12: There is very little space in the city that is industrial. Taking this space, which is zoned for industrial, and changing the zoning to make it even less industrial will cause problems, as commercial and industrial tenants don't work well together. Since we have limited, scarce resources for traditional manufacturing areas, which have done well under the existing zoning, this change seems unnecessary. (Moskowitz_036)

Keep the "industry" in Industry City and maintain the community and City's vision for its waterfront. (Menchaca_NYCC_063)

What are the tools we can all contemplate to ensure industrial space uses can remain within the future complex in perpetuity? How will the preservation of industrial space be enforced in the future complex? (Margolis_SBIDC_053)

We need to strengthen industrial business zones, not just turn them into residential high rise areas, not turn them into storage spaces or hotels. And as New York City's largest walk-to-work community and as a predominantly working class community of color, the manufacturing sector and small businesses in—all small businesses must be preserved. (Apaza_061)

Consider zoning tools that would require a permanent set aside of space for real industrial uses. (Menchaca_NYCC_063)

Response: The EIS will analyze the change in uses at Industry City that result from the Proposed Actions, which is currently anticipated to include an increase in Innovation Economy (which include traditional manufacturing uses), retail, academic and hotel uses, and a decrease in storage/warehousing and vacant uses. Chapter 3, "Socioeconomic Conditions" will assess potential changes in business conditions and the potential for indirect business displacement, as well as potential adverse effects on specific industries. It is not currently anticipated that the Proposed Actions will result in any decrease in manufacturing uses at Industry City.

Comment 13: Please provide analysis of why the Proposed Actions are the minimum change necessary to achieve the stated goals. What other zoning alternatives were considered, and why were those alternatives not pursued? (Fontillas_CB7_106)

Response: The Applicant is seeking zoning actions that broaden the permitted use and bulk at Industry City that would allow for a broad range of uses—such as retail, academic, and hotel uses—which are either not permitted (academic and hotel) or permitted in only a limited manner (retail) under existing zoning. The Applicant is also requesting an increase in the overall density of the Project Area, which the Applicant believes is needed to realize the critical mass and synergistic activities necessary for long-term success at Industry City. The framework for a set of land use and zoning actions has been developed in consultation with DCP. These set of actions provide for flexibility in space and use allocation within the Special District in order to adapt to future market conditions while also establishing limits on uses, density, massing and heights.

Comment 14: The hotel special permit that is happening at a city-wide level is happening at the same time to restrict hotels on a broad scale. This proposal, though, talks about allowing hotels in this space. (Moritz-Chapelliquen_ANHD_040)

The Planning Commission must focus on attracting good businesses with good jobs and to reject the hotel idea. (Rolnick_049)

Sunset Park has had a number of hotels built along the transportation corridor in response to the opening of Barclays Center. A lot of those hotels are homeless family shelters now. Some of them never opened as hotels; they were immediately flipped to homeless family shelters. The residents of Sunset Park will not buy into the idea of another hotel in the area. (Murphy_059)

Response: The City-wide growth in tourism has led to demand for hotel development on land previously reserved for manufacturing. In response, the City Planning Commission (CPC) has recently approved a hotel special permit at a City-wide level to ensure that sufficient opportunities to support industrial, commercial, residential and institutional growth remain (CEQR No. 18DCP042Y/ULURP No. N180349ZRY). The establishment of the proposed CPC special permit is intended to create a case-by-case, site-specific review process to ensure that hotel development occurs only on appropriate sites, based on reasonable considerations regarding the achievement of a balanced mix of uses and jobs in the area and other opportunities for the future siting of a permitted use on the site.

Provided the CPC makes certain required findings, the Proposed Special Permit would permit a potential hotel at two locations within Industry City, which the applicant believes are an important component of the "Innovation Economy District;" The DEIS will analyze the potential effects of a hotel at Industry City in all relevant areas of analysis.

Comment 15: As it stands, this is not good for our community. This is not good for South Brooklyn. This is not good for Brooklyn. (Roga_FSP_044)

I am vehemently against this proposal as it stands. (Gilbert_065)

Response: Comments noted.

Comment 16: Because of the hyper-gentrification Industry City is trying to accomplish with rezoning, we're going to lose that ability to continue to have this waterfront as a working, vibrant working class community. (Kaplan_048)

Response: The Proposed Actions are intended to facilitate the creation of an "Innovation Economy District," representing a broad range of businesses involved in every step of the "making" process, from research and development to design and engineering, as well as the actual manufacturing of products. As described in the DSOW, the Proposed Actions involves the re-tenanting of currently underutilized and underperforming spaces within the existing the Industry City complex and the smaller un-controlled parcels, as well as the development of new infill buildings within the context of Industry City complex. Waterfront-related uses exist within the Project Area within the larger Bush Terminal Complex and the South Brooklyn Marine Terminal. The Proposed Actions would facilitate the expansion of these uses. Consistent with the *CEQR Technical Manual* methodology, the Socioeconomic Conditions analysis of the DEIS will explore

all potential socioeconomic impacts the Proposed Actions may have within the ½-mile Socioeconomic Study Area (for direct displacement and indirect business displacement due to increased rents) and within an approximately 3-mile primary trade area (for indirect business displacement due to retail market saturation).

Comment 17: Most of the retail and light manufacturing in Industry City caters to a level of income completely out of reach for most nearby residents. Most of the events seem to cater to non-locals. (Lattin_058)

It is worth analyzing what impact the hotel special permit contained within the Special Sunset Park Innovation District has on zoning protections in core industrial areas. The fact that the proposed District is located within one of the City's 21 Industrial Business Zones is a detail not lost on those who have watched as the industrial and manufacturing uses have given way to commercial and residential uses, often to the detriment of communities who were previously employed in the manufacturing jobs that moved upstate or over to New Jersey. (Moritz-Chapelliquen_ANHD_024)

Response: The Land Use, Zoning and Public Policy chapter of the DEIS will provide an assessment of the compatibility of the proposed hotel use with the surrounding neighborhood. Similar to the City-wide CPC special permit, the special permit of the Proposed Actions subjects the proposed two hotel locations to public review pursuant to ULURP, with a requirement to make findings that the use is appropriate to the needs of businesses in the area and will not impair the essential character or future use of the surrounding industrial district.

Comment 18: The DSOW reads as if it was written in a time capsule before Superstorm Sandy and the City's planning for sea level rise and resiliency. The proposal for Industry City preempts a more just and sustainable approach that starts with long-term planning and climate justice as basic pillars. Industry City would expand the City's exclusive waterfront enclaves for the wealthy and displace those who can't afford the rent. It would possibly exclude locally owned green businesses, alternative energy and waste facilities. This, above all, requires a hard look. (Angotti_022, Angotti_075)

Response: As noted in the Draft Scope of Work, the Greenhouse Gas Emissions and Climate Change Chapter of the EIS will consider sea level rise and resiliency in accordance with the *CEQR Technical Manual*. The New York City Waterfront Revitalization Program Consistency Assessment Form and policy discussions to be prepared for the Proposed Project, particularly with respect to the evaluation of consistency with Policy 6.2 (Integrate consideration of the latest New York City projections of climate change and sea level rise into the planning and design of projects in the city's Coastal Zone), also will evaluate the potential for the Proposed Project to be affected by sea level rise and will discuss resiliency measures that will be considered for the project.

Comment 19: Because of its proximity to Industry City, the 34th Street block is particularly vulnerable to the rise of multi-story condos, which in my opinion will lead to more displacement, loss of open space, and a change of the neighborhood character. (Lara_060)

Response: The Proposed Project does not include the development of residential dwelling units. The Socioeconomic Conditions analysis of the EIS will disclose the estimated numbers of DUs and residents that would be directly displaced by the Proposed Actions, and will determine the amount of displacement relative to study area population. It will also analyze potential impacts on open space and neighborhood character in those respective chapters. See response to Comment 38 below in regard to indirect residential displacement.

Comment 20: How does this proposal advance the existing community needs? (Freeman_010)

Response: The DEIS will discuss compatibility of the Proposed Actions with stated public policies, including the community needs as articulated in the Sunset Park 197-a plan.

NON-INDUSTRIAL USES

Comment 21: The establishment of the so-called Sunset Park innovation zone, as well as amendments to the zoning map would facilitate non-industrial uses, such as hotels, in the Project Area in otherwise protected, specially designated industrial zones. Extensive study needs to be done to assure the public that the industries protected by these designations (the SMIA and the IBZ) remain so.

By introducing a land use change within these protected zones, the Proposed Project may threaten the existence of the northwest Brooklyn IBZ and SMIA. The potential of a "domino effect" on land use change within an IBZ and SMIA on the rest of the IBZ and SMIA must be investigated as well. (Doughty_008)

Our members are very concerned about the impacts of this proposed rezoning on industrial business retention, neighborhood affordability, social co-location, and climate resiliency in Sunset Park. (Chavez_UPROSE_028)

The proposed innovation zone touts and increased manufacturing capacity in industrial development, but studies need to be provided on how this works in conjunction with the industrial business zones and the maritime area rather than against them. (Doughty_056)

Response: The Proposed Actions would facilitate the redevelopment and re-tenanting of existing vacant and underutilized land and buildings within Industry City with both industrial and non-industrial uses. In addition, similar to the requirements of the proposed City-wide special permit for hotel development in an M1 district, the Proposed Actions would include a special permit to permit a limited amount of hotel square footage within the Project Area. The Land Use, Zoning, and Public

Policy chapter of the DEIS will analyze the compatibility of the Proposed Project with the SMIA and IBZ.

Comment 22: Parallel research needs to be conducted and proof submitted that the Proposed Project will maintain and create new opportunities for the working class people of Sunset Park. (Doughty_008)

Response: Comment noted. The Applicant has stated that one of the goals of the Proposed Actions is to retain, as well as, expand industrial and non-industrial uses, which would create new employment opportunities. This additional requested research is outside the scope of this CEQR review.

LAND USE, ZONING, AND PUBLIC POLICY

Comment 23: The Proposed Project describes a "large scale development," as defined by the NYC Zoning Resolution. Per the *CEQR Technical Manual*, "large scale, high density development" should include a primary study area whose general boundary "reflects the actual context of the area." Essential to this definition is the area's land use development history, commute patterns, and interrelationship of residential districts to employment along the waterfront. Historically, Sunset Park owes its built land use context to early developers advertising residential housing located within walking distance of jobs in the industrial waterfront area. This "walk to work" convenience motivated residential development of areas directly east and south of the Project Area, which was further bolstered by construction of the 4th Avenue Subway line in the 1910s. Neighborhood commercial businesses developed along 5th Avenue to provide shopping for residents. As such, the general boundaries of the neighborhood should extend to 5th Avenue upland of the site, and include the 5th Avenue business district, between 36th Street and 44th Street, whose businesses would be affected by activities at the site.

Please list all other federal, state, or city planning initiatives, procedures and/or studies within 1 mile of the Project Area that may have an effect on the project's impact. (Fontillas_CB7_106)

Response: The study areas to be analyzed in the DEIS follow the guidance of the *CEQR Technical Manual* for each individual technical area and are defined in consultation with the reviewing agencies. The study areas outlined in the *CEQR Technical Manual* represent the area with the greatest potential to experience possible impacts related to that specific technical area. The study areas vary depending on the type of technical analysis as well as the scale of the project. As discussed in the DSOW, the Land Use, Zoning and Public Policy chapter of the DEIS will consider the Project Area, a Primary Study Area (400-feet), and a Secondary Study Area (½-mile). The Secondary Study Area will capture the 5th Avenue upland area and the business district. The Land Use, Zoning and Public

Policy chapter will analyze the potential effect of the Proposed Actions on public policy, and will consider projects anticipated to come online within the study areas in the No Action condition.

Comment 24: The Scope of Work should address the Proposed Action's relationship and coordination with the following community based and city planning initiatives: i. Vision 2020 Comprehensive Waterfront Plan - DCP; ii. Sunset Park Waterfront Vision Plan - NYC EDC; iii. NYCDEP Green Infrastructure Plan; iv. Pia NYC - DCP; v. DOT 10 year Capital Planvi. Vision Plan for 4th Ave Corridor – BBPO; vii. Brooklyn Waterfront Greenway (BG I/DOT); viii. NYC Special Initiative for Rebuilding and Resiliency; ix. South Brooklyn Marine Terminal; x. Citiwide Ferry Service; xi. Brooklyn Queens Streetcar; xii. M1 Hotel Zoning; xiii. Made in NY Campus at Bush Terminal – NYCEDC. (Fontillas_CB7_106).

The proposed land use actions will likely affect land use and zoning trends and policies not only in the chosen study area (i.e., a 400-foot radius from the proposed project area) but in the broader industrial area of Gowanus and Sunset Park. Industry City is currently located within an M3 manufacturing district, the Southwest Brooklyn Industrial Business Zone and the Sunset Park Significant Maritime Industrial Area. Sunset Park's 197-a Community Plan, while recognizing the importance of community waterfront access and environmental protection of adjacent residential communities, was developed to "preserve Sunset Park's rich maritime and industrial heritage" and to promote industrial development. As part of the City's "10-Point Industrial Action Plan," Mayor de Blasio and the City Council made a strong commitment to "ensuring that space in our core industrial areas remains available for industrial and manufacturing businesses." In accordance with the established policies discussed above, the applicant, the DEP and all involved agencies should (1) address in the EIS the short term and long term compatibility of the proposed project with existing heavy industrial uses in the area and any future industrial uses permitted under the M3 use regulations and (2) provide measures to ensure industrial retention in the SB IBZ and SMIA. (Doukas_114)

Response: The Land Use, Zoning, and Public Policy chapter of the DEIS will include an analysis of the Proposed Project's consistency with all applicable public policies.

Comment 25: How does the Proposed Action take into account CB7's Statements of District Needs and Budget Priorities? (Fontillas_CB7_106)

Response: The Applicant believes that Proposed Action seeks to retain, as well as, expand industrial and non-industrial uses, which would create new employment opportunities and be consistent with the desire for job creation as noted in the CB7's Statements of Community District Needs and its Sunset Park 197-a Plan. The Land Use, Zoning, and Public Policy chapter of the DEIS will include an

analysis of the Proposed Project's consistency with all applicable public policies, including the Sunset Park 197-a plan.

Comment 26: The DSOW should analyze the potential zoning restrictions on storefronts in parts of development like Third Avenue, and frontage in order to reserve space for small businesses. (Menchaca_NYCC_063)

Response: The potential effects of the Proposed Actions on zoning will be considered in the Land Use, Zoning and Public Policy chapter of the DEIS. Restrictions on the size or width of storefronts along Third Avenue are not currently contemplated as part of the Proposed Actions and, if implemented, are not expected to alter the overall amount of retail floor are anticipated to be developed and are not expected to alter the analyses presented in the DEIS.

Comment 27: The M-Designated District provides a way to consider the impacts of proposal as part of a broader industrial landscape. When framed in this way, new questions are raised for the Special Sunset Park Innovation District, such as whether it is good industrial policy to essentially bisect the Southwest Brooklyn Industrial Business Zone into northern and southern halves. The department should consider the socioeconomic impacts of this proposal not only in the currently mapped "Study Area," but across the M-Designated District that will be established when the self-storage text amendment is enacted. (Moritz-Chapelliquen_ANHD_024)

Is it worth putting a proposal of this magnitude right in the center of the Southwest Brooklyn Industrial Business Zone, essentially bisecting it between north and south corridors. (Moritz-Chapelliquen_ANHD_040)

We recommend a detailed analysis of the project's consistency with the Mayor's industrial business plan, including specific analysis of consistency with ongoing City efforts to strengthen industrial business zones and restrict hotels in M zones. (Chavez_UPROSE_028)

Looking at what this proposal would mean for IBZs across the city, what precedent it's actually setting. (Moritz-Chapelliquen_ANHD_040)

Response: The Land Use, Zoning, and Public Policy chapter of the DEIS will include an analysis of the Proposed Project's consistency with all applicable public policies, including the Mayor's industrial business plan, and ongoing City efforts to strengthen industrial business zones and restrict hotels in M zones.

Comment 28: Study the cumulative impacts of city-wide rezoning that have, and will lead to, the loss of M3 heavy manufacturing space. Where can and should that loss be made up? (Margolis_SBIDC_053)

Response: The Proposed Actions involve a site-specific rezoning of privately owned land, rather than a city-wide rezoning. The Proposed Actions are intended to facilitate

the redevelopment of Industry City to provide space for industrial businesses to take advantage of new technology and demand.

Comment 29: I very strongly believe that rezoning Sunset Park's waterfront to build a "Special Sunset Park Innovation District" with hotels and retail space dismisses the potential for revitalizing Sunset Park's current M3 zone to introduce green job business clusters. I call the scope to study how advantageous it would be to maintain M3 zoning and how it can be used to strengthen industrial business zones in Sunset Park, and to also account for how detrimental rezoning would be towards maintaining an economically viable community for local residents who currently live and work here. (Martinez_107)

Response: Comment noted. Maintaining M3 zoning at the Project Area would not meet the objectives of the proposed actions.

Comment 30: Do the Proposed Actions coordinate with city policies on community wellness issues, such as the FRESH program? (Fontillas_CB7_106)

Response: The Land Use, Zoning and Public Policy chapter of the DEIS will include an analysis of the Proposed Project's consistency with all applicable public policies. The Project Area is outside of the City's mapped FRESH program areas.

SUNSET PARK 197-A PLAN

Comment 31: Sunset Park residents and business owners have long stated, including in Community Board 7's (CB7's) 197-A plan, that protecting against residential speculation, and prohibiting big box stores and hotels are priorities. Will this rezoning meet those goals? (Anderson_023, Anderson_034)

UPROSE has worked with community residents, local business, community-based organizations, and city agencies on community-based plans for the Sunset Park waterfront, including the Sunset Park 197-A Plan, Sunset Park Brownfield Opportunity Area Study, and the Conceptual Plan for a Sunset Park Greenway. These documents were made from deep engagement with a wide spectrum of Sunset Park community members and reflect verified community needs and priorities for the industrial waterfront. (Chavez_UPROSE_025, Chavez_UPROSE_028)

"Land Use, Zoning, and Public Policy" should directly analyze consistency with the Sunset Park 197-A Plan, the Sunset Park Brownfield Opportunity Area Study, and the Conceptual Plan for a Sunset Park Greenway. (Chavez_UPROSE_025, Chavez_UPROSE_028)

The EIS should include as alternatives CB7's 197-A plan, the UPROSE plan for waterfront access, and all previous waterfront and community plans. (Angotti_022, Angotti_075, Galarza_057, Martinez_104)

Industry City is blatantly ignoring the Sunset Park 197-A Plan, which specifically wanted to protect against land speculation. Hotel and retail will not provide the working class employment salary to support a family or afford the rent. Sunset Park is a working class community. It is not the place for high-end shops. (Mitaynes_026, Mitaynes_067)

Sunset Park already has engaged in community-based planning that has outlined goals which conflict with this project on a number of things. (Apaza_061)

Response: A discussion of the Proposed Project's consistency with the Sunset Park 197-A Plan will be included in the "Land Use, Zoning, and Public Policy" chapter of the DEIS In addition, although Industry City is not located directly on the waterfront, the DEIS will analyze the Proposed Project's consistency with other community-based plans for Sunset Park's Waterfront, such as the Sunset Park Brownfield Opportunity Area Study and the Sunset Park Greenway.

The DEIS will analyze the Proposed Project's consistency with all applicable community-based planning efforts, including the Sunset Park 197-a Plan.

Comment 32: As the Proposed Action will require a series of discretionary approvals from city agencies, the Scope of Work should include a clear point by point explanation of how the Proposed Action supports or differs from the New Connections/New Opportunities: Sunset Park 197-a Plan, a community based planning initiative first started by Brooklyn Community Board 7 in 1993, and approved by the City Council in December 2009. (Fontillas_CB7_106)

Response: The compatibility of the Proposed Project with the planning initiatives outlined in Sunset Park 197-a Plan will be analyzed as part of the Land Use, Zoning, and Public Policy chapter of the DEIS.

Comment 33: The analysis must include a detailed list of proposed anchor stores, analyzing their consistency with existing plans such as the Sunset Park 197-A Plan, Sunset Park Brownfield Opportunity Area Plan, and the Mayor's Industrial Action Plan. (Rivera_112)

Provide a detailed list of proposed anchor stores which includes their industry, average number of employees, average number of sales, types of jobs generated and technical/educational requirements and corresponding wages. (Freeman_010)

Response: The DEIS analyses will consider the potential effects of the proposed uses at the scales contemplated, based on the RWCDS. The specific tenants associated with anchor stores have not yet been determined, and this level of detail is not typically assessed as the factors which determine the potential for significant adverse environmental impacts. Similarly, it would be speculative to project information regarding jobs generated at the level of detail requested by the commenter, and is

not necessary in order to determine the potential for significant adverse environmental impacts.

With respect to the analyses of the Proposed Project's consistency with plans specified by the commenter, please see the response to Comment 35.

SOCIOECONOMIC CONDITIONS

Comment 34: To further analyze consistency, the applicant should provide a detailed inventory of proposed tenants at Industry City including their industry, projected number of employees, wages, local hiring/retention goals, and technical/educational requirements. (Chavez_UPROSE_025)

Response: 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 will include 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 the technical/educational requirements for such jobs.

Comment 35: "Socioeconomic Conditions" should directly analyze consistency with the Sunset Park 197-A Plan, the Sunset Park Brownfield Opportunity Area Study, and the Conceptual Plan for a Sunset Park Greenway. (Chavez_UPROSE_025, Chavez_UPROSE_028)

Response: The Socioeconomic Conditions analysis will consider whether the proposed actions could displace uses that are the subject of regulations or publicly adopted plans to preserve, enhance or otherwise protect them. An example would be the displacement of an industrial business in an Industrial Business Zone to develop a non-industrial use that would not be permitted under current land use policies. The Proposed Project's consistency with relevant public policies will be analyzed in the Land Use, Zoning and Public Policy chapter of the DEIS.

Comment 36: We must not forget the difference in the demographics of the workplace itself. Whether industrial workforce is a majority—minority at roughly 40 percent Latinx, 20 percent black, 20 percent white, and 20 percent Asian—the tech sector workforce is 62 percent white, followed by 16 percent Asian, 11 percent Latinx, and 9 percent black. In Sunset Park, 25 percent of the workers are in industrial sector, with less than 10 percent currently working in the tech and media sectors. If the so-called innovation economy turns out to be predominantly commercial, office, and tech sector uses, this may have a serious impact on indirect business

displacement due to rising rents, both within Industry City itself and the wider Sunset Park industrial working waterfront. (Menchaca_NYCC_063)

Response: The Socioeconomic Conditions chapter of the DEIS will analyze the Proposed Project's potential impact on indirect business displacement. 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.

DIRECT RESIDENTIAL DISPLACEMENT

Comment 37: I am writing today to elaborate on my concern that Industry City's rezoning application represents a definitive action that will result in the obliteration of Sunset Park's working class communities and the small businesses that support the local workforce and residents. The DSOW finds that "(T)he Proposed Project Would not directly displace any residents, and therefore this issue does not require analysis in the EIS" (pg. 17). However, this is absolutely false because Industry City has clearly stated their intention to acquire and demolish six properties along Third Avenue between 36th and 37th Streets for their proposed 12-story Gateway Building with ground floor retail and 11 stories of hotel space.

Five of these properties—952,954,956,958 and 960 Third Avenue—are three story buildings with two stories of residential apartments. These buildings are located in Brooklyn's Census Tract 100. According to the American Community Survey 2015 5-year estimates, there are more than 6,000 residents in this waterfront census tract of which the majority are Asian (59%) and Latino (33%) with astoundingly high poverty rates at 40% and 48% respectively. Although two-thirds of the adults residing in this census tract have less than a high school education, they have high labor force participation rates. The overwhelming majority (79%) are renters at imminent risk of losing their homes as property values along the waterfront continue to skyrocket.

Industry City's proposal for a Special Sunset Park Innovation District will essentially create a neighborhood version of "a tale of two cities" resulting in the occupational and residential segregation and dispossession of Sunset Park's working class, Latino and Asian immigrant communities. (Hum_108)

I call the applicants to include direct residential displacement to their study and to study the indirect regardless of the number of units hosted by the residential development. (Martinez_104)

I'm also very concerned about the potential direct displacement of families on Third Avenue. The applicant intends to acquire and demolish properties on Third Avenue between 36th and 37th Streets as the site for one of its proposed buildings.

There are currently five, three-story buildings with ground floor retail and a residential apartment standing in the way. (Menchaca_NYCC_063)

Residential and small displacement must not be overlooked. Residential planning. Evacuation planning. (Menchaca_NYCC_063)

Response: In response to comments received on the DSOW, the FSOW has been updated to reflect that the Socioeconomic Conditions analysis in the DEIS will consider the potential for socioeconomic impacts related to direct residential displacement. With respect to the commenter's concerns about potential indirect residential displacement, please see the response to Comment 38. Race and ethnicity are not considered under CEQR for the purpose of identifying significant adverse environmental impacts.

INDIRECT RESIDENTIAL DISPLACEMENT

Comment 38: The Proposed Project states that potential employment of 13,000 on-site jobs will be implemented by full build-out, a significant increase from the 1,900 jobs present at the site in 2013. Per the *CEQR Technical Manual*, this would be substantial new development different in character from existing uses, development and activity within the neighborhood. Adjacent to the Project Area, increasing rents and market rate development have been occurring, creating conditions of involuntary displacement of residents resulting from changes in socioeconomic conditions. The Proposed Actions meet the threshold evaluation steps with regard to substantial new populations with different incomes within the neighborhood, with a potential to affect real estate market conditions, and readily observable rent trends and risks of displacement of a vulnerable population. A detailed analysis should be undertaken to assess indirect residential displacement and indirect business displacement within expanded primary and secondary study areas. (Fontillas_CB7_106)

Typically an indirect residential displacement analysis will use the most recent available U.S. Census data, New York City Department of Finance's Real Property Assessment Data (RPAD) database, as well as current real estate market data, to present demographic and residential market trends and conditions for the quarter-mile beyond the boundary of the parcels that would be directly affected the discretionary land use actions to determine its study area. This boundary would be increased to a half-mile radius if the preliminary analysis reveals that the increase in population resulting from the proposed action and associated RWCDS would exceed five percent in the quarter-mile study area compared to the expected No Action population. (Adams_111)

It is appropriate for study area characteristics to include estimates of the number of housing units governed by rent protection measures that are in buildings with significant unused residential floor area. The number of housing units with a gap between the rent pursuant to a lease and the legally permitted regulatory rent

should also be identified. A site developed along Fourth Avenue in Park Slope is one known example in which an under-built site with rent-stabilized tenants was vacated for the purpose of demolishing the multi-unit building. Section 9 NYCRR 2524.5 of the Rent Stabilization Code allows an owner of a rent-stabilized building to not renew the lease of a rent-stabilized tenant on the grounds that the owner intends to demolish the building. This results in a substantial gap between tenants' expiring leases and allowable rents that might be sought by landlords as part of a lease renewal, according to the legally permitted amount. Such significant increase in rents would increase rent burden and might result in residential displacement. Therefore, documentation of underdeveloped rent-stabilized buildings, as well as rent-stabilized buildings where gaps exist between rents pursuant to a lease and legally permitted regulatory rents, should be accounted for in developing assumptions for the possibilities of induced indirect displacement. The CEQR scope must include an analysis [of] residential rental prices pre- and post- the development of Industry City and an analysis of how this project will effect rental prices and medium income throughout Sunset Park and neighboring areas. I call the applicants to include direct residential displacement to their study and to study the indirect regardless of the number of units hosted by the residential development. Retail jobs will be low-wage jobs for members of the community and will not provide enough income to continue living in Sunset Park where the landlords will raise the rent once wealthier people move in, thereby forcing us out and not afford the rent and causing the residents to be debilitated and rent-burdened. (Adams_111, Calixto_019, Calixto_068, Yanez_018, Gabriel_042, Martinez_104, Santos_078)

The jobs brought into the community by the Proposed Project are geared towards white collar, rather than blue collar jobs, which will negatively impact the community. (Velasquez_070)

According to the *CEQR Technical Manual*, residential development of 200 units or less would typically not result in significant socioeconomic impacts due to indirect residential displacement. Though the project does not include the development of housing, the project aims to massively increase Daytime Population of Workers and Shoppers, as well as Hotel Guests and Students. Together, the increased daytime population is likely to represent a significant portion of the population within a half mile buffer (and an even more significant within the 400-ft buffer). This population, although only present part of the day, is likely to dramatically alter the socioeconomic makeup of the area [bringing] higher wage earners to Industry City and that some portion of those earnings might seek nearby living accommodations. I recommend that a detailed analysis for indirect residential displacement be included in the scope. Such a large-scale change in the IBZ's economy and character is bound to have an impact on the surrounding area's housing market- as new workers look to locate close to their employment and as Industry City becomes a destination in its own right. The fact is that this proposal will potentially produce a great number of jobs and it is

unclear, necessarily, if those jobs are going to be going directly to local residents. Which means there is a very high probability of new people coming into Sunset Park into the Industry City area and they need a place to live. Studying residential displacement forces not just in the immediate study area, but in a half mile is a good starting point because I think doing the bear minimum on a proposal of this magnitude is just not the way to start. Analyze the projected population growth of employees who may relocate to Sunset Park to be located closer to new businesses located in Industry City.(Doughty_008, Moritz-Chapelliquen_ANHD_024, Adams_111, Moritz-Chapelliquen_ANHD_040, Freeman_010)

The socioeconomic study in the proposal does not include residential indirect displacement because they do not meet the population threshold. Because there will be a hotel and a school there, as well as a massive commercial and manufacturing employment sector, the daytime population of this area will increase to such an amount that I believe it's necessary to look into detailed analysis on indirect residential displacement. Especially if it's within the 400-foot buffer. We recommend a detailed analysis of impacts on the residential market including non-market rate housing. There is a symbiotic relationship between Industry City and the real estate industry [in the area]. All the real estate ads use Industry City as a lure to draw new wealthier residents from outside the neighborhood. Analysis of potential indirect residential displacement should be included even though there is no residential development in this proposal. (Doughty_056, Chavez_UPROSE_028, Lattin_058, Menchaca_NYCC_063)

Analyze the indirect residential displacement within recommended primary area (within ½-mile of project area) and secondary area (zip codes 11232 and 11220), including statistics on where workers in the IBZ currently live and estimates on where projected future employees of Industry City may choose to live. There must be a baseline analysis of existing land use, housing, and cost of living trends within ½-mile of Industry City and zip codes 11232 and 11220 over the past 10 years. This analysis must include rent-regulated housing, in addition to the market-based housing market, as even residents in rent-stabilized housing are negatively impacted by gentrification. The current speculation of the rise in property value directly effects the affordable housing stock as landlords try both legal and illegal ways to convert affordable units to market rate. This study must extend beyond the proposed area of 400 feet to at least a½ mile if not further and an analysis of changes in the rental/real estate prices pre/post Industry City. Analyze indirect residential displacement within recommended primary areas, zip codes 11232 and 11220. (Freeman_010, Moritz-Chapelliquen_ANHD_024, Chavez_UPROSE_025, Mitaynes_026, Mitaynes_067, Freeman_087)

If I get displaced, where will I be able to relocate on a fixed-income? There is currently a rich cultural diversity. There must be an analysis of the changes in residential rentals—real estate prices in Industry City. (Yanez_069)

I'm really outraged and deeply saddened that Jamestown Properties rezoning the proposal, because it will remove people like me who are invested in this community beyond one- or two-year trends, people that want to raise their kids there. It would remove people like that, like me, from staying there and adding value to our community. (Apaza_061)

We're concerned about losing our affordable housing and our low-income housing and middle-income housing. We're concerned about displacement, not so much the actual units leaving, but the residents no longer being able to afford that because of the changes that would come about as a result of the massive change going on in the Industry City. (Tondrick_SPLC_064)

This proposal as it stands will really threaten my ability to live there. (Gilbert_065)

The proposed project of the Industry City lot in Sunset Park which proposes to add more retail space and more hotels will displace lower income residents of Sunset Park. (Santos_078)

The impact of the higher income tenants who desire these amenities will expeditiously further increase rental prices. (Freeman_087)

I think that there's a really big chance that with these opportunities, if we're not careful that, with rent going up, a lot of people who are proud to have been living here for so long will get displaced and I think I won't be able to afford to live here.

I just don't want anyone to be displaced. I love my neighbors. I am really white and I've never lived somewhere this diverse and I love it and I don't want it to change. (Gilbert_101)

Your proposal does not include analysis of how building these hotels affect the already increasing rent prices and property values in the working class community. What are you doing to protect my community that is in grave danger of being displaced because of your presence? (Gonzalez_105)

If we open it up in terms of the zoning, will those businesses still be there offering free classes for the community? I'm worried about what's going to happen to the rent. (Anderson_034)

How will this proposal have real environmental and socioeconomic impact on the working class of Sunset Park who can't afford to purchase $14 and $18 cups of coffee at their space? (Martinez_104)

Response: The socioeconomic conditions assessment will assess 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* guidelines, 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 Actions is not expected to substantively affect residential market conditions. New York City has already a highly mobile worker population. In fact, New York City's workforce is the most mobile in the country, with nearly 60 percent of New York City workers commuting via public transit, compared with just 36 percent in Washington, D.C., 32 percent in Boston, and 23 percent in Philadelphia.[2] The far reach of the City's mass transit system allows workers 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.[3] 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.[4] In Manhattan and Brooklyn nearly 15,000 new multifamily units have been constructed over the last 5 years and another 9,000 units are currently under construction.[5] 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.[6] 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

[2] 2016 American Community Survey, 1-Year Estimates, as compiled by HR&A Advisors, Inc., December 13, 2017.

[3] RPA Access to Workforce, HR&A Advisors, Inc., December 13, 2017.

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

[5] CoStar, HR&A Advisors, Inc., December 13, 2017.

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

the new jobs in a range of occupations and wage levels would be filled by existing area residents. 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).[7] This growth was in line with immediately adjacent neighborhoods, including Bay Ridge (a 48 percent increase) and Borough Park (a 50 percent increase),[8] 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 Southwest Brooklyn primarily due to the former's higher basis and limited capacity to absorb additional rent increases.

[7] 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.

[8] Data for Borough Park dates back to 2011.

Table 1
Median Residential Rent Trends in Sunset Park[1]
(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

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, as compiled by HR&A Advisors, Inc., December 13, 2017.

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.[9] 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 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

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

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 39: The Proposed Project describes the inclusion of over 500,000 sf of new Local Retail commercial space, in addition to 387,728 sf of Destination Retail commercial space. Since this is a significant increase in the amount retail commercial space within the local trade area and could create indirect business displacement, the Scope of Work should include analysis of the impact on neighborhood commercial businesses within three miles of the Project Area. (Fontillas_CB7_106)

Response: The Socioeconomic Conditions analysis in the DEIS will consider the potential for indirect business displacement due to increased rents (i.e., as a result in substantial new uses potentially changing market trends) and due to retail market saturation (i.e., competitive effects).

Comment 40: The proposed action would: raise land values in the surrounding area, creating the kinds of rent gaps that cause gentrification; encourage the owners of industrial land to seek similar changes, or make them as-of-right where they are allowed; attract speculators who will purchase nearby land, evict existing industrial, small commercial and residential users, and sell at a higher price; and further weaken one of Brooklyn's greatest potential assets: its industrial waterfront. (Stein_016, Stein_062)

Response: Comment noted. As detailed in the FSOW, the Socioeconomic Conditions analysis in the DEIS will consider the potential for the Proposed Actions to result in significant adverse environmental impacts due to direct and indirect business displacement.

With respect to the commenter's request for analysis of residential rent gaps, please see the response to Comment 38.

Comment 41: How many jobs that are now in Industry City would be elsewhere in the city or moved from other parts of the city? (Moskowitz_036)

Response: The Socioeconomic Conditions analysis of the DEIS will consider the potential for significant adverse impacts due to direct and indirect business displacement. Those analyses consider the potential for impacts under the Density-Dependent RWCDS, which is the most conservative With Action scenario for assessing potential socioeconomic effects.

The Proposed Project would primarily create new space and upgrade existing vacant and underutilized space to house new businesses. However, during and after construction businesses may be relocated internally. In addition, once the Proposed Project is completed, businesses located in other parts of the City may choose to relocate to Industry City to take advantage of the Innovation Economy

that is expected to be generated. However, it would be speculative and outside the scope of a CEQR analysis to estimate the numbers and specific types of such relocations.

Comment 42: An 11-story hotel will have an impact. We know that 11- to 13-story building will have an impact on rents, on property value, on taxes because Sunset Park basically is a walk-to-work community. (Kaplan_048)

The proposed hotel in an area that already has several, as well as high-end retail proposed by the scope, will accelerate the displacement pressures and will rapidly increase residential rent prices already being experienced. (Mitaynes_067)

Response: The Socioeconomic Conditions analysis of the DEIS will consider whether the uses introduced by the Proposed Project, including the proposed hotel use at the scale contemplated, could result in significant adverse socioeconomic impacts.

Comment 43: Industry City says they want artists there, but they made it very clear that they are only interested in renting to a higher economic class. This analysis should answer the question of what kind of renters are to be included in this rezoning. (Zahaykevich_072)

Response: As detailed in the FSOW, the socioeconomic conditions analysis in the DEIS will consider the potential for the proposed uses to result in significant adverse environmental impacts due to direct and indirect business displacement. Uses to be included are related to the Innovation Economy and represent a broad range of businesses involved in every step of the "making" process, from research and development to design and engineering, as well as the actual manufacturing of products. Specific tenants have not yet been determined, and this level of detail is not necessary in order to determine the potential for significant adverse environmental impacts.

INDIRECT BUSINESS DISPLACEMENT

Comment 44: Sunset Park is a walk to work community made up of people of color predominantly the working class. This community's livelihood depends on the manufacturing sector and small businesses. Further, the impact of the higher income tenants who desire these amenities will expeditiously further increase rental prices. (Freeman_010)

Response: As described in the DSOW, the Socioeconomic Conditions analysis of the DEIS will consider the potential effects of the Proposed Project on area commercial rents and the potential for indirect business displacement due to increases in commercial rents. The Applicant values the industrial nature of the Project Area and Sunset Park, has significantly grown the manufacturing tenant base at Industry City since 2013, and intends to support manufacturing uses within the

Project Area. The Proposed Actions would facilitate the expansion of non-storage and warehousing industrial uses within the Industry City complex.

Comment 45: Analyze trends in cost of living to include housing, utility and transportation burden of recommended primary area (within ½-mile of project area) and secondary area (zip codes 11232 and 11220) over the past 5 years. (Freeman_010)

Response: The Proposed Project contains no residential uses and the requested analysis of trends in cost of living fall outside the scope of a CEQR analysis. In terms of indirect residential displacement, please refer to response to Comment 38. With respect to the study area of analysis, please see the response to Comment 5.

Comment 46: The scope must address direct and indirect residential displacement as a factor in business displacement, as the consumer base for many companies lies directly in those most vulnerable to direct and indirect displacement as a result of this project. (Stein_016)

Response: The analysis of indirect business displacement will consider whether the Proposed Project would directly or indirectly displace a customer base such that it could result in direct or indirect displacement of businesses in the study area. In terms of indirect residential displacement, please refer to response to Comment 38.

Comment 47: I feel like there needs to be a more comprehensive analysis of the socioeconomic effects of Industry City on Jamestown properties in Sunset Park. The expansion would devastate the neighborhood and further accelerate the displacement of families, change the neighborhood's character. The existence of Industry City is already being felt in the neighborhood by having businesses that cater to people with more money. Industry City creates a market that is—at the expense of the neighborhood, at the expense of displacing families. (Garcia_051)

Response: The Socioeconomic Conditions analysis in the DEIS will consider the potential for the Proposed Project to result in significant adverse impacts due to direct residential and business displacement, indirect business displacement, and adverse effects on specific industries. With respect to the commenter's concern about potential indirect residential displacement, please see the response to Comment 38.

Comment 48: I am active community resident and I am writing to you because I am very concerned about what the proposed rezoning of Industry City will do to the neighborhood of Sunset Park. I'm writing to testify specifically about the need to analyze residential and commercial displacement and to broaden the social and economic impact assessments within the scope of this project. The CEQR scope needs to be expanded to analyze rental prices/changes in median income pre/post Industry City. More and more advertisements on Craigslist for over-priced

apartments mention proximity to Industry City, when this never used to be the case. Therefore the CEQR scope must analyze impacts on residential displacement within at least ½-mile of Industry City, and the ripple effects across the neighborhood (zip codes 11220 and 11232). (Rivera_112)

Response: With respect to the commenter's concern about potential indirect residential displacement, please see the response to Comment 38. With respect to the socioeconomic study area of analysis, please see the response to Comment 5.

Comment 49: Industrial sector businesses could be pushed out in favor of office, retail, restaurant and bar uses that can often pay higher rents. This might in turn push out the working class families in Sunset Park who rely on the industrial sector for their employment. (Menchaca_NYCC_063)

How will the proposed project effect the customer base for existing local business? (Freeman_010)

Response: The Socioeconomic Conditions chapter of the DEIS will analyze potential displacement on retail as well as manufacturing and industrial businesses.

Comment 50: Another thing we makers and manufacturers have in common is the inability to pay high rent. Once rents creep up to and past $2/sf per month, we are effectively priced out. We either have to give up and leave our spaces, work far longer hours in order to afford them, or double or triple up. (Dubnau_ASAP_002)

I can guarantee this, if the rents at Industry City go even higher than they are now, what remains of the working artists in the manufacturing community will be permanently displaced. (Dubnau_ASAP_055)

What will be the pricing scheme to ensure that the proposed Industry City space remains accessible to low-income businesses, artists and makers of Sunset Park? (Freeman_010)

Response: The Socioeconomic Conditions chapter of the DEIS will include an assessment of potential indirect business displacement due to increasing rents.

Comment 51: Analyze projected loss of revenue for independent businesses in recommended primary and secondary study areas that may occur due to direct and indirect business displacement. (Freeman_010)

I am concerned that Industry City rezoning will lead to the displacement of these bodegas and supermarkets and bring forward large chain supermarkets like Whole Foods. (Gomez_014, Gomez_073)

We believe that this plan could force out many small businesses in the area. So we would strongly urge the Commission to analyze the projected loss of revenue for businesses at least within a half a mile of Industry City, if not further. As well

as recommend the primary and secondary study areas that may result in direct or indirect business displacement. (Rush_050)

The EIS should consider the effect of one or a small number of corporate tenants replacing the smaller businesses and industries. (Angotti_022, Angotti_075)

There needs to be an economic assessment of the projected loss of revenue for businesses within ½-mile of Industry City and throughout the neighborhood (zip codes 11232 and 11220) due to direct and indirect business displacement. (Rivera_112)

I strongly believe that this project, if approved, will lead to the acceleration of the displacement the monopolizing of large corporation. It will make it impossible for the manufacturing sector and small business to compete. It will make it impossible for them to exist. (Freeman_087)

Response: The DEIS will follow *CEQR Technical Manual* methodology in assessing the potential for significant adverse environmental impacts due to direct and indirect business displacement. The effects of the additional retail development introduced by the Proposed Project on the neighboring areas will be assessed as part of the indirect business displacement analysis.

Comment 52: The scope must include a full survey of the local economy, including the anchor businesses that employ large numbers of people as well as all of the smaller businesses that—often in coordination with one another—collectively employ a large percentage of the Sunset Park community. (Stein_016)

Response: The DEIS will assess the potential for significant adverse environmental impacts due to direct and indirect business displacement. The assessment will follow *CEQR Technical Manual* guidelines and will include field survey of local businesses.

Comment 53: I urge you to support the plan with one vital qualification, and that's the rezoning be drafted in such a way that mandates a reasonable amount of affordable space be set aside for manufacturers that allow us to remain cost competitive well into the future. (DeSalvo_029)

Response: Comment noted.

Comment 54: How this proposal should be studied in the future is specifically looking at the indirect business or direct business impacts not just in the study area but all across the Southwest Brooklyn Industrial Business Zone. (Moritz-Chapelliquen_ANHD_040)

Response: The Socioeconomic Conditions chapter of the DEIS will include a study of direct and indirect displacement of businesses. With respect to the appropriate study area of analysis, please refer to the response to Comment 5.

Comment 55: The fact is that you have to look at the impact on Fourth and Fifth Avenue, on the mom-and-pop businesses, on the stores basically that are barely affording rent and what this is going to do to them. That's going to skyrocket their rents. Right now rents are already too expensive and people are very much rent burdened, and this serves nothing. (Kaplan_048)

Response: The Socioeconomic Conditions chapter of the DEIS will include a study of potential indirect displacement of businesses. The study will consider retail businesses along the 4th and 5th Avenues, as well as manufacturing businesses throughout the Study Area.

Comment 56: We recommend studying a portion of the IBZ for the impacts of rapidly increasing industrial rents and property values on viable industrial employers and citywide service deliveries. (Margolis_SBIDC_053)

I'm very concerned this project will create a new environment that existing small businesses will not be able to survive in. This proposal by Jamestown Properties is making it more attractive for larger chain stores and real estate developers to invest in the area. Small family owned shops will not be able to compete with large chain stores. (Vergara_054)

The scope must specifically address the effects of the proposed change on industrial businesses. While the current draft looks at commercial businesses in general, a more complex picture must be painted that addresses the particular needs of the industrial sector, which is uniquely vulnerable to displacement in ways some other commercial operators (including hotels) are not. (Stein_016)

I appreciate the opportunity to convey that I believe that Industry City's rezoning application that represents a definitive action that will result in the obliteration of Sunset Park's working class communities and the small businesses that supply the local workforce and residents. (Schwolsky_071)

Response: The Socioeconomic Conditions chapter of the DEIS will include a study of potential indirect displacement of businesses. The study will consider current rent trends, and anticipated impacts on business rents, and will identify whether specific business types are vulnerable to displacement.

Comment 57: The project is certain to force small businesses to move because of rent increases. Rent has increased by 25 percent more in the neighborhoods like Williamsburg that will not have undergone rezoning projects similar to this. (Vergara_054)

Response: See the response to Comment 56.

Comment 58: The problems with rent, all in Brooklyn, started in 2003 and 2004 when people came and started buying properties with cash under the table and all these people brought the prices up. It's not Industry City's fault. So I'm just going to end that—

back in 2003, 2004. So we just have to be careful with the blame game. (Cardona_100)

Response: Comment noted.

Comment 59: If the capture rate for specific, relevant categories of goods exceeds 50 percent this proposal should assess adverse impacts due to indirect business displacement as a result of competition, and conduct further detailed analysis to confirm findings. (Martinez_107)

Response: The potential effects of the retail development introduced by the Proposed Project on neighboring areas will be assessed as part of the indirect business displacement analysis. As part of the analysis, capture rates for the various retail categories will be measured and analyzed. Following *CEQR Technical Manual* guidelines, if the capture rates for retail categories exceed 100 percent, a detailed analysis will be performed.

OPEN SPACE

Comment 60: Figure 17 of the DSOW, "Open Space Study Area," should be modified to include Bush Terminal Park. (Adams_111)

Response: This figure has been modified in the FSOW to include Bush Terminal Park.

Comment 61: The Proposed Project forecasts a significant increase in office and business employees at the Project Area. The site occupies an underserved area of Brooklyn relative to open space, parkland, and access to the waterfront. The Scope of Work should consider qualitative factors regarding the potential for new open space, public parks, upland connectors, and public access links to the waterfront. (Fontillas_CB7_106)

The EIS does not consider the added burden on the very limited public open space in Sunset Park. The Industry City plan is likely to make the existing waterfront open space inaccessible to the large low-income Latino and Asian populations in Sunset Park, the very groups that advocated creation of the open space. (Angotti_022, Angotti_075)

Response: The Open Space chapter of the DEIS will include both a quantitative and qualitative analysis and will consider any potential new open space, public parks, upland connectors, and public access links to the waterfront. As per the *CEQR Technical Manual*, the open space analysis would not consider the demographics of open space patrons.

Comment 62: Large commercial buildings will have environmental impacts on the green space in Bush Terminal Park (e.g., the trees and the grass not getting enough sunlight).

I want to know what impact taller buildings and increased waste will have on the park and waterfront. (Gomez_014, Gomez_073)

Response: The Open Space analysis will consider the potential effects of the Proposed Project on the open spaces within the study area, including the effects of project-generated shadows and any changes to natural resources.

Comment 63: I'm deeply concerned that the Jamestown property rezoning project will put sites like this garden [community garden on 34th Street between 4th and 5th Avenues] at risk by encouraging more residential investment. (Lara_060)

Response: The Open Space analysis of the DEIS will consider the potential effects of the Proposed Project on public open spaces, including community gardens.

SHADOWS

Comment 64: The applicant must analyze impacts to Bush Terminal Park and bordering water bodies, including a shadow assessment, water pollution due to increased waste generation, and water pollution due to increased demand on combined sewer outfalls. (Chavez_UPROSE_025)

We must know the impact that taller buildings and increased waste will have on the park and waterfront. (Gomez_073)

Response: The Shadows analysis will adhere to *CEQR Technical Manual* guidance by disclosing the duration and extent of project-generated shadows on sunlight-sensitive resources, which include publicly accessible open space, Greenstreets, sunlight-sensitive features of architectural resources, and sunlight-dependent natural resources. Bush Terminal Park and the Upper New York Bay are both sunlight-sensitive resources, and the duration and extent of any project-generated shadow cast on them will be disclosed in the Shadows analysis. The DEIS will also include an assessment of Water and Sewer Infrastructure.

HISTORIC AND CULTURAL RESOURCES

Comment 65: The plans for assessment is limited to the minimum required study of 400 feet from Industry City, and it only includes nationally and state recognized historical places. Instead, the Scope of Work should include the maximum area of a half-mile radius and beyond, as well as conduct community-based research to identify and analyze impacts on community-identified historical and cultural places. (Doughty_056, Zhao_017, Zhao_046)

Study should identify and describe in detail the historic district and any known architectural resources within a surrounding half-mile of the study area. (Martinez_107)

Response: As set forth in the DSOW, the Historic and Cultural Resources analysis will assess the project's potential impacts on any designated and potential architectural resources. Consistent with the guidance of the *CEQR Technical Manual*, designated architectural resources include: New York City Landmarks, Interior Landmarks, Scenic Landmarks, New York City Historic Districts, and resources calendared for consideration as one of the above by the Landmarks Preservation Commission (LPC), as well as nationally- and state-recognized historic resources. As set forth in the DSOW, a field survey of the Project Area and study area will be undertaken by a qualified architectural historian to identify any potential architectural resources that could be affected by the Proposed Project. Identification of potential architectural resources also will include a review of the Community Board 7 Sunset Park 197-a Plan. The *CEQR Technical Manual* notes that study areas for architectural resources are determined based on the area of potential effect for construction-period impacts, as well as the larger area in which there may be visual or contextual impacts, and are typically within an approximately 400-foot radius of a project site. The project development scenarios include either the construction of three new buildings of 10, 12, and 13 stories, or the construction of two new buildings of 10 and 13 stories and the addition of one-story rooftop additions to certain existing buildings, within a complex of existing buildings that typically range in height between 6 and 12 stories. Therefore, a 400-foot study area was determined to be appropriate for the analysis.

Comment 66: Detailed studies that expand the meaning of cultural resource are needed to ensure the continued prosperity and diversity of Sunset Park. (Doughty_008)

Response: As defined in the *CEQR Technical Manual,* historic and cultural resources include both architectural and archaeological resources. As set forth in the DSOW, the Historic and Cultural Resources analysis will assess the project's potential impacts on any designated or potential architectural resources. A field survey of the Project Area and study area will be undertaken by a qualified architectural historian to identify any potential architectural resources that could be affected by the Proposed Project.

URBAN DESIGN AND VISUAL RESOURCES

Comment 67: Due to the Project Area's location at the foot of the Brooklyn terminal moraine, new structures built within the Project Area will directly affect viewsheds from upland parks and open spaces, such as Green-Wood Cemetery and Sunset Park, two of the highest elevations in Brooklyn (in particular, a 9/11 Memorial Grove was located within Sunset Park with views to Lower Manhattan). The Scope of Work should include an in-depth analysis that ensures that views to and from these sites, which have been historically valued by the community, are protected from intrusion and visual blight. (Fontillas_CB7_106)

Response: As per the *CEQR Technical Manual*, the study area for the analysis of urban design and visual resources is generally consistent with the land use analysis study area. Therefore, a 400-foot study area boundary will be used for the analysis. Views from prominent open spaces, such as Sunset Park, also will be considered. The project development scenarios include either the construction of three new buildings of 10, 12, and 13 stories within a complex of existing buildings on existing blocks that typically range in height between 6 and 12 stories, or the construction of two new buildings of 10 and 13 stories and the addition of one-story rooftop additions to certain existing buildings.

Comment 68: Provide photo simulations showing the two development scenarios from vantage points upland from the Proposed Project, along the Gowanus Expressway, and from offshore locations in Upper New York Bay. Emphasis on potential signage, rooftop structures and bulkheads, overhead power lines and inter-building connections, and fenestration patterns on new structures and overbuilds should be delineated. (Fontillas_CB7_106)

Response: As per the *CEQR Technical Manual*, three-dimensional representations of the future With Action condition streetscapes will be provided in the DEIS. Representations of the Overbuild Scenario will include potential rooftop additions. The materials and articulation of the new buildings would not be regulated by the Proposed Actions.

Comment 69: The Scope of Work should include development of the Project Area to implement the Brooklyn Waterfront Greenway, upland streetscape connectors, and other urban design initiatives such as Brooklyn 4th Avenue Great Streets project. (Fontillas_CB7_106)

Response: Proposed projects within the urban design and visual resources study area that could be completed by 2027 and could affect visual resources and urban design will be included in the No Action condition.

Comment 70: A detailed urban design and visual resources analysis should be conducted as the primary assessment. (Martinez_107)

Response: According to the *CEQR Technical Manual*, if a preliminary assessment of urban design and visual resources shows that changes to the pedestrian environment would be sufficiently significant to require greater explanation and further study, then a detailed analysis will be conducted. The FSOW follows this methodology.

HAZARDOUS MATERIALS

Comment 71: There is concern about the uprooting of dormant materials from whatever prior industrial work that has occurred in the Project Area. Construction may also uproot aerosols or other chemicals in the ground. (Tondrick_SPLC_064)

Response: The Hazardous Materials chapter of the DEIS will examine the potential for significant hazardous materials impacts from the Proposed Project and, if necessary, will include a description of any additional testing, remediation, or other measures that would be necessary to avoid impacts.

WATER AND SEWER INFRASTRUCTURE

Comment 72: As the directly affected service area is the Owls Head Wastewater Treatment Plant (WWTP), With Action conditions should disclose opportunities for reduction based on the possibility of the buildings integrating green and blue water roof treatments, as well as curbside bioswale stormwater management infrastructure. (Adams_111)

Response: The DEIS will include an analysis of the Proposed Project's potential impacts on the water supply, wastewater and stormwater conveyance and treatment systems, and a discussion of Best Management Practices.

Comment 73: The Scope of Work should include a calculation of water demand of proposed new uses at the Project Area. Typically, large buildings use 20 gallons of water per square foot on average, potentially requiring a significant new demand on site for supply. (Fontillas_CB7_106)

Response: The DEIS will include an analysis of the Proposed Project's potential impacts on water supply as well as wastewater and stormwater conveyance and treatment, including anticipated water demand calculated as per CEQR guidelines.

Comment 74: The Scope of Work should include an analysis of increased sanitary and sewer flows and their effects through existing drainage facility infrastructure, in particular nearby CSO outfalls located at Bush Terminal Park. (Fontillas_CB7_106)

Sewers already back up on 5th Avenue as you go up to the bridge. When the sewers meet down land and the upland meet. Sending our treating sewerage to the New York upper bay, a body of water much improved over the past three decades but still very much at risk. (Roga_FSP_044)

Water, sewer, storm water runoff, and sewer overflow. And that those are absolutely taken into consideration and have to be paramount because of your location to our waterfront. (Tondrick_SPLC_064)

Response: The DEIS will include an analysis of the Proposed Project's potential impacts on water supply as well as wastewater and stormwater conveyance and treatment. If the assessment reveals the potential for significant adverse impacts, mitigation measures would be disclosed in the DEIS.

ENERGY

Comment 75: The proposed project forecasts renovation of approximately 5.7 million sf of commercial, retail, office, event and academic space in existing buildings, much of which is currently not tempered or climate controlled. The Scope of Work should analyze how the projected energy use required to climate control these areas will affect existing power transmission within the nearby neighborhood area. (Fontillas_CB7_106)

Response: According to the *CEQR Technical Manual*, a detailed assessment of energy impacts would be limited to actions that could significantly affect the transmission or generation of energy or that generate substantial indirect consumption of energy (such as a new roadway). As described in the *CEQR Technical Manual*, a significant adverse impact to energy is very unlikely. Therefore, a detailed analysis of energy is not warranted. However, the DEIS will disclose the projected energy consumption resulting from the Proposed Actions.

TRANSPORTATION

Comment 76: The foreseeable negative impacts effect an area well beyond the 400-foot study area proposed by the expanded footprint. Take the impact of additional cars (1,094 to 1,984 cars) destined into the proposed accessory parking spaces. The study area has to be a minimum of a mile east and west. (Roga_FSP_044)

Response: The core traffic study area extends well beyond 400 feet (expanding up to approximately 1/3-mile away after the inclusion of additional locations between the DSOW and FSOW) from the footprint of the individual project buildings, covering analysis locations most likely to be affected by the traffic and parking demand generated by the Proposed Project. This study area was determined in conjunction with DCP and the New York City Department of Transportation (DOT), and additional intersections up to ¾-mile away will be included into the traffic study area.

Comment 77: To avoid segmentation, all new development along the Brooklyn-Queens Expressway (BQE) and all the new traffic induced by those developments in recent years should be studied in conjunction with this to get a full idea of what the cumulative effects on the transportation networks are. (Doughty_056)

Response: Proposed projects near the Project Area that could be completed by 2027 (extending to approximately one mile away from the Project Area) and could

affect traffic and transportation conditions in the transportation study area will be included in the No Action condition, in consultation with DCP. As established by the *CEQR Technical Manual,* the No Action condition also will incorporate annual background traffic growth rates for the Study Area and areas beyond the immediate study area.

Comment 78: Conduct a trip generation analysis for each scenario for all travel modes including walking, bus, train and personal vehicles. (Freeman_010)

Response: A detailed trip generation analysis will be prepared for each scenario for walk, bus, subway, and auto travel modes in consultation with DCP and DOT. The most conservative of the scenarios for transportation analysis purposes will be analyzed in the Transportation chapter of the DEIS.

Comment 79: Analyze the impacts on public transportation based on projected population. (Freeman_010)

Response: The Proposed Project's potential to have impacts on public transportation (the 36th subway station, D, N, and R subway lines, and nearby bus lines – B35, B35LTD, B37, B63, and B70) will be determined, as detailed in the FSOW.

Comment 80: We need to expand the transportation study to not only look at the maximum capacity during peak weekday rush hour, but also to look at evacuation capacity needed, right, in case of a natural disaster or man-made disaster, which are more and more prevalent today in terms of our national scenario. (Doughty_056)

Response: Pursuant to CEQR standards, transportation analyses examine reasonable worst-case conditions and are not required to consider natural or human-made disaster conditions.

Comment 81: Multiple school facilities are located within the study area adjacent to the Proposed Project. Given the new population projected to be traveling and patronizing the site, the effect of increased traffic to and from the site near school sites should be examined. (Fontillas_CB7_106)

Response: The majority of the Transportation study area consist of intersections along Third and Fourth Avenues where schools are located; the traffic study area will incorporate intersections adjacent to schools near the project site. The weekday AM peak hours, which overlaps with the student arrival periods, will be analyzed. Student departures occurs outside of the project's afternoon peak periods (the weekday PM peak hour) when background traffic volumes are lower and project generated vehicle trips are projected to be less intense.

CUMULATIVE EFFECTS

Comment 82: Transportation, both public and auto, should be assessed cumulatively along shared infrastructural routes. Increased auto traffic along the BQE, but it does not exist in isolation. A study should be done of each of the new developments within a 1,000-foot buffers of all BQE exits in Brooklyn and Queens, and their cumulative added traffic volume should be taken into account.

The proposed Highway traffic study must expand its scope from the Gowanus Expressway only, to the entire BQE. A scope including the entire BQE should be incorporated to avoid segmentation. (Doughty_008)

Response: The scope of the highway studies was developed in conjunction with DCP and DOT and focuses on the key areas of potentially significant impacts resulting from the Proposed Project. As detailed in the DSOW/FSOW, it includes an analysis of the Gowanus Expressway. It does not need to consider the BQE throughout Brooklyn and Queens, many miles away. The *CEQR Technical Manual* does not advocate that projects such as this consider development traffic including those within 1,000 feet of all BQE exits in Brooklyn and Queens which are miles away; traffic induced by such developments are considered as part of the background growth rates, as established by the *CEQR Technical Manual*.

TRAFFIC

Comment 83: The list of street intersections may need to include 3rd Avenue at 29th Street, as well as 5th Avenue and 36th (westbound), 37th (eastbound), and 39th Streets to reflect traffic taking these connecting routes from/to Borough Park and Windsor Terrace. (Adams_111)

Response: The intersections listed in the DSOW reflect the determination by DCP as lead agency, in consultation with DOT staff based on the volume of vehicular traffic expected to be generated by the Proposed Project and the specific routes they are expected to use. The intersection of Third Avenue and 29th Street will be included as part of the traffic study area.

Comment 84: The Scope of Work should provide an in-depth analysis of traffic impacts to and from the site. Truck traffic for deliveries and waste hauling should receive particular consideration given their significant effects on adjacent neighborhoods and limited access points for delivery.

The Scope of Work should analyze the effect of truck traffic and commercial hauling activities along the 3rd Avenue corridor. (Fontillas_CB7_106)

Response: An in-depth analysis of traffic impacts to and from the site, including truck traffic, will be an integral part of the DEIS, including the Third Avenue corridor and all traffic analysis locations. The analysis will assume that truck traffic would

continue to utilize existing DOT-designated truck routes to and from the Project Site.

Comment 85: Several high-risk intersections are adjacent to the Project Area, as documented from recent pedestrian fatalities near the Project Area. The Scope of Work should review traffic counts within an expanded area up to 5th Avenue and down to 45th Street to include pedestrian commute patterns from transit nodes. The Scope of Work should also take into account weekend and seasonal retail traffic given the influx of patrons projected by the project on these days. (Fontillas_CB7_106)

Response: The traffic study area was developed in conjunction with DCP as lead agency, in consultation with DOT and includes areas of vehicular and pedestrian concern for weekday and Saturday peak hours. Standard CEQR protocols calls for the analysis for the average traffic conditions which are typically expected over the course of the year. The traffic analysis will also incorporate and assess the effect of planned safety improvements within the area such as the Fourth Avenue bike lanes project, and the Brooklyn Waterfront Greenway initiative, which will increase pedestrian and bicyclist safety and accessibility in the area. Moreover, a traffic safety analysis will be performed at those vehicular and pedestrian study area intersections determined to be high accident locations per DOT and *CEQR Technical Manual* criteria.

Comment 86: In addition to counts showing exiting off the Gowanus headed towards the Project Area, the analysis should extend to how patrons will return to the highway system given the nearest on ramps are located at 65th Street and Hamilton Avenue by the Brooklyn Battery Tunnel. (Fontillas_CB7_106)

Response: The traffic study area was developed in conjunction with DCP as lead agency, in consultation with DOT. The intersection of 3rd Avenue at Prospect Avenue was added to the FSOW so that the DEIS could analyze for traffic destined to the BQE via Hamilton Avenue.

Comment 87: As this process studies how increased traffic might impact roads and infrastructure, is it also possible to take into account the specific operational needs of industrial businesses? Priority concerns include the impact on navigation of trucks and the unique parking needs of industrial businesses in the IBZ. (Margolis_SBIDC_053)

Response: The *CEQR Technical Manual* does not analyze the operational needs for individual businesses unless a project would adversely affect access to an individual business, requiring mitigation. The Proposed Project would not modify existing truck access and routes within the Study Area. The analysis will assume that truck traffic would continue to utilize existing DOT-designated truck routes to and from the Project Site.

Comment 88: Since traffic on 1st, 2nd, 3rd, and 4th Avenues may exacerbate traffic on the already busy 5th Avenue, the Street Network analysis needs to be expanded to include the following:

- 4th Avenue at 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, and 44th Streets
- 5th Avenue 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, and 44th Streets (Martinez_107)

Response: Similar to the response to Comment 83, the intersections listed in the DSOW reflect the collective determinations by DCP as lead agency, in consultation with DOT staff based on the volume of vehicular traffic expected to be generated by the Proposed Project and the specific routes they are expected to use. The intersections of Fourth Avenue with 36th, 37th, 38th, 39th, and 40th Streets were identified as part of the traffic study area. The intersection of Fourth Avenue with 34th Street was added as part of the FSOW.

PARKING

Comment 89: Provide analysis of potential parking impacts adjacent to the Project Area, and how the existing parking lot areas underneath the Gowanus Expressway will be impacted, both in terms of turnover, vehicular and pedestrian access, and proposed safety improvements, if any. (Fontillas_CB7_106)

Response: The DEIS will evaluate potential impacts to existing parking areas underneath the Gowanus Expressway, citing existing and projected future parking capacity and demand, and will determine whether there is any capacity for these areas to accommodate additional parkers generated by the Proposed Project. The Proposed Project also includes the construction of new parking garages to add to parking availability in the area. Any proposed safety or pedestrian access improvements also will be described.

Comment 90: Analyze the impacts of increased travel demand/trip generation on parking availability and cost. (Freeman_010)

The parking analysis needs to be expanded. As an addition to the on-street parking analysis, a survey should be conducted of local population's ability to afford lot parking, paid lot parking, if unaffordable by community, should not be seen as an alternative to over saturating on-street parking in neighborhood. (Doughty_008)

Response: The impacts of increased travel demand/trip generation on parking availability will be determined. The pricing structure of new parking has not yet been determined, and future parking costs are not considered under CEQR for the purpose of identifying significant adverse environmental impacts.

PEDESTRIANS

Comment 91: Pedestrian counts along key walking routes between the subway stations and the southern section of the site should consider the 3rd/4th Avenue intersections at 41st and 45th Streets. (Adams_111)

Response: The pedestrian traffic study area was developed in conjunction with DCP as lead agency, in consultation with DOT, and includes areas of vehicular and pedestrian concern. It is projected that the vast majority of subway trips would arrive to the Project Sites from the 36th Street subway station. The walk trips to the aforementioned intersections along 3rd and 4th Avenues at 41st and 45th Streets would be minimal.

Comment 92: Describe how the Proposed Actions will be affected by or improve the physical and environmental condition of the Gowanus Expressway/3rd Avenue Corridor, which the complex faces. In particular, how will pedestrian access across the street be accomplished given that the majority of transit options are located on 4th and 5th Avenues. (Fontillas_CB7_106)

Response: As part of the DEIS, pedestrian analysis will be performed for ten intersections and includes an assessment of the existing crossing times. Additionally, a traffic safety study will be performed for all pedestrian and traffic analysis locations. In the No Action condition, as an independent project, DOT and DDC are expected to complete construction of pedestrian improvements at the intersection of 3rd Avenue and 36th Street this year (2019).

Comment 93: The BQE exit on 38th Street and 4th Avenue will cause traffic bound for Industry City to route to 36th Street along 4th Avenue before turning back towards the project. In these two blocks, especially at the intersection of 4th Avenue and 37th Street, two elementary schools are passed by, endangering young children by placing them in proximity of auto traffic. A traffic safety study must be conducted, and if found that children are put in danger, the developers should pay the cost of rerouting the highway exit. (Doughty_008)

Response: The traffic safety study in the DEIS will include an evaluation of three years of accident analyses at each of the analysis locations, a determination of whether or not such street intersections are deemed high accident locations and, if so, an identification of potential measures to improve safety at these intersections.

PUBLIC TRANSIT

Comment 94: The current 36th Street subway station is currently not accessible to the disabled. Provide an analysis of how disabled patrons will reach the Project Area and how the project will provide ADA compliance. (Fontillas_CB7_106)

Attention should be paid to subway stairwell capacity (In addition to peak rush hour volumes, account for evacuation models). In addition to stairwells, an Accessibility survey must be completed. The accessibility survey should include all public transit and routes from public transit within a half mile of the Project Area. (Doughty_008)

Response: Under CEQR, an analysis of potential impacts to subway station elements assesses the ability of existing subway transit elements to accommodate project-generated trips but does not evaluate the accessibility of subway stations. It should be noted, however, that Industry City is in the process of retrofitting the existing buildings in the Project Area to be ADA-compliant.

As detailed in the DSOW/FSOW, subway stairwell capacity will be evaluated for the stairwells at the 36th Street subway station, including on the west side of 4th Avenue, which are closest to the Project Sites and thus most likely to be used by trips going to and from the Project Sites. These studies will be conducted for weekday AM and PM commuter peak periods, but not for evacuation conditions, which are not required under CEQR. Analysis of the accessibility of transit within the vicinity of the Project Sites is not required under CEQR.

Comment 95: Our transportation infrastructure is currently inadequate for the residents at the current time. The 4th Avenue, R and N trains, along with our buses, B63 on 5th Avenue and B37 on 3rd Avenue, are overcrowded. At times, riders are left standing, unable to board due to the crowded bus and left waiting for the next bus. During school hours, riders sometimes have to let buses go by before boarding. Sometimes, the bus driver does not even stop to let riders on. (Wolfe_020, Wolfe_066)

Response: A travel demand analysis will be performed to identify subway and bus routes in need of detailed line haul analyses based on the *CEQR Technical Manual* criteria in consultation with New York City Transit (NYCT). The analyses will determine whether these routes have sufficient capacity to accommodate project-generated trips, and if there would be a need for improvements in the future with the Proposed Project in the form of increased frequency of service or by changing the fleet of an existing bus line to buses with greater capacity.

Comment 96: The City must honestly project promised mass transit improvements, including added subway capacity and the BQX given the history of serious lags in construction and implementation. (Angotti_022, Angotti_075)

Response: For the purposes of a conservative analysis, the transit analysis does not assume that BQX or other mass transit improvements would be constructed and operational prior to the project's completion. The transit analysis assesses only the existing subway and bus transit services provided within the study area.

Comment 97: In addition to the 36th Street subway station, the volume of patrons using the 45th Street subway station should also be considered for trips ending and originating from Bay Ridge, and communities between Coney Island and Sunset Park for those traveling from/to the buildings at the southern section of the Industry City complex. (Adams_111)

Response: It is projected that the vast majority of subway trips would arrive to the Project Sites from the 36th Street subway station since this station is an express subway stop (45th Street subway station is a local stop) and the distance between the Project Sites and the 36th Street subway station is much less than the distance between the Project Sites and the 45th Street subway station. Only a small number of trips (predominately from Bay Ridge) would be expected to utilize the 45th Street subway station to reach the Project Sites, and thus this station would not warrant a detailed analysis per the *CEQR Technical Manual*.

Comment 98: Subway ridership along the R line must be analyzed holistically. Bloomberg's 4th Avenue rezoning added many units within a 400-foot buffer of the R line. Each of these units and the anticipated traffic increase must be modeled holistically and cumulatively. (Doughty_008)

Response: Proposed development near the proposed Project Sites that could significantly affect surrounding transportation conditions will be identified in coordination with DCP and accounted for in the No Action condition. The *CEQR Technical Manual* does not advocate that projects such as this consider developments miles away from the Project Area; transit trips induced by such developments are considered as part of the background growth rates, as established by the *CEQR Technical Manual*.

AIR QUALITY

Comment 99: It has been documented in several recent studies that the Gowanus Expressway is a significant threat to public health, with high rates of asthma, emphysema and other respiratory diseases reported in children and adults in Sunset Park. The Scope of Work must analyze potential effects on air quality from increased vehicular and truck traffic to the Project Area. (Fontillas_CB7_106, Mitaynes_067)

We're already in a poor air quality area, and I'm worried about the carbon emissions increasing. (Tondrick_SPLC_064)

PS 503 and 506 that are located within one block of the Gowanus Expressway, cannot open their windows during the nice weather due to the smog. This will be worse with the additional cars. (Wolfe_020, Wolfe_066)

Response: As discussed in the DSOW and required under the guidance of the *CEQR Technical Manual*, a microscale analysis of CO and $PM_{2.5}$ mobile source emissions at affected intersections will be performed.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Comment 100: Industry City has taken sound steps to upgrade physical resiliency, including elevating mechanicals above projected flood levels and introducing green infrastructure. (Lewis_WA_001)

Response: Comment noted.

Comment 101: Most of Industry City is outside the flood zone right now, but they have made admirable accommodations for potential flooding. FEMA maps are being negotiated by the City of New York now, and there will be changes and the numbers keep going in the wrong direction in terms of potential flooding. Industry City is encouraged to continue on the path toward resiliency and making sure that upland and that facility is protected from future flooding. (Lewis_WA_033)

The EIS must include a plan for resilience consistent with the City's resiliency planning. (Angotti_022, Angotti_075)

It's really important that stuff is all up on the roof. We do not want taxpayers bailing this business out when they're flooded. So everything has to go up. You have to have solar panels, LEED-certified buildings. (Tondrick_SPLC_064)

Provide an analysis of how the Proposed Action reflects existing city policies regarding energy efficiency, reduced emission in new buildings, and construction in flood hazard areas. (Fontillas_CB7_106)

We are concerned about the influence that the proposed project will have on greenhouse gas emissions and energy resilience. The applicant must analyze projected energy consumption by tenancy and business type, as well greenhouse gas and co-pollutant emissions from projected energy consumption, both direct and induced. As Sunset Park is vulnerable to the impacts of flooding, extreme heat, and other climate impacts, it is necessary to identify if the proposed project is consistent with the city and state's greenhouse gas reduction goals. (Chavez_UPROSE_025, Chavez_UPROSE_028)

Response: The Greenhouse Gas Emissions and Climate Change chapter of the DEIS will consider the potential impacts of climate change on the Proposed Project and its infrastructure, as well as its planned resiliency measures. The discussion will focus on sea level rise and the potential future impact of changes in storm frequency on project infrastructure and uses. The DEIS also will provide a discussion of the Proposed Project's consistency with Policy 6.2 of New York City's Waterfront Revitalization Program.

Comment 102: Because the study area is a Climate Justice Community (certified by the Environmental Protection Agency as such), In addition to weekday and weekend peak hour volume studies, models need to be made to account for disaster evacuation scenario volumes. The contemporary national political situation make man-made and natural more likely to occur now, than ever before in history. Consultation with the Office of Emergency Management may be necessary in concocting the necessary models. (Doughty_008)

This project and the increased demand it raises does not exist in isolation. Disaster evacuation models should also be prepared for the BQE. (Doughty_008)

Response: The Greenhouse Gas Emissions and Climate Change Chapter of the DEIS, and the New York City Waterfront Revitalization Program Consistency Assessment Form and policy discussions to be prepared for the Proposed Project and included in the DEIS will consider the potential impacts of climate change and sea level rise on the Proposed Project, and discuss planned resiliency measures. Emergency evacuation planning is performed on a citywide basis by NYC Emergency Management and is outside the scope of the environmental review for the Proposed Project.

Comment 103: We recommend that greenhouse gas emissions and climate impacts be quantitatively assessed for each proposed scenario, including greenhouse gas emissions from construction and added traffic. (Amarnath_NYCEJA_013, Amarnath_NYCEJA_077)

Response: The greenhouse gas (GHG) emissions analysis will quantify emissions that would be generated by the construction/renovation and operation of developments that may occur as a result of the Proposed Project. The analysis will also evaluate the consistency of the Proposed Project with citywide GHG reduction goals. Potential GHG emissions estimates associated with the Proposed Project will be based on the methodology presented in the *CEQR Technical Manual*. Estimates of GHG emissions will be quantified, including off-site emissions associated with use of electricity, on-site emissions from heat and hot water systems, and emissions from vehicle use associated with the Proposed Project. GHG emissions that would result from construction will also be discussed.

Comment 104: I'm concerned about the long-term environmental effects of losing industrial waterfronts. As we continue to face extreme weather events more frequently, we are not equipped to lose an industrial waterfront. (Mallett_076)

Response: Comment noted.

Comment 105: Features of the proposed project that reduce energy use and Greenhouse Gas (GHG) emissions, which would be discussed and quantified to the extent that information is available, should include such measures as Passive House

construction, micro-wind turbines, solar panels, and geothermal installation. (Adams_111)

Response: The Greenhouse Gas Emissions and Climate Change Chapter of the DEIS will evaluate energy efficiency measures and design elements incorporated into the Proposed Project, including those to achieve the energy efficiency requirements of New York City's building code.

Comment 106: The analysis should discuss the potential for lessening demand through Passive House construction for new building sites, and identify opportunities where building heights would permit the installation of rooftop micro-wind turbines as permitted obstructions, and/or opportunities for rooftop solar energy installation, and/or geothermal generation, as a means to offset energy consumption during long-term operation. (Adams_111)

Response: The Greenhouse Gas Emissions and Climate Change Chapter of the DEIS will evaluate energy efficiency measures and design elements incorporated into the Proposed Project, including those to achieve the energy efficiency requirements of New York City's building code.

Comment 107: Part of this industrial waterfront vision includes space for industries that can contribute to resiliency and sustainability in our city, such as wind turbines and solar panel assembly and distribution. (Menchaca_NYCC_063)

Response: The New York City Waterfront Revitalization Program Consistency Assessment Form and policy discussions to be prepared for the Proposed Project and included in the DEIS will consider the effect of the Proposed Project on waterfront water-dependent and industrial uses in New York City coastal areas in the vicinity of the Proposed Project.

Comment 108: Provide an analysis how the Project Area will reduce building energy use and resultant greenhouse gas emissions. (Fontillas_CB7_106)

Response: The Greenhouse Gas Emissions and Climate Change Chapter of the DEIS will evaluate energy efficiency measures and design elements incorporated into the Proposed Project, including those to achieve the energy efficiency requirements of New York City's building code.

Comment 109: The Scope of Work should document the Proposed Project's potential of green roof, tree planting, open space and energy efficient mechanical equipment. (Fontillas_CB7_106)

Response: The Water and Sewer Infrastructure chapter will consider the potential of specific stormwater best management practices, such as green roofs, to meet the required stormwater release rate for the sites. The Greenhouse Gas Emissions and Climate

Change Chapter of the DEIS will evaluate energy efficiency measures and design elements incorporated into the Proposed Project, including those to achieve the energy efficiency requirements of New York City's building code. The Natural Resources chapter analysis will examine the impacts of planned landscaping and green infrastructure on wildlife habitat and discuss requirements for any street tree replacement or planting. The Open Space chapter will compare the open space within the study area to New York City's planning goals and consider the Industry City Courtyards, an open space accessible to Industry City non-residents and visitors in the assessment.

NOISE

Comment 110: Provide analysis of noise impact from increased truck traffic to and from the site. (Fontillas_CB7_106)

Response: As described in the DSOW, based on the traffic studies of the Density-Dependent Scenario (which would have the potential to generate a higher level of traffic and is therefore more conservative with respect to noise), a screening analysis will be performed using proportional modeling techniques to determine whether there are any locations where there is the potential for the Proposed Project to result in significant noise impacts (i.e., doubling of Noise PCEs) due to project-generated traffic. This proportional modeling technique for traffic noise analysis will account for changes in vehicle mix, such as the potential for additional truck traffic.

Comment 111: Due to Sunset Park and Greenwood Heights' topography, location of rooftop mechanical units on top of the proposed project buildings will create noise effects that will be carried towards upland residential districts. Provide analysis of potential receptors up to a half-mile radius from the site. (Fontillas_CB7_106)

Response: As described in the DSOW, the Project Sites would be zoned M2-3 and M1-2 in the future with the Proposed Project. Therefore, stationary noise sources associated with the Proposed Project would be subject to the noise level limits included in Section 42-213 of the New York City Zoning Resolution. It is assumed that all stationary noise sources included in the Proposed Project, including rooftop mechanical units, would be designed to comply with these noise level limits, which are more stringent than the limits for the M3 zoning currently in place on the Project Sites and the *CEQR Technical Manual* noise impact criteria.

Comment 112: We recommend an investigation of noise impacts from increased traffic and throughout the duration of new project construction, particularly in relation to effects for residents. (Amarnath_NYCEJA_013, Amarnath_NYCEJA_077)

Response: With respect to noise from increased traffic, see response to Comment 110. As described in the DSOW, the construction noise impact analysis will contain a detailed discussion of noise from each phase of construction activity. Appropriate recommendations will be made to comply with DEP Rules for City-wide Construction Noise Mitigation and the New York City Noise Control Code. The analysis will quantitatively review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations, and identify any project-specific control measures required to reduce construction noise.

Comment 113: While it is pure folly for the City to continue to entertain new high-density development within 250 feet of expressways, the EIS must consider human exposures to auto emissions and noise. (Angotti_022, Angotti_075)

Response: As described in the DSOW, the focus of the noise analysis will be to identify the levels of building attenuation necessary to meet CEQR interior noise exposure guidelines based on intended land use. The required level of building attenuation will be specified and general recommendations for meeting the requirements will be provided.

PUBLIC HEALTH

Comment 114: The DSOW states, "a public health analysis is not warranted if a project does not result in a significant unmitigated adverse impact in other CEQR analysis areas." We recommend that an analysis of public health impacts be an essential component of the EIS given the multifaceted health outcomes that can result from changes to the built environment highlighted in the given zoning proposal. We recommend analyzing public health impacts related to projected air and water quality based on how zoning changes may influence traffic, construction, and storm water runoff. Public health impacts from enhanced gentrification pressures should be a core component of any public health analysis. Studies have documented how displacement can exacerbate negative public health outcomes such as collective trauma resulting from community fragmentation. (Amarnath_NYCEJA_013, Amarnath_NYCEJA_077)

The BQE is notoriously congested and to add more traffic will only multiply environmental and public health impacts. (Angotti_022, Angotti_075)

Response: Comment noted. The Proposed Project's potential impacts on public health will be assessed based on the results of the air quality and noise analyses, consistent with the guidance of the *CEQR Technical Manual*.

Comment 115: Sunset Park is on the top five Brooklyn communities with the highest lung cancer rate, according to a 2010 cancer report by SUNY Downstate. Since it's projected that construction would take place over 10 years, a public health analysis needs

to be conducted assessing the impact on air quality construction will have on the Sunset Park community; especially since construction will take place under the Gowanus highway which already is a heavy source of pollutants such as particulate matter, carbon monoxide, nitrogen oxides, and benzene. (Martinez_107)

Response: As described in the DSOW and consistent with *CEQR Technical Manual* methodology, a public health analysis will be provided if the Proposed Project results in a significant unmitigated adverse impact in CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise.

NEIGHBORHOOD CHARACTER

Comment 116: Analyze the non-monetary roles of existing retail stores and how they contribute to the neighborhood character and cultural fabric. (Freeman_010)

There should be analysis on how current local businesses within the half-mile radius of Industry City support the cultural and economic fabric of the community. Within Industry City's current plan, these important community aspects are not being taken into consideration to the extent they should be. (Zhao_017)

Response: The Socioeconomic Conditions chapter of the DEIS will analyze the potential impacts of the Proposed Project on socioeconomic conditions in the neighborhoods surrounding the Project Area. As stated in the *CEQR Technical Manual*, the socioeconomic character of an area includes its population, housing, and economic activities. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area.

Comment 117: A new hotel use would be very similar to the impact of a new residential apartment building and a potential conflict with industrial uses; it would introduce a demographic of wealthy consumers into the neighborhood. (Menchaca_NYCC_063)

Hotels are an agglomeration economy: they tend to attract others nearby and feed off that competition. The impacts of allowing Industry City to transform from an industrial cluster to a hospitality and tourist economy would therefore ripple out into the surrounding neighborhood. (Stein_016, Stein_062)

Response: If warranted based on an evaluation of the Proposed Project's impacts, an assessment of neighborhood character would be prepared following the methodologies outlined in the *CEQR Technical Manual*.

Comment 118: Assessment of the Proposed Actions effects on neighborhood character should be included in the Scope of Work. Although the Proposed Actions may have moderate to significant impacts on land use, socioeconomic conditions, historic and cultural resources, urban design, and transportation, taken together, these impacts in combination will cause significant change to a neighborhood characterized by a diverse, working class population. (Fontillas_CB7_106)

Response: As detailed in the DSOW and according to the guidelines of the *CEQR Technical Manual,* an assessment of neighborhood character is generally needed when a project has the potential to result in significant adverse impacts in one of the technical areas presented above, or when a project may have moderate effects on several of the elements that define a neighborhood's character. Therefore, if warranted based on an evaluation of the Proposed Project's impacts, an assessment of neighborhood character would be prepared following the methodologies outlined in the *CEQR Technical Manual*.

Comment 119: Immigrant communities rely on a parallel, largely informal system of social services, and the Proposed Project's influence on these resources must be studied as well. The study on these areas should go into depth appropriate of a sanctuary city, who places utmost concern in protecting its immigrant communities. (Doughty_008)

Response: Social services are not considered under CEQR for the purpose of identifying significant adverse environmental impacts.

Comment 120: Please analyze the non-monetary goals of existing retail stores and how they contribute to the neighborhood character and cultural fabric analyzing impact on public transportation. (Freeman_087)

The applicant needs to analyze how existing retail within a half-mile of Industry City impacts neighborhood character and culture. (Gomez_014)

This project will lead to a change in neighborhood character from a rich community of working class Latinx, Arab, and Chinese immigrants to a homogeneous community of higher-income tenants and visitors. Therefore, the CEQR scope needs to be expanded to include an analysis of trends within the recommended primary and secondary area over the last five years. This must include demographic data like ethnicity, median household income, and changes in cost of living. (Vasquez_015, Vasquez_074)

Having lived in Sunset Park my whole life, I value deeply the need and importance for communities like mine: low-income immigrant communities of color. We are the largest walk to work community who depend on the industrial waterfront and local businesses to thrive and support our families. I strongly believe that this project is aware that with a rezoning change, the face of Sunset Park will change along with it if the impacts are not addressed and assessed

properly. Sunset Park currently and for a long time, has been a predominantly Latinx, Chinese, and Arab working-class community who depend on one another. These types of communities and relationships are the lifeline of not only Sunset Park, but for New York City as a whole. As we've seen with other neighborhoods such as Williamsburg that has been rezoned, this project will attract a homogenous population, normally higher-income tenants, investors, and tourists, something that's not beneficial nor a close reality for Sunset Park's current tenants. (Zhao_017, Zhao_046)

The Proposed Project will change the communal, tribe feeling in Sunset Park, shifting to a culture of consumption and recreation geared to higher income tenants and, therefore, completely alienating and displacing working families and small mom and pop business owners. (Freeman_010)

I am very concerned that this project will precipitate displacement of working-class immigrant families that currently reside in Sunset Park. Therefore, the CEQR scope must incorporate a participatory analysis of the neighborhood that involves Sunset Park residents. (Calixto_019, Calixto_068)

The Industry City rezoning could easily decimate this community by forcing a change that is too much, too big, and honestly not for the people who are currently in Sunset Park. The Proposed Project is not for the current community. (Anderson_023, Anderson_034)

A neighborhood character assessment is indeed warranted, including a greater study area. (Tondrick_SPLC_064)

The Proposed Project is part of Brooklyn, as is Sunset Park, and thus must work to maintain its character. (Martinez_107, Tondrick_SPLC_064)

Response: As defined in the *CEQR Technical Manual*, neighborhood character is determined by a number of factors, including socioeconomic conditions as well as land use, open space, historic and cultural resources, urban design, visual resources, shadows, transportation, and noise. If warranted based on an evaluation of the Proposed Project's impacts, an assessment of neighborhood character would be prepared following the methodologies outlined in the *CEQR Technical Manual*. The analysis would involve identifying the defining features of the project area that contribute to its character.

CONSTRUCTION

Comment 121: The Scope of Work must analyze the environmental, noise, and public health impacts of construction. This includes not only redevelopment of the property itself, but also the construction of supporting energy, transportation, water, and sewer infrastructure. This analysis should include impacts on waste generation, water quality, public waterfront access, and greenhouse gas emissions. (Rivera_112)

Response: As described in the DSOW, the DEIS will follow *CEQR Technical Manual* guidelines in assessing construction, public health, noise, energy, transportation, water and sewer infrastructure, natural resources, and greenhouse gas emissions. Furthermore, as described in the DSOW, the Environmental Assessment Statement (EAS) prepared for the Proposed Project identified several technical areas that would not meet the *CEQR Technical Manual* thresholds for analysis, including solid waste and sanitation.

Comment 122: The Proposed Scope of Work should assess impact on existing School facilities, transit and drop off zones near the site by material deliveries, noise and other construction activities. (Fontillas_CB7_106)

Response: As described in the DSOW, the construction impact assessment will evaluate the duration and severity of potential disruptions from the Proposed Project's construction activities. Technical areas to be assessed for the construction period will include transportation systems (e.g., traffic, pedestrians, transit, and parking) and noise and vibration.

Comment 123: The Scope of Work should include proposed measures to reduce air pollutant sources related to demolition and construction activities, including a Construction Health and Safety Plan. (Fontillas_CB7_106)

Response: As discussed in the DSOW, the construction analysis will identify any project-specific control measures required to reduce the effects of construction and to ensure that significant impacts on air quality do not occur. The necessity for a Construction Health and Safety Plan will also be explored.

Comment 124: Studies of construction impacts should not only focus on property development, but also the development of supporting energy, transportation, water, and sewer infrastructure. Construction impacts should be comprehensively analyzed as they relate to quality of life considerations such as parking, waste generation, public waterfront access, and outcomes for businesses near construction zones. To this regard, the EIS should establish commitments to create a map of expected construction zones so that stakeholders can monitor changes to the built environment. (Amarnath_NYCEJA_013, Amarnath_NYCEJA_077)

Response: The DEIS will follow *CEQR Technical Manual* guidelines in assessing the potential for significant adverse construction impacts. As described in the DSOW and consistent with *CEQR Technical Manual* methodology, the construction impact assessment will evaluate the duration and severity of the potential disruption from the Proposed Project's construction activities. The DEIS also will assess the Proposed Project's effects on energy and greenhouse gas emissions. As described in the DSOW, an EAS has been prepared for the Proposed Project and identified several technical areas that would not result in significant adverse

impacts and therefore do not require further analysis in the DEIS, including natural resources and solid waste and sanitation.

Comment 125: It's important to take into consideration the emissions that will be released into the air during construction. (Mallett_076)

Response: As described in the DSOW, an analysis will be undertaken to assess the potential effects of the Proposed Project's construction activities on air quality. In addition, the analysis will identify any project-specific control measures required to reduce the effects of construction activities on air quality.

Comment 126: I challenge the Scope of Work to dig deeper and to examine the environmental and health impacts the construction would have over a 10-year period on local residents within the entire neighborhood and if these consequences differ in any way to the consequences of exposure to the current M-3 zone. (Martinez_104)

Response: The DEIS will follow *CEQR Technical Manual* guidelines in assessing the potential for significant adverse construction impacts. The DEIS will include a construction impact assessment, including in the areas of air quality, hazardous materials, and noise, to evaluate the duration and severity of the potential disruption from the Proposed Project's construction activities on the surrounding neighborhood. Measures to avoid, minimize and/or mitigate potential significant adverse construction-related effects will also be identified where appropriate.

Comment 127: Increased construction will also impact existing businesses near Industry City. Analysis on construction impacts should also include a summary of storeowners who may be impacted by loss of customer activity and revenue due to blocked signage and storefronts. (Rivera_112)

How will temporary displacement, while redevelopment occurs, impact existing businesses? Will these businesses have to close during construction? (Freeman_010)

Response: The DEIS will include an analysis of the Proposed Project's potential construction effects on surrounding businesses.

Comment 128: Another concern that should be addressed in the DSOW is the potential hazard of having an untrained and potentially exploited workforce performing construction in the neighborhood. Community residents deserve the safest possible environment the City can provide, and it is vital that the potential negative impact of having an unskilled workforce on the jobsite is studied. (UBCJA_113)

Response: The construction analyses in the DEIS will follow *CEQR Technical Manual* methodology in determining the potential for significant adverse impacts. *CEQR Technical Manual* methodology does not include an impact assessment of the

potential employment of an unskilled construction workforce. Therefore, it is outside the scope of CEQR.

COMMUNITY FACILITIES AND SERVICES

Comment 129: Sunset Park has a very big shortage of schools, particularly elementary schools, and is in need of another high school. (McCarthy_092)

Response: The EAS prepared for the Proposed Project identified several technical areas that would not have the potential to result in significant adverse impacts, including community facilities. Therefore, an analysis of public schools will not be provided in the DEIS. The FSOW has been updated to clarify why an analysis of community facilities is not required.

Comment 130: As the proposed project lies within a floodplain, we are concerned about the additional strain that increased population density from hotel occupants would have on emergency response during an extreme weather event. (Chavez_UPROSE_025)

Response: The Greenhouse Gas Emissions and Climate Change chapter of the DEIS will consider the potential impacts of climate change on the Proposed Project and its infrastructure, as well as its planned resiliency measures. The DEIS also will provide a discussion of the Proposed Project's consistency with Policy 6.2 of New York City's Waterfront Revitalization Program.

Comment 131: The EAS stated that the project would not require analysis of the effect on Community Facilities. The Proposed Project, however, will bring a sizable new population into the area causing increased demand for existing services. In particular, the effect of the Proposed Project on police/fire services and health care facilities should be documented. (Fontillas_CB7_106)

Response: The *CEQR Technical Manual* threshold for the preparation of a detailed analyses of police/fire services and health care facilities is a project that will introduce a sizeable new neighborhood (e.g., Hunters' Point South) or will have a direct effect. While the Proposed Project would increase the number of employees within the Project Area, the population would not be "sizeable" enough to be deemed a new neighborhood. The Proposed Project also would not have a direct effect on such services. Therefore, an analysis of police/fire services and health care facilities is not warranted under the guidance of the *CEQR Technical Manual*. The FSOW has been updated to clarify why this technical area has been screened out.

SOLID WASTE AND SANITATION SERVICES

Comment 132: The Scope of Work should include exploration of methods to reduce solid waste generation. (Fontillas_CB7_106)

Response: As outlined by the *CEQR Technical Manual,* a solid waste assessment is warranted if a proposed action would cause a substantial increase in solid waste production that has the potential to overburden available waste management capacity or otherwise be inconsistent with the City's Solid Waste Management Plan (SWMP) or with state policy related to the City's integrated solid waste management system. According to the *CEQR Technical Manual*, few projects have the potential to generate substantial amounts of solid waste (defined as 50 tons [100,000 pounds] per week or more), thereby resulting in a significant adverse impact. Based on the average daily solid waste generation rates provided in Table 14-1 of the *CEQR Technical Manual*, it is estimated that the Proposed Actions would not meet this threshold, compared to No Action conditions. Therefore, an analysis of solid waste and sanitation services is not warranted and will not be provided in the DEIS.

MISCELLANEOUS

Comment 133: Describe how DCP's interagency partners will support workforce training programs proposed at Industry City. (Fontillas_CB7_106)

Response: The proposed workforce training programs are not the subject of CEQR analysis.

PUBLIC ENGAGEMENT

Comment 134: The Scope of Work should include detailed qualitative study and documentation of public engagement. (Doughty_008)

Response: Comment noted.

Comment 135: Outreach opportunities in Sunset Park were not made in languages that were available to the community at-large. In addition to the fact that the testimony hours that are being requested are during the community's workday, the train station that's here is not accessible to persons with disabilities. Therefore, the hours being offered and the community's ability to come here and present their testimony is of concern to us as a community. (Velasquez_070)

The exclusionary nature of this review process is concerning. Specifically, it is deeply problematic that organizers felt it would be appropriate to host a public meeting in Manhattan to discuss a zoning proposal for Sunset Park. It is unacceptable to expect residents from Sunset Park, historically a working class waterfront community, to adjust their work schedules and make arrangements to

attend a public hearing in Manhattan in time to provide testimony. Moving forward, arrangements must be made to ensure a truly public planning process can take place where Sunset Park residents can meaningfully participate in determining the future of their neighborhood. (Amarnath_NYCEJA_013, Amarnath_NYCEJA_077)

A proposal of this magnitude needs to go further still and include more input from community members in order to ensure that economic development directly benefits the local community. The economic needs of long-term residents and small businesses need to be prioritized. That sort of participatory approach is missing from the current Industry City proposal. (Gabriel_042)

Response: The DSOW was issued for public review and comment on September 20, 2017 with a public scoping meeting held on October 24, 2017 at Spector Hall, 22 Reade Street, New York, New York, 10007. At the meeting comments were requested and recorded with respect to issues to be addressed in the DEIS. Chinese and Spanish translators were available at the scoping meeting. Following the meeting, written comments were accepted by the DCP, the lead agency, until the close of business on Friday, November 3, 2017. The DEIS has been prepared in accordance with the *CEQR Technical Manual*. As discussion in "Required Approvals and Review Procedures" of the DSOW, once the lead agency is satisfied that the DEIS is complete, the document will be made available for public review and comment. A public hearing will be held on the DEIS in conjunction with the CPC hearing on the land use applications to afford all interested parties the opportunity to submit oral and written comments. Language translation will be made available at the hearing, if requested. The record will remain open for 10 days after the public hearing to allow additional written comments on the DEIS.

STATEMENTS OF SUPPORT

Comment 136: We believe there is an opportunity to share an experience with somebody if they're in the immediate neighborhood and we think that Industry City is right for that opportunity. We are excited about being in Industry City. We are excited about what it means to our staff. (Gleeson_093)

Response: Comment noted.

Comment 137: I agree with the general concept of an innovation economy hub. I think that's a wonderful idea and it's an opportunity for Industry City to be able to, hopefully, partner with some of the academic institutions, as well as other institutions, as well as community-based organizations to provide workforce development activities to expand that—what they've already begun to do. (Montgomery_079)

Response: Comment noted.

Comment 138: The Chamber is very encouraged by the $80 million of investment made by Industry City, thus far, that has gone directly to local business while producing another $120 million of induced spending. We strongly support Industry City's plan. Their investment to date not only supports small businesses, located at Industry City, but also in the immediate surrounding community. (Gomez_BCC_003)

I did not get a single complaint. At worst what I was getting was a shrug of the shoulders or a neutral response and that Industry City had no impact on their businesses. Businesses that employees from Industry City go to their shops to purchase items every so often. Manufacturing like the construction and uptake in businesses from Industry City contractors. The service businesses like the employment numbers and that I shared with them in regard to work that Industry City is doing in regard to hiring locally, as well as the diverse group. We strongly support the plans Industry City is doing and I wanted to thank you for the opportunity. (Gomez_BCC_038)

Over $80 million in procurement has gone directly to local businesses with another $120 million of induced benefit. The number of businesses at Industry City has already increased from 150 to 450. Industry City has connected to the local community while supporting small business and creating a pipeline of job opportunities for local residents. This rezoning plan will ensure that job creation continues and accelerates in a number of ways. For all of these reasons, I strongly support Industry City's plan and I encourage others to, as well. (Hoan_BCC_004)

This rezoning plan will ensure that job creation continues and accelerates in a number of ways. Providing space for academic facilities, strengthening Brooklyn's already world class talent pipeline, it will add amenities to support existing and new businesses. And the inclusion of a hotel and hospitality center, from our perspective, is common sense. (Hoan_BCC_027)

I am here to enthusiastically endorse Industry City's rezoning plan for the future. Since 2013, the team from Industry City has invested over $250 million to bring the complex back to life. Over $80 million in procurement has gone directly to local businesses with another $120 million of induced benefit. (Karasyk_BCC_083)

Response: Comments noted.

Comment 139: I am testifying in support the proposed scoping changes at Industry City because I very strongly believe that Industry City is so crucial to where New York City's economy is heading. If New York is going to create 100,000 good jobs—or, hopefully, a lot more—City policymakers absolutely need to embrace the innovation economy and ensure that New York has the commercial spaces that innovation economy firms need to launch and grow. Unfortunately, this kind of space is in short supply across the city. That's why I believe the investments that

Industry City is making are so crucial to both the future of the City's economy and the future of manufacturing. It's why I support the proposal to create an Innovation Economy Hub at Industry City. (Bowles_CUF_005, Bowles_CUF_052)

The number of businesses at Industry City has already increased from 150 to 450, and jobs are coming to the innovation ecosystem at an extraordinary pace—100 jobs a month on average, with the total number of jobs increasing from 1,900 to 6,500 over the last four years. Entrepreneurs and workers have already benefitted from Industry City's accomplishments and stand to benefit through this zoning plan. Of the 4,000 Sunset Park residents who live and work in their area, 20 percent work at businesses located at Industry City. This rezoning plan will ensure that job creation continues and accelerates in a number of ways. The plan will add space for academic facilities, strengthening Brooklyn's already world-class talent pipeline. It will add amenities that support existing and new businesses, including a hotel and hospitality center. The plan will also foster a collaborative, innovation-driven environment that retains and attracts job-intensive businesses – all while generating $1 billion of investment and creating 20,000 jobs. For all of these reasons, I strongly support Industry City's plan and I encourage others to, as well. (Karasyk_BCC_012)

Response: Comments noted.

Comment 140: The reason I am here in support of this proposal is because of the youth we serve. What we hear from our youth is that they want access to opportunities; they want access to higher education, and that they want to learn skills so they can not only survive, but thrive in an economy that they have not been prepared for through the school system. Gentrification has dealt significant blows to communities across NYC, and Sunset Park has been no exception. It has been an issue in Sunset Park long before 2013; and proceeding with caution is a nonnegotiable. We also have a responsibility to ensure that the young people coming up through our school system have access and are prepared for not only the jobs of today, but those that are to come, so they and their families can continue to live in the community. (Polo-McKenna_OBT_009, Polo-McKenna_OBT_082)

One thing I will say about Industry City and the innovation lab and the resources is that it's allowing people with college degrees to get training in fields that are going to be the fields that most people will be employed in over the next 10, 20, 30 years. (Hawes_030)

Our youth would have never accessed these opportunities if it would not have been for our partnership with Industry City. (Ortiz_031)

Response: Comments noted.

Comment 141: Industry City promised a vibrant community of makers, manufactures, creative, and most importantly this idea of interconnectivity and collaboration with other companies and individual on the Industry City campus. We're very proud to have given to our industry and to our local community for all these years and with Industry City behind us, it gives us a much better platform to do so in the future. (Abel_011, Abel_097)

Response: Comment noted.

Comment 142: Coupling the surrounding businesses with the work of Industry City's Innovation lab, which houses Opportunities for a Better Tomorrow and CUNY's City Tech, we are sure that our programs will create a more sustainable and better prepared Sunset Park community. NYU is pleased to support the rezoning application for this area which holds the promise of spurring innovative products and forging long standing partnerships well into the future. (Lonial_NYU_021)

Response: Comment noted.

Comment 143: The proposed zoning plan will help to further enhance this emerging business ecosystem and allow it to accelerate and spread to other parts of the Industry City complex. (DeSalvo_029)

Response: Comment noted.

Comment 144: I encourage the modifications and the zoning resolution that Industry City has put forward to continue to implement them and create less storage and warehouse and more good paying jobs of all sorts for the modern economy. (Lewis_WA_033)

Response: Comment noted.

Comment 145: We're particularly supportive of the proposed inclusion of a special permit for hotel use. This is a critical step toward ensuring community input and the creation of good jobs for local residents.

We believe that the guidelines for the hotel special permit will suitably protect the safety of both guests and workers by setting limits on where potential hotels can be located in the development that will feature manufacturing uses.

While a special permit may, in fact, limit the development of hotels in the project, we feel that it's the most sensible means of ensuring that any new hotel development in Industry City suitably fits within the state purpose of the overall project while providing the most benefit to our community. (Tibrewal_HTC_045)

For growth of our business, things like a hotel or a school would be vital to additional growth. (Cassle_035)

Response: Comments noted.

Comment 146: We feel very lucky to be part of this great environment and we support fully the development of Industry City. (Israel_037)

I'm there creating culture with Industry City. I support this living organism wholeheartedly. (Bui_043)

I am no zoning expert, but I know I've created jobs, and I consider myself extremely fortunate to be an Industry City tenant. (Dundas_047)

I am the director of a company called M Factory. Part of the ability for us to grow in such a small period of time has a lot to do with Industry City's Innovation Lab. Several of our other 30 employees that we currently have come through the Innovation lab. We all support the rezoning. (Montoneri_085)

Saying yes to the project means saying yes to manufacturers like Lilac Chocolates and saying yes to jobs by—in the Sunset Park community. That's why I support the plan and I urge you to support it as well. (Cirrone_086)

Aerobo is a great example of the emerging innovation economy. Industry City is an ideal ecosystem for a company like mine. We collaborate with other Industry City businesses such as AbelCine and KFX technology. We benefit from the workforce services and outstanding interns and from the academic partnerships with growth of our workforce. Industry City's zoning plan will only enhance and accelerate the amazing work that has been accomplished. That is why I urge others to support this plan. (Streem_088)

As we continue to expand our manufacturing and workforce, we can only see furthering the partnerships we established with both the Industry City team and other manufacturing allies in Sunset Park. As a zoning initiative, we are eager to show support with this endeavor and urge others to do the same. (Mattern_089)

In Industry City and the team there has been nothing but helpful to us as a small business. All the way from marketing and helping push us along in our own kind of like outreach and getting outside business in Industry City, I fully support this plan and I look forward to growing with Industry City either way. (Ratliff_096)

Response: Comments noted.

Comment 147: Adding space for academic facilities to strengthen the already world class talent pipeline. Adding amenities to support existing and new businesses, including a hotel and hospitality center. Fostering new collaborative innovation driven environment that retains and attracts job intensive businesses. And our partnership with Industry City in bringing Citi Bike stations to facilitate clean commuting into the neighborhood. (Reynolds_MI_039)

I wholeheartedly believe that proposed plans for additional academic facilities, as well as added hospitality and amenities will not only create more employment and educational opportunities, it will undeniably enhance the quality of life for this community and its residents. (Napakh_098)

Response: Comments noted.

Comment 148: These are services that the neighborhood could definitely benefit from, from the innovation lab, helping with professional and business development, their commitments to education and academics, the hotel commitment that will provide certain jobs, and the bike lanes that are going to be in Industry City, the commitment to that as well. (Rosado_041)

Response: Comment noted.

Comment 149: SBIDC supports the goal of an innovation hub, as we work every day to support the foundation of that ecosystem, industrial manufacturing. (Margolis_SBIDC_053)

Response: Comment noted.

Comment 150: My name is Wilfred Villegas and I am happy to be here to support Industry City's zoning application. Entrepreneurs like myself with Sunset Park roots need the opportunities Industry City is providing. Local residents not only need the jobs but also benefit from the beautiful open space and community programming that Industry City offers. (Villegas_084)

Response: Comment noted.

Comment 151: I did my research, emailed Industry City, and landed my first internship. Since then, I was brought on full-time as part of the team and have been directly involved with the community development and community outreach in my own home. I strongly support this zoning application that will allow Industry City to bring more jobs and more opportunities for advancement to my fellow Sunset Parkers. (Ceron_090)

Saying yes to this project is to saying yes to having more jobs in the community. (Khoder_091)

Response: Comments noted.

Comment 152: We've been located in Sunset Park for 11 years and I can tell you that at the beginning, business was slow. Since the new ownership at Industry City arrived 4 years ago, business has consistently grown every year with more and more business owners. Workers and weekend visitors come to Maria's for food and drinks. The partnership with Industry City has been great, but even more remarkable has been the kind of partners to the local small businesses that Industry City has become. Industry City has proved itself to be a tremendous partner to the local small business community. (Fierro_094)

Response: Comment noted.

Comment 153: Nobody, especially "old Brooklyn" like me likes change, but change we must. We must look at the next generation of jobs, not the last generation of jobs and don't tell me the residents of Sunset Park can't be successful at these new generation of jobs. We can and we will do that. Now instead of a decayed, abandoned complex, we feel a vibrancy as new businesses and thousands of jobs move in. (Whelan_095)

Response: Comment noted.

Comment 154: Block after block after block of decaying industrial space. Cannot imagine why anyone would not embrace the growth that we have talked about here today, bringing this community back to life. I strongly support the Industry City vision and encourage others to support this plan. (Eve_099)

Response: Comment noted.

Comment 155: Industry City is trying to give opportunity. You have to go with progress and do things better. I personally like Industry City. (Cardona_100)

Response: Comment noted.

Comment 156: As a Mexican-American I feel happy to see how Industry City has been supportive of the local Mexican community and celebrated our culture through different events and activations. I strongly support the rezoning of this project. This zoning application that will allow Industry City to continue to touch the lives of tens of thousands of local residents. (Sanchez_102)

Response: Comment noted.

Comment 157: In 1997, I was a taxi driver and assaulted near Sunset Park where Industry City is now. There were drugs and prostitution. Because of the progress I have decided to support Industry City. (Villegas_103)

Response: Comment noted. ✷

APPENDIX B

Written Comments Received on the Draft Scope of Work

OFFICE OF THE BROOKLYN BOROUGH PRESIDENT

ERIC L. ADAMS
President

November 3, 2017

Robert Dobruskin
Director
Environmental Assessment and Review Division
New York City Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Re: The proposed scope of work for the Draft Environmental Impact Statement for Industry City, 220 36th Street

Dear Director Dobruskin:

I am writing to submit comments in response to the proposed Scope of Work for the Draft Environmental Impact Statement (DEIS) for Industry City at 220 36th Street.

Traditionally, commercial developments are not analyzed for indirect residential displacement. There are expected to be a significant number of jobs that might be induced by the resulting investment in the Industry City buildings. A proportion of these resulting jobs might be for higher wages than had typically been represented within the Sunset Park Industrial Business Zone (IBZ). It is possible that a number of those higher wage earners would seek to achieve the advantages of walking to work, as has been a long-term trend for those with lower wage jobs. To the extent that this occurs, there might be more competition for the number of housing units that exist in Greenwood Heights and Sunset Park. When demand exceeds supply, landlords will take steps to increase rent of apartments at lease renewal opportunities. To the extent that expected employees might increase the number of higher income households seeking living accommodations in nearby sections of Greenwood Heights and Sunset Park, it appears warranted to access to what extent, if any, that zoning induced investment at Industry City might indirectly increase the projections of households being displaced.

Enclosed are my formal comments on the draft Scope of Work. These comments concern matters pertaining to: energy, greenhouse gas emissions, indirect residential displacement, open space, sewer and water infrastructure, and transportation.

Please feel free to contact my director of land use, Richard Bearak, with any questions at (718) 802-4057 or rbearak@brooklynbp.nyc.gov.

Thank you for your consideration.

Sincerely,

Eric L. Adams
Brooklyn Borough President

Enc.

cc.: Daniel Murphy, chair, Brooklyn Community Board 7
Winston Von Engel, director, Brooklyn Office, New York City Department of City Planning

ELA/rb

Comments of Brooklyn Borough President Eric L. Adams
In Response to the Proposed Scope of Work for the
Draft Environmental Impact Statement for
Industry City, 220 36th Street

H. Proposed Scope of Work for the EIS

Task 4. Socioeconomic Conditions

Indirect Residential Displacement

According to the CEQR Technical Manual, residential development of 200 units or less would typically not result in significant socioeconomic impacts due to indirect residential displacement. Since the proposed project would not introduce any residential uses, the proposed Scope of Work noted that there is no potential for impacts, and this issue does not require analysis in the EIS. However, due to the extent of the work force that might be employed in the Industry City complex, it might be possible that adoption of the requested zoning could bring a greater amount of higher wage earners to Industry City and that some portion of those earnings might seek nearby living accommodations. Should there be more than 200 of such earners who would be projected to live nearby, it would be appropriate to undertake analysis.

Typically an indirect residential displacement analysis will use the most recent available U.S. Census data, New York City Department of Finance's Real Property Assessment Data (RPAD) database, as well as current real estate market data, to present demographic and residential market trends and conditions for the quarter-mile beyond the boundary of the parcels that would be directly affected the discretionary land use actions to determine its study area. This boundary would be increased to a half-mile radius if the preliminary analysis reveals that the increase in population resulting from the proposed action and associated reasonable worst case development scenario (RWCDS) would exceed five percent in the quarter-mile study area compared to the expected No-Action population. The presentation of study area characteristics would include population, housing value and rent, estimates of the number of housing units not subject to rent protection, and median household income. Following City Environmental Quality Review (CEQR) Technical Manual guidelines, the preliminary assessment would perform the following step-by-step evaluation:

- Step 1: Determine if the proposed action would add substantial new population with different income as compared with the income of the study area population. If the expected average incomes of the new population would be similar to the average incomes of the study area populations, no further analysis is necessary. If the expected average incomes of the new population would exceed the average incomes of the study area populations, then Step 2 of the analysis would be conducted.

- Step 2: Determine if the proposed action population is large enough to affect real estate market conditions in the study area. If the population increase is greater than five percent in the study area as a whole, then Step 3 would be conducted. If the population increase is greater than 10 percent in the study areas as a whole, then a detailed analysis would be a requirement.

• Step 3: Consider whether the study area has already experienced a readily observable trend toward increasing rents and the likely effect of the action on such trends. This evaluation would consider the following:

a. If the vast majority of the study area has already experienced a readily observable trend toward increasing rents and new market development, further analysis is not necessary. However, if such trends could be considered inconsistent and not sustained, a detailed analysis may be warranted.

b. If no such trend exists either within or near the study area, the action could be expected to have a stabilizing effect on the housing market within the study area by allowing limited new housing opportunities and investment, and no further analysis is necessary.

c. If those trends do exist near to or within smaller portions of the study area, the action could have the potential to accelerate an existing trend. In this circumstance, a detailed analysis would be conducted. If the preliminary assessment finds that the proposed action would introduce a trend or accelerate an existing trend of changing socioeconomic conditions that may have the potential to displace a residential population and substantially change the socioeconomic character of the neighborhood, a detailed analysis would be conducted. The detailed analysis would utilize more in-depth demographic analysis and field surveys to characterize existing conditions of residents and housing, identify populations at risk of displacement, assess current and future socioeconomic trends that may affect these populations, and examine the effects of the proposed action on prevailing socioeconomic trends and, thus, impacts on the identified population at risk.

In addition to the above, for Step 3, it is appropriate for study area characteristics to include estimates of the number of housing units governed by rent protection measures that are in buildings with significant unused residential floor area. Step 3 should also then identify the number of housing units with a gap between the rent pursuant to a lease and the legally permitted regulatory rent. Such underdeveloped property is often referred to as a "soft site." In this context, a soft site is a property deemed to be attractive enough as a development site based on the extent of the built floor area in comparison to the permitted floor area. Additionally, a property may be considered a soft site if it contains residential units with a significant gap between charged rent and the legally permitted regulatory rent.

A site developed along Fourth Avenue in Park Slope is one known example in which an under-built site with rent-stabilized tenants was vacated for the purpose of demolishing the multi-unit building. This demonstrates that it is reasonable to account for rent-stabilized buildings where zoning floor area utilization is less than half of the permitted floor area because being stabilized is not a legal deterrent to preclude lawful demolition.

Section 9 NYCRR 2524.5 of the Rent Stabilization Code allows an owner of a rent-stabilized building to not renew the lease of a rent-stabilized tenant on the grounds that the owner intends to demolish the building. Approval from New York State Division of Housing and Community Renewal (DHCR) is subject to approved plans for future development as well as proof of financial ability to complete the project. The property owner must also agree to pay tenant relocation expenses and a stipend, in accordance with established formulas. This strategy was well-publicized at a June 2016 real estate summit in Brooklyn.

In addition, such rent-stabilized apartments might include tenants who pay legally permitted regulatory rents (preferential rents). This results in a substantial gap between tenants' expiring leases and allowable rents that might be sought by landlords as part of a lease renewal, according to the legally permitted amount. Such significant increase in rents would increase rent burden and might result in residential displacement.

Therefore, documentation of underdeveloped rent-stabilized buildings, as well as rent-stabilized buildings where gaps exist between rents pursuant to a lease and legally permitted regulatory rents, should be accounted for in developing assumptions for the possibilities of induced indirect displacement should the outcome of Step 2 lead to implementation of Step 3.

Task 5. Open Space
Figure 17 "Open Space Study Area" should be modified to include Bush Terminal Park.

Task 10. Water and Sewer Infrastructure
It is Borough President Adams' policy to promote a resilient and sustainable Brooklyn, and he believes that maximum consideration should be given to diverting stormwater runoff from the Owl's Head Wastewater Treatment Plant (WWTP). As the directly affected service area is the WWTP, With-Action conditions should disclose opportunities for reduction based on the possibility of the buildings integrating green and blue water roof treatments, as well as curbside bioswale stormwater management infrastructure.

Task 11. Energy
The analysis should discuss the potential for lessening demand through Passive House construction for new building sites, and identify opportunities where building heights would permit the installation of rooftop micro-wind turbines as permitted obstructions, and/or opportunities for rooftop solar energy installation, and/or geothermal generation, as a means to offset energy consumption during long-term operation.

Task 12. Transportation
Transportation Analysis: Street Network

The list of street intersections may need to include Third Avenue at 29th Street, as well as Fifth Avenue and 36th (westbound), 37th (eastbound), and 39th streets to reflect traffic taking these connecting routes from/to Borough Park and Windsor Terrace. This might then need to be reflected in Figure 18 "Transportation Study Area."

Transit Analysis: Subways

In addition to the 36th Street subway station, the volume of patrons using the 45th Street subway station should also be considered for trips ending and originating from Bay Ridge, and communities between Coney Island and Sunset Park for those traveling from/to the buildings at the southern section of the Industry City complex.

Pedestrian Analysis

Pedestrian counts along key walking routes between the subway stations and the southern section of the site should consider the Fourth and Third avenue intersections at 41st and 45th streets.

Task 14. Greenhouse Gas Emissions

The sixth bulleted task, regarding features of the proposed project that reduce energy use and Greenhouse Gas (GHG) emissions, which would be discussed and quantified to the extent that information is available, should include such measures as Passive House construction, micro-wind turbines, solar panels, and geothermal installation.

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THE COUNCIL OF
THE CITY OF NEW YORK

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COUNCIL MEMBER
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CHAIR
IMMIGRATION COMMITTEE

COMMITTEES
GENERAL WELFARE
RECOVERY AND RESILIENCY
SMALL BUSINESS
STANDARDS & ETHICS
TRANSPORTATION

November 1, 2017

Robert Dobruskin, Director
Department of City Planning, City of New York
Environmental Assessment and Review Division
120 Broadway, 31st Floor,
New York, New York 10271

Re: Proposed Draft Scope of Work for Industry City Environmental Impact Statement

Director Dobruskin:

I am writing to submit comments in response to the proposed Draft Scope of Work for an Environmental Impact Statement (EIS) for Industry City.

I have enclosed my comments as delivered in spoken testimony at the Public Scoping Hearing on October 24, 2017 as well as additional, more detailed comments organized as they pertain to various sections of the proposed Draft Scope of Work.

Overall, my concerns focus on the need to thoroughly consider the potential impact of this proposed development on the industrial waterfront of Sunset Park and the working-class immigrant community that resides directly inland. We must expand the study area to ensure that we are fully aware of potential impacts on industrial businesses and publicly-owned industrial assets where the City has invested hundreds of millions of dollars and where thousands of Sunset Park residents work and support their families.

Private development at Industry City should be in synergy with public policy and inclusive of the local community. We should ensure that tools to advance these goals, such as a required set-aside for industrial space, locating a high school, restrictions on the size of storefronts, and phased introduction of the proposed new retail and academic uses, are in scope.

Please feel free to contact my office if you have any questions. Thank you for your consideration.

Carlos Menchaca
New York City Council Member
38th Council District, Brooklyn

cc.: Brooklyn Community Board 7
Winston Von Engel, Brooklyn Office Director, Department of City Planning

Council Member Carlos Menchaca's Spoken Comments on Proposed Draft Scope of Work for an EIS for Industry City as Delivered at Public Hearing, October 24, 2017

Good morning, I am Council Member Carlos Menchaca representing District 38 in Sunset Park and Red Hook, Brooklyn. My district is one of the most diverse in the City with vibrant, growing Latino and Chinese communities living side by side in Sunset Park, a close-knit, working class, immigrant neighborhood.

I am also proud to note that the entire waterfront of my district, from Atlantic Basin in Red Hook to the 65th Railyards at the southern end of Sunset Park, is within the Southwest Brooklyn Industrial Business Zone.

These two defining characteristics of my district – the working-class, immigrant population and the industrial waterfront – are intimately related. The industrial sector[1] is the single largest employer of workers from Sunset Park, employing over 25% of the local workforce.[2] Industrial jobs are the lifeblood of Sunset Park, with the average annual wage paying over $50,000 – double what the average job in the retail, restaurant, and hospitality sector pays.[3] In a district like mine, where only 20% of the adult population has college degrees[4], the industrial sector is a crucial reservoir of middle class jobs that provide the opportunity to raise a family in dignity and create the opportunity for the next generation to advance.

As we begin to discuss the future of the complex now known as Industry City, I cannot emphasize this enough – we must keep the industry on the Sunset Park waterfront and so we must keep the "Industry" in Industry City.

The Sunset Park waterfront has been studied many times in the last 25 years by city agencies, community groups working with professional consultants, and the Community Board itself. Every single one of these studies, from the 1992 designation as a Significant Maritime Industrial Area, to the 2005 designation as an Industrial Business Zone, the 2009 waterfront vision plan by EDC, and the Community Board's 197a plan, has reaffirmed that this is one of the New York's most important industrial areas and one that should stay industrial.

Indeed, the City is investing hundreds of millions of dollars into the Sunset Park waterfront to generate industrial development and jobs. From the Brooklyn Army Terminal and the reactivated freight rail system running up 1st Avenue to the South Brooklyn Marine Terminal, to the reactivated maritime freight sites like the new Ferrara Brothers facility at the former Moore McCormack site, to the newly announced plan to renovate the Bush Terminal facilities into a "Made in New York" campus, the City is betting big on the industrial future of Sunset Park.

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[1] Defined as manufacturing, transportation, warehousing, utilities, wholesale trade, and construction.
[2] American Community Survey 2009-2013, aggregation of Sunset Park Census Tracts
[3] New York City Council. "Engines of Opportunity." November 2014. http://council.nyc.gov/downloads/pdf/NYEO.pdf
[4] American Community Survey 2009-2013, aggregation of Sunset Park Census Tracts

We must make sure that private development at Industry City is linked and coordinated with these public sector efforts. Relating directly to the Draft Scope of Work, the proposed primary study area is only a 400' extension from the Industry City property boundary, containing little more than the Industry City complex itself. Since the project has the potential to impact the entire waterfront industrial area as well as the 4th Avenue retail corridor, the primary study area should be a 0.5 mile radius from Industry City with a secondary study area for certain impacts that includes the entire Sunset Park waterfront.

The administration should also begin to think about taking land use actions for the rest of the Sunset Park waterfront that will ensure that it will remain viable for industrial maritime uses. Such actions would fit well with Mayor de Blasio's Industrial Action Plan, which pledges an ongoing commitment to protect and strengthen core industrial areas, and the Mayor's "New York Works" plan for 100,000 jobs that calls for 20,000 of these jobs to be created in the industrial sector.

Zooming back in on Industry City, it is unfortunate that despite the property's name, the applicants continue to emphasize the concept of the "Innovation Economy" – a hazy jumble of industrial, arts, office jobs, and the tech sector. In its analysis of the development scenarios, the proposed Draft Scope of Work takes this concept of "Innovation Economy" as its unit of analysis, ignoring longstanding CEQR practices to analyze industrial and commercial uses separately.[5]

In analyzing the potential impact of this plan, we must differentiate between the industrial sector and office-based commercial uses. The impact on the surrounding neighborhood of Sunset Park is vastly different if millions of square feet of tech office uses are added as opposed to industrial uses. While office uses bring in more workers per square foot -- workers who will use our transit system, sewers, and other infrastructure -- industrial uses bring more truck traffic, posing a very different kind of challenge.

In addition to the differing impacts on infrastructure, we must also not forget the differences in the demographics of the workforce. While the industrial workforce is majority-minority at roughly 40% Latino, 20% Black, 20% White, and 20% Asian, the Tech Sector workforce is majority White at 62%, followed by 16% Asian, and only 11% Hispanic and 9% Black.[6] We see how this manifests in Sunset Park – where 25% of workers are in the industrial sector but less than 10% currently work in the tech and media sectors.[7]

If the so-called "Innovation Economy" turns out to be predominantly commercial office and tech sector uses, this may have a serious impact on indirect business displacement due to rising rents, both within Industry City itself and the wider Sunset Park industrial waterfront. Industrial sector businesses could be pushed out in favor of office, retail, and restaurant/bar uses that can often pay higher rents.

This, by turn, could then push out the working class families of Sunset Park who rely on the industrial sector for employment. This clear potential for indirect residential displacement

[5] 2014 CEQR Manual Section 100.130 (page 5-1)
[6] New York City Council "Engines of Opportunity" (http://167.153.240.175/downloads/pdf/NYEO.pdf) and Center for an Urban Future "NYC's Tech Profile" (https://nycfuture.org/data/nycs-tech-profile)
[7] American Community Survey 2009-2013, aggregation of Sunset Park Census Tracts, "tech and media" == the "information" category of NAICS and the subsectors of "professional, scientific, and technical services."

points out a flaw in the CEQR Manual and the Proposed Scope of Work that we should recognize -- analysis of potential indirect residential displacement should be included even though there is no residential development in this proposal.

I am also very concerned about the potential direct displacement of families on Third Avenue. The Draft Scope of Work is in error when it contends that "the Proposed Project will not directly displace any residents." The applicant intends to acquire and demolish properties on Third Avenue between 36th and 37th Streets as the site for one of the proposed new buildings. There are currently five three-story buildings with ground-floor retail and residential apartments standing in the way. The Draft Scope must take proper account of this potential direct displacement and the developer must ensure that no Sunset Park families are made homeless by this proposal.

The proposed inclusion of hotel uses is also of particular concern to me, as the impact of a hotel is very similar to the impact of a new residential apartment building in its potential to conflict with industrial uses and introduce a new demographic of wealthy consumers into the neighborhood.

As we examine the proposal for Industry City, we must consider zoning tools that would require a permanent set-aside of space for real industrial uses to ensure that we keep the Industry in Industry City and maintain the community and the City's vision for this waterfront.

Part of this industrial waterfront vision includes space for industries that can contribute the resiliency and sustainability of our city, such as wind turbine and solar panel assembly and distribution.

However, no matter what action we take on the Industry City proposal, we must recognize that the developer already has been and will continue to expand the number of office and tech sector jobs. While we can seek to ensure a truly innovative balance of industrial and commercial uses, we cannot eliminate as-of-right office uses altogether. This is why it is so important to also ensure that all of the lofty claims and promises on local hiring and workforce development are documented, memorialized, and tracked. We must improve our community's representation in the tech and media jobs which, like industrial jobs, also pay good wages. This development team has shown good faith in this effort with the Innovation Lab and other measures but we must continue to work to ensure the Sunset Park community can participate in all sectors of economic activity at Industry City.

One addition to the development plan that could also advance this goal is the potential inclusion of a high school at the Industry City campus. Despite the recent flurry of new school construction announcements, Sunset Park remains in need of elementary and intermediate school seats. Including a high school at Industry City could potentially free up an existing high school facility for conversion and also further integrate the development into the fabric of the community. The Draft Scope of Work should be revised to consider the potential siting of a public high school.

Ensuring that local Sunset Park retailers and restauranteurs have the opportunity to locate at Industry City is another way we can bring the development and the neighborhood together. The Draft Scope of Work should analyze potential zoning restrictions on storefront sizes in parts of

the development like the 3rd Avenue frontage in order to reserve space for small retail businesses.

Even if all these measures are taken, I remain concerned about the proposed scale of the retail and academic uses to be added. The applicant should analyze an alternative of phased introduction of the proposed retail (900,000 sqf) and academic (625,000 sqf) uses to be added by the Special District. An alternative of phased introduction of these uses by requiring separate Special Permits could help add public oversight to the development and soften the potential impact on the surrounding the community.

In summary I stress five key points:

1. The Sunset Park community concerns you are hearing today are legitimate and must be taken under serious consideration.

2. The CEQR geographic area must be increased at least to a half mile radius but including analysis also of all the IBZ and nearby maritime and manufacturing zones.

3. Residential and small business displacement must not be overlooked.

4. Resilience planning, evacuation plans and impacts on utilities infrastructure are important considerations. I support a robust evaluation of Industry City's potential energy use & carbon footprint.

5. I put Industry City on notice that I will hold them accountable. I will demand more information – especially on employment statistics -- and I will not approve anything that is not demonstrably in the best interest of the residents of Sunset Park.

Thank you for the opportunity to speak today, I am happy to answer any questions you might have.

I will also be submitting more detailed comments in writing.

========== end of spoken comments from 10/24/2017 Hearing ==========

Additional Comments for Submission, November 3, 2017, Carlos Menchaca on Proposed Draft Scope of Work for an EIS for Industry City –

E – Purpose and Need for the Proposed Actions

Rationale for hotel uses

The rationale for the inclusion of a hotel special permit – that hotels would help support "innovation economy" businesses by providing space for partners, workers, and visitors to stay and hold events – is questionable and implies a future context in which this part of the Sunset Park waterfront is much more commercial in character, and less industrial, than it is today. The Industry City complex itself remains home to numerous industrial businesses and more significantly, the City is planning for expanding industrial activity at the adjacent South Brooklyn Marine Terminal, Bush Terminal, and other maritime industrial facilities in Sunset Park that will involve increased freight activity.

The Department of City Planning's Draft Scope of Work on the new proposed special permit requirement for hotels in M1 districts documents how hotels conflict with active industrial areas:

> *"The development of hotels and the visitors they draw are often inappropriate at sites adjacent to heavy truck use and industrial loading activities. Industrial businesses generate, to varying degrees, noise, truck traffic, pollution and other irritants. These potentially conflict with hotels and their guests. Hotels produce increased foot and automobile traffic and nuisance-generated complaints, which have the potential to harm the activity and productiveness of industrial and manufacturing businesses."*[8]

From my experience with other new hotels locating in the Southwest Brooklyn IBZ, I agree with this assessment and am extremely concerned about the potential for hotels at Industry City to conflict with industrial businesses and especially the planned intensification of freight and industrial activity at the South Brooklyn Marine Terminal. The proposed site of the first hotel at the new construction 'Building 21" directly adjacent to SBMT and the reactivated freight rail connection on 1st Avenue is especially problematic.

[8] http://www1.nyc.gov/assets/planning/download/pdf/applicants/env-review/m1-hotel-text-amendment/draft-scope.pdf

F – Description of the Proposed Actions

Special Permit

The "Special Sunset Park Innovation District" should include a requirement for the provision of a minimum amount of space for industrial businesses in order to ensure that a diversity of economic activity remains at Industrial City and that development complements other public and private investments and is consistent with public planning policy for this waterfront.

Rather than unlocking the proposed 625,000sqf of academic uses and 900,000sqf of retail uses all at once with one action, an alternative with phased introduction of UG 3A academic uses and UG 6 and 10 retail uses by requiring separate Special Permits could help add public oversight to the development and soften the potential impact on the surrounding the community.

A potential requirement for a smaller per establishment size and/or limitations on the size of storefronts for retail spaces on Third Avenue should be analyzed in order to ensure spaces for local neighborhood retail.

The potential inclusion of a public high school at Industry City should be analyzed. Sunset Park continues to need elementary and intermediate school seats and the inclusion of a high school here could potentially free up space at an existing high school facility for conversion. A high school could also be integrated into workforce development and job placement programming.

G – Analysis Framework

The analysis framework is flawed in conflating commercial and industrial activity a single category of "Innovation Economy." According to the 2014 CEQR Manual:

> *"businesses may be classified as commercial (office-based services, retailing, transient hotels, and other business activities typically found in urban commercial districts), industrial (manufacturing, construction, wholesale trade, warehousing, transportation, communications, and public utilities—activities typically found in manufacturing districts), or institutions (schools, hospitals, community centers, government centers, and other like facilities with a charitable, governmental, public health, or educational purpose)."* Section 100.130 (page 5-2)

The analysis framework should follow CEQR guidelines and consider projected industrial and commercial office uses separately since these uses have significantly different impacts on many aspects of CEQR analysis. Industrial and commercial office uses generate different trip generation rates that affect both public transit and street traffic, especially truck traffic, and also generate different densities of employees, which affect impacts on sewers and other infrastructure.

Moreover, the demographic contrasts in the workforce between the commercial office tech and media sectors and the industrial sector (see spoken comments above) could have significant impacts on indirect business displacement and indirect residential displacement.

H – Proposed Scope of Work for the EIS

TASK 1: PROJECT DESCRIPTION

No comments

TASK 2: ANALYSIS FRAMEWORK

See prior comments on Section G

TASK 3: LAND USE, ZONING, AND PUBLIC POLICY

The Draft Scope of Work proposes a very tight study primary study area that is just a 400' extension from the Industry City boundary. A secondary study area of 0.5 miles is proposed.

The proposed with-action scenario introduces significant new academic, retail, and hotel uses which would allow the developer of Industry City to accelerate the activation of space that is currently vacant or used for storage into a mixture of commercial and industrial uses. The Draft Scope of Work projects adding or activating over 3 million square feet of space and generating 13,000 new on-site jobs at Industry City.

The scale of this project clearly has the potential to impact the entire Sunset Park waterfront industrial area as well as the inland 4th Avenue retail corridor. According to the Department of City Planning's recent analysis of employment in manufacturing districts, there are currently just over 25,000 jobs in the entire Southwest Brooklyn Industrial Business Zone, which includes parts of Red Hook and lower Gowanus as well as the entire Sunset Park waterfront.[9] Industry City's projection of 13,000 new jobs therefore has the potential to increase the number of workers on the Sunset Park waterfront by over 50%.

According to the CEQR Manual Section 310 "Study Area Definition," "*The study area encompasses the project site and adjacent area within 400 feet, 0.25 mile, or 0.5 mile, depending on project size and area characteristics."* The CEQR Manual uses the example of a residential development project to suggest study areas – 0.5 mile study area is suggested for projects that increase population by 5% within a 0.25 mile study area. The applicant should not be permitted to use the smallest potential study area simply because the project is not a residential development like the example provided in the CEQR Manual. The addition/activation of 3 million square feet and 13,000 jobs is clearly a very significant relative change for this area.

The primary study area should therefore be expanded from the proposed within 400 feet of the project area to within a full half-mile of the project area, with a secondary study area for certain impacts that includes the entire Sunset Park waterfront. The environmental review must take into account the current and planned activity at neighboring properties including the South

[9] https://www1.nyc.gov/assets/planning/download/pdf/data-maps/nyc-economy/employment-nyc-manufacturing-zones.pdf

Brooklyn Marine Terminal, Bush Terminal and the planned "Made in New York" campus, the new Ferrera Brothers facility at the former Moore McCormack site and the adjacent Lafarge facility, Liberty View Industrial Plaza, and the other facilities further to the south including the Brooklyn Wholesale Meat Market, Brooklyn Army Terminal, and NYU Lutheran Hospital.

As the CEQR's guidance on Study Area Definition concludes, "*In short, there is no established "area" applicable to all socioeconomic analyses. A study area(s) should be developed that reflects the areas likely to be affected by the project."*

The City has invested hundreds of millions of dollars into the Sunset Park waterfront to generate industrial development and jobs. The public policy goal of industrial development on this waterfront has been established and reasserted for decades by the designation as a Significant Maritime Industrial Area in the 1992 Comprehensive Waterfront Plan, the designation as an Industrial Business Zone in 2005, the 2009 EDC Vision Plan, the 2011 Sunset Park 197a Plan, and the De Blasio administration's citywide policies including the Industrial Action Plan and "New York Works" Plan for 100,000 new middle-class jobs, including 20,000 jobs in the industrial and manufacturing sectors.

It is imperative that we fully analyze this private development proposal and understand its potential impact on this longstanding public policy goal to maintain and grow the industrial character of the Sunset Park waterfront.

TASK 4: SOCIOECONOMIC CONDITIONS

Direct Residential Displacement

The Draft Scope of Work is incorrect that "the Proposed Project would not directly displace any residents." The applicant intends to acquire and demolish properties on Third Avenue between 36th and 37th Streets to clear the site for one of the proposed new buildings. There are currently five three-story buildings with ground-floor retail and residential apartments standing in the way. The Draft Scope must take proper account of this potential direct displacement and the developer must ensure that no Sunset Park families are made homeless by this proposal.

Direct Business Displacement

The screening-level assessment for businesses that would be relocated should consider whether or not businesses currently located on the ground floor or second floor that would be relocated for retail uses would be adversely affected in regards to loading access and other considerations by locating on upper floors.

Indirect Residential Displacement

Analysis of potential indirect residential displacement should be included even though there is no residential development in this proposal. The size and scale of this project (3 million square feet added/activated, 13,000 jobs) in relation to the context of the neighborhood raises serious concerns that it could potentially initiate a trend of rapidly rising rents for both commercial/industrial and residential properties in the area. If the proposal is found to have a potential impact on indirect business displacement due to increased rents and a resulting

potential loss of industrial employers, this could contribute to indirect residential displacement. Over 25% of the Sunset Park workforce is employed in the industrial sector.[10]

Indirect Business Displacement Due to Increased Rents

Indirect business displacement is one area in which it is crucial that the distinction is made between industrial and commercial office uses in the proposed "innovation economy" component of the with-action scenario. The with-action scenario projects an additional 1.33 million square feet of 'innovation economy" uses. Considering the higher rents that commercial office uses can typically pay compared to industrial businesses and the differences in the demographics and density of the workforce, it is significant for this analysis to what extent "innovation economy" uses are actually industrial uses or commercial office uses. If the "Innovation Economy" is predominantly commercial office and tech sector uses, this could contribute to indirect displacement of industrial uses both within Industry City itself and the wider Sunset Park industrial waterfront as industrial sector businesses are displaced in favor of office, retail, and restaurant/bar uses that can typically pay higher rents.

According to the CEQR Manual, indirect business displacement is likely to occur where "*introduction of a new population would result in new commercial or retail services that would increase demand for services and cause rents to rise"* (Section 322.2, Page 5-9). The rapid addition of 13,000 new workers and thousands of additional shoppers and visitors at Industry City will likely have this effect on the surrounding area. Considering how many families in Sunset Park depend on the industrial and manufacturing sector for employment, we must analyze the potential for indirect business displacement thoroughly in order to prepare meaningful mitigations.

TASK 5: OPEN SPACE

No comments

TASK 6: SHADOWS

No comments

TASK 7: HISTORIC AND CULTURAL RESOURCES

No comments

TASK 8: URBAN DESIGN AND VISUAL RESOURCES

No comments

TASK 9: HAZARDOUS MATERIALS

No comments

TASK 10: WATER AND SEWER INFRASTRUCTURE

No comments

[10] American Community Survey 2009-2013, aggregation of Sunset Park Census Tracts

TASK 11: ENERGY

No comments

TASK 12: TRANSPORTATION

Travel Demand Analysis

This is another area of analysis where distinction between industrial and commercial office uses is highly significant. Commercial office uses are more employment dense and will generate more trips on public transit, whereas industrial uses will generate more truck traffic. We must understand the full range of potential impacts, which vary greatly depending on the amount of industrial vs. commercial office development.

Transportation Analysis

Street Network

The recently released Sunset Park Waterfront District Transportation Study recommended changes to the Sunset Park street network including the conversion of 1st and 2nd Avenues to one-way pairs.[11] These recommendations should be considered as potential impacts and mitigations are examined.

Transit Analysis

Analysis should consider the potential future siting of the BQX light rail and the impact this may have on trip generation.

Pedestrians/Bicycles

Analysis should consider the future siting of the Brooklyn Greenway.

TASK 13: AIR QUALITY

No comments

TASK 14: GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

The Industry City property sustained significant flooding and damage from Hurricane Sandy. Comprehensive sustainability and resilience measures are expected as part of this development and analysis should ensure that any measures taken on this site would not exacerbate flooding on neighboring areas. Potential actions that could benefit neighborhood-wide and citywide sustainability and response to climate change, such as siting of green energy and resiliency-related businesses, should also be considered.

TASK 15: NOISE

No comments

[11] https://www.nycedc.com/system/files/files/resource/20170504_sunset_park_transportation_study_-_final_draft.pdf

TASK 16: PUBLIC HEALTH

No comments

TASK 17: NEIGHBORHOOD CHARACTER

No comments

TASK 18: CONSTRUCTION IMPACTS

No comments

TASK 19: ALTERNATIVES

See comments on Section F

TASK 20: MITIGATION

No comments

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Daniel A. Murphy
Chairperson

Jeremy Laufer
District Manager

THE CITY OF NEW YORK
BOROUGH OF BROOKLYN
COMMUNITY BOARD #7

Eric Adams
Borough President

October 31, 2017

Robert Dobruskin
New York City Department of City Planning
120 Broadway
New York, NY 10271

Re: CEQR Ref Number #18DCP034K
Industry City Rezoning

Brooklyn Community Board 7 has reviewed the above titled Draft Scope of Work for the rezoning of Industry City. We understand that the Project Actions detailed in the Draft Scope of Work will enable renovation of 5.3 million square feet of existing structures and construction of approximately 1.27 million sf of new structures, for a total of 6.57 million square feet of new commercial, retail, office, event, academic and hotel spaces, spread throughout the 19 buildings comprising the Industry City campus, affecting nearly 1.5 million of lot area, or 32.75 acres.

The Project Description also states that over 25,000 daily visitors will patronize the site's commercial destination retail and commercial components, in addition to nearly 13,000 new employees of its businesses.

A project of this size has the potential to significantly change the Sunset Park and Greenwood Heights neighborhoods, in particular, its commercial and industrial businesses and employment base, as well as indirect effects on the existing residential population in the area. Community Board 7 welcomes this new investment in a long underutilized asset in the community. While championing this investment, the Board's responsibility is to ensure that new development takes into account community needs and concerns.

The following comments incorporate input from the members of Community Board 7 and represent our interpretation of the Draft Scope of Work submitted for public review. We

reserve the right to amend and revise our comments as the land use review process continues, and look forward to the Applicant's official presentation before the Board after the rezoning is certified.

Sincerely,

John Fontillas
Chair
Land Use/Landmarks Committee

Jeremy Laufer
District Manager

Brooklyn Community Board 7 Comments on the
Draft Scope of Work for an Environmental Impact Statement for Industry City
220 36th Street, Brooklyn, New York

1. Purpose and Need for the Proposed Action
    a. As the Proposed Action will require a series of discretionary approvals from city agencies, the Scope of Work should include a clear point by point explanation of how the Proposed Action supports or differs from the New Connections/New Opportunities: Sunset Park 197-a Plan, a community based planning initiative first started by Brooklyn Community Board 7 in 1993, and approved by the City Council in December 2009.
2. Description of the Proposed Actions
    a. Please provide analysis of why the Proposed Actions are the minimum change necessary to achieve the stated goals. What other zoning alternatives were considered and why were those alternatives not pursued?
3. Analysis Framework
    a. The Reasonable Worst Case Development Scenario depicted in the Draft Scope of Work assumes retention of existing warehouse buildings, either in the Density-Development Scenario or Overbuild Scenario. Were any scenarios assuming the demolition of an existing warehouse building lot or site, either in part or whole, considered as part of a development scenario. If not, why not? What would be the impact in terms of buildable zoning area if such a scenario were considered?
4. Land Use, Zoning and Public Policy
    a. The Proposed Project describes a "large scale development", as defined by the NYC Zoning Resolution. Per the CEQR Technical Manual "large scale, high density development" should include a primary study area whose general boundary "reflects the actual context of the area". Essential to this definition is the area's land use development history, commute patterns, and interrelationship of residential districts to employment along the waterfront. Historically, Sunset Park owes its built land use context to early developers advertising residential housing located within walking distance of jobs in the industrial waterfront area. This "walk to work" convenience motivated residential development of areas directly east and south of the Project Site, which was further bolstered by construction of the 4th Avenue Subway line in the 1910's. Neighborhood commercial businesses developed along 5th Avenue to provide shopping for residents. As such, the general boundaries of the neighborhood should extend to 5th Avenue upland of the sites, and include the 5th Avenue business district, between 36th Street and 44th Street, whose businesses would be affected by activities at the site.
    b. The Scope of Work should address the Proposed Action's relationship and coordination with the following community based and city planning initiatives:
        i. Vision 2020 Comprehensive Waterfront Plan – DCP

ii. Sunset Park Waterfront Vision Plan – NYC EDC
iii. NYCDEP Green Infrastructure Plan
iv. PlaNYC – DCP
v. DOT 10 year Capital Plan
vi. Vision Plan for 4th Ave Corridor – BBPO
vii. Brooklyn Waterfront Greenway (BGI/DOT)
viii. NYC Special Initiative for Rebuilding and Resiliency
ix. South Brooklyn Marine Terminal
x. Citiwide Ferry Service
xi. Brooklyn Queens Streetcar
xii. M1 Hotel Zoning
xiii. Made in NY Campus at Bush Terminal – NYC EDC

c. How does the Proposed Action take into account CB7's Statements of District Needs and Budget Priorities?

d. Please list all other federal, state or city planning initiatives, procedures and/or studies within 1 mile of the project site that may have an effect on the project's impact.

5. Socioeconomic Conditions

a. The Proposed Project states that potential employment of 13,000 on-site jobs will be implemented by full build-out, a significant increase from the 1,900 jobs present at the site in 2013. Per the CEQR Manual, this would be substantial new development different in character from existing uses, development and activity within the neighborhood. Adjacent to the Project Site, increasing rents and market rate development have been occurring, creating conditions of involuntary displacement of residents resulting from changes in socioeconomic conditions. The Proposed Actions meet the threshold evaluation steps with regard to substantial new populations with different incomes within the neighborhood, with a potential to affect real estate market conditions, and readily observable rent trends and risks of displacement of a vulnerable population. A detailed analysis should be undertaken to assess indirect residential displacement and indirect business displacement within expanded primary and secondary study areas.

b. The Proposed Project describes the inclusion of over 500,000 sf of new Local Retail commercial space, in addition to 387,728 of Destination Retail commercial space. Since this is a significant increase in the amount retail commercial space within the local trade area and could create indirect business displacement, the Scope of Work should include analysis of the impact on neighborhood commercial businesses within 3 miles of the project site.

c. Describe how DCP's interagency partners will support workforce training programs proposed at Industry City.

6. Community Facilities and Services

a. The EAS stated that the project would not require analysis of the effect on Community Facilities. The Proposed Project, however, will bring a sizable new population into the

area causing increased demand for existing services. In particular, the effect of the Proposed Project on police/fire services and health care facilities should be documented.

b. Multiple school facilities are located within the study area adjacent to the Proposed Project. Given the new population projected to be traveling and patronizing the site, the effect of increased traffic to and from the site near school sites should be examined – see comments on Transportation below.

7. Open Space

   a. The Proposed Project forecasts a significant increase in office and business employees at the Project Site. The site occupies an underserved area of Brooklyn relative to open space, parkland, and access to the waterfront. The Scope of Work should consider qualitative factors regarding the potential for new open space, public parks, upland connectors, public access links to the waterfront.

8. Urban Design and Visual Resources

   a. Due to the Project Site's location at the foot of the Brooklyn terminal moraine, new structures built within the Project Site will directly affect viewsheds from upland parks and open spaces, such as Green-Wood Cemetery and Sunset Park, two the highest elevations in Brooklyn. In particular, a 9/11 Memorial Grove was located within Sunset Park with views to Lower Manhattan. The Scope of Work should include an in-depth analysis that ensures that views to and from these sites, which have been historically valued by the community, are protected from intrusion and visual blight.

   b. Provide photo simulations showing the two development scenarios from vantage points upland from the Project, along the Gowanus Expressway, and from offshore locations in Upper New York Bay. Emphasis on potential signage, rooftop structures and bulkheads, overhead power lines and interbuilding connections, and fenestration patterns on new structures and overbuilds should be delineated.

   c. The Scope of Work should include development of the Project Site to implement the Brooklyn Waterfront Greenway, upland streetscape connectors and other urban design initiatives such as Brooklyn 4th Avenue Great Streets project.

9. Water and Sewer Infrastructure

   a. The Scope of Work should include a calculation of water demand of proposed new uses at the Project Site. Typically, large buildings use 20 gallons of water per square foot on average, potentially requiring a significant new demand on site for supply.

   b. The Scope of Work should include an analysis of increased sanitary and sewer flows and their effects through existing drainage facility infrastructure, in particular nearby CSO outfalls located at Bush Terminal Park.

10. Solid Waste and Sanitation Services

    a. The Scope of Work should include exploration of methods to reduce solid waste generation.

b. The Scope of Work should analyze the effect of truck traffic and commercial hauling activities along the 3rd Avenue corridor.

11. Energy

a. The proposed project forecasts renovation of approximately 5.7M sf of commercial, retail, office, event and academic space in existing buildings, much of which is currently not tempered or climate controlled. The Scope of Work should analyze how the projected energy use required to climate control these areas will affect existing power transmission within the nearby neighborhood area.

b. Provide an analysis of how the Proposed Action reflects existing city policies regarding energy efficiency, reduced emission in new buildings, and construction in flood hazard areas.

12. Transportation

a. The Scope of Work should provide an in-depth analysis of traffic impacts to and from the site. Truck traffic for deliveries and waste hauling should receive particular consideration given their significant effects on adjacent neighborhoods and limited access points for delivery.

b. Several high-risk intersections are adjacent to the Project Site, as documented from recent pedestrian fatalities near the Project Site. The Scope of Work should review traffic counts within an expanded area up to 5th Avenue and down to 45th Street to include pedestrian commute patterns from transit nodes. The Scope of Work should also take into account weekend and seasonal retail traffic given the influx of patrons projected by the project on these days.

c. In addition to counts showing exiting off the Gowanus headed towards the Project Site, the analysis should extend to how patrons will return to the highway system given the nearest on ramps are located at 65th Street and Hamilton Avenue by the Brooklyn Battery Tunnel.

d. Describe how the Proposed Actions will be affected by or improve the physical and environmental condition of the Gowanus Expressway/Third Ave Corridor, which the complex faces. In particular, how will pedestrian access across the street be accomplished given that the majority of transit options are located on 4th and 5th Avenues.

e. The current 36th Street subway station is currently not accessible to the disabled. Provide an analysis of how disabled patrons will reach the Project Site and how the project will provide ADA compliance.

f. Provide analysis of potential parking impacts adjacent to the Project Site, and how the existing parking lot areas underneath the Gowanus Expressway will be impacted, both in terms of turnover, vehicular and pedestrian access, and proposed safety improvements, if any.

13. Air Quality

a. It has been documented in several recent studies that the Gowanus Expressway is a significant threat to public health, with high rates of asthma, emphysema and other respiratory diseases reported in children and adults in Sunset Park. The Scope of Work must analyze potential effects on air quality from increased vehicular and truck traffic to the Project Site.

14. Greenhouse Gas Emissions

    a. Provide an analysis how the Project Site will reduce building energy use and resultant greenhouse gas emissions.

    b. The Scope of Work should document the Proposed Project's potential the potential of green roof, tree planting, open space and energy efficient mechanical equipment.

15. Noise

    a. Provide analysis of noise impact from increased truck traffic to and from the site.

    b. Due to Sunset Park and Greenwood Heights' topography, location of rooftop mechanical units on top of the proposed project buildings will create noise effects that will be carried towards upland residential districts. Provide analysis of potential receptors up to one half mile from the site.

16. Public Health

    a. Do the Proposed Actions coordinate with city policies on community wellness issues, such as the FRESH program?

17. Neighborhood Character

    a. Assessment of the Proposed Actions effects on neighborhood character should be included in the Scope of Work. Although the Proposed Actions may have moderate to significant impacts on land use, socioeconomic conditions, historic and cultural resources, urban design, and transportation, taken together, these impacts in combination will cause significant change to a neighborhood characterized by a diverse, working class population.

18. Construction

    a. The Proposed Scope of Work should assess impact on existing School facilities, transit and drop off zones near the site by material deliveries, noise and other construction activities.

    b. The Scope of Work should include proposed measures to reduce air pollutant sources related to demolition and construction activities, including a Construction Health and Safety Plan.

Industry City Scoping Hearing

My name is Pete Abel of AbelCine. My brother Rich and I founded AbelCine in Staten Island over 25 years ago and today, we're a thriving company of 170 employees in three cities – NYC, LA and Chicago.

For the past 15 years our NY location has been based in the West Village – where we have over 95 employees.

AbelCine provides specialized products and services to the professional motion picture and broadcast industries. In addition to selling and renting camera systems, the heart of our business centers around servicing and supporting productions large and small.

The fastest growing sector of our business is in the professional skills training we offer to every level of the market. As part of this education, we regularly hold industry events where creatives network and learn from each other.

Last year we opened a 15,000 sq ft Development Center at Industry City, attracted by empowerment zone incentives and the promise of the Industry City campus.

It's here where our IT programmers, design engineers and machinists work on product and system development.

Before we signed, Industry City promised us a lot – a vibrant community of makers / manufacturers and creatives, support for our move and build-out, and most importantly – interconnectivity and collaboration with other companies and individuals within the IC campus.

We're gratified to have discovered that the commitment and level of engagement from the management of Industry City – is deep, and sincere, and long term.

So much so - that we decided to move the rest of our NYC staff and headquarters to Sunset Park. In fact, Brooklyn is where most of our NY based customers and employees now live.

Over the last 6 months, we've built out another 30,000 sq ft taking our footprint to 44,000. And what's not talked about enough, is that the carpenters and metalworkers, craftsman and other workers that helped us build our new home have businesses directly within Industry City or in the local area.

A true ecosystem at work. Businesses proud to be helping each other grow.

Over the past few weekends, we've been moving our team dept by dept, into their new IC home. And what we fully realized is that Industry City is not just about business – it's about community and culture – and creating a unique and fun destination for Sunset Park families. Just come by any weekend – and you'll be amazed at the number of kids running around the food courts and courtyards.

My brother and I are proud to have a thriving business in NYC for all these years – and being part of the Industry City family gives us the platform and means to engage and give back to the community in more ways than we could ever do on our own.

This is why we urge you to please support Industry City's zoning proposal – and share their vision of community and growth for all.

166A 22nd Street
Brooklyn, NY 11232 NYC-EJA.org
On the ground – and at the table.

New York City Environmental Justice Alliance testimony to the NYC Department of City Planning regarding the Draft Scope Work for an Environmental Impact Statement for Industry City 220 36th Street, Brooklyn, NY

My name is Kartik Amarnath and I am here to testify on behalf of the New York City Environmental Justice Alliance (NYC-EJA). NYC-EJA is a non-profit citywide alliance linking grassroots organizations from low-income neighborhoods and communities of color in their struggle for environmental justice. NYC-EJA empowers its member organizations to advocate for improved environmental conditions and against inequitable environmental burdens.

As champions of community-based planning for over a quarter century, we are particularly concerned about the exclusionary nature of this review process. Specifically, we find it deeply problematic that organizers felt it would be appropriate to host a public meeting in Manhattan to discuss a zoning proposal for Sunset Park. It is unacceptable to expect residents from Sunset Park, historically a working class waterfront community, to adjust their work schedules and make arrangements to attend a public hearing in Manhattan in time to provide testimony. Moving forward, we recommend arrangements be made to ensure a truly public planning process can take place where Sunset Park residents can meaningfully participate in determining the future of their neighborhood.

As a part of the Environmental Impact Statement, we recommend that greenhouse gas emissions and climate impacts be quantitatively assessed for each proposed scenario, including greenhouse gas emissions from construction and added traffic. Given Sunset Park's vulnerability to extreme weather events, we also recommend an analysis of impacts on social resiliency and cohesion. This would include short and long term impacts from increases in construction, traffic, and property values that can exacerbate gentrification and displacement risks.

Additionally, we recommend that other environmental, economic, and public health impacts be analyzed as part of the EIS. Firstly, we recommend an investigation of noise impacts from increased traffic and throughout the duration of new project construction, particularly in relation to effects for residents. The draft scope of work states, "a pubic health analysis is not warranted if a project does not result in a significant unmitigated adverse impact in other CEQR analysis areas." We recommend that an analysis of public health impacts be an essential component of the EIS given the multifaceted health outcomes that can result from changes to the built environment highlighted in the given zoning proposal. We recommend analyzing public health impacts related to projected air and water quality based on how zoning changes may influence traffic, construction, and storm water runoff. Public health impacts from enhanced gentrification pressures should be a core component of any public health analysis. Studies have documented how displacement can exacerbate negative public health outcomes such as collective trauma resulting from community fragmentation.

Studies of construction impacts should not only focus on property development, but also the development of supporting energy, transportation, water, and sewer infrastructure. Construction impacts should be comprehensively analyzed as they relate to quality of life considerations such as parking, waste generation, public waterfront access, and outcomes for businesses near construction zones. To this regard, the EIS should establish commitments to create a map of expected construction zones so that stakeholders can monitor changes to the built environment.

We thank you for your time and consideration of the aforementioned recommendations. NYC-EJA looks forward to supporting the residents of working waterfront neighborhoods, including Sunset Park, as we work collectively to build a more just and resilient city.

Center for an Urban Future

A project of City Futures, Inc.

120 Wall Street, 20th floor · New York, NY 10005 · P: 212-479-3344 · F: 212-479-3338 · www.nycfuture.org

Testimony of Jonathan Bowles
Executive Director, Center for an Urban Future

Before the New York City Planning Commission
Draft Scope of Work for an Environmental Impact Statement for Industry City
October 24, 2017

Good morning. Thank you for the opportunity to testify.

My name is Jonathan Bowles. I am the Executive Director of the Center for an Urban Future. The Center is an independent think tank that publishes studies focused on expanding economic opportunity and growing the economy in New York City.

I am testifying in support the proposed scoping changes at Industry City because I very strongly believe that Industry City is so crucial to where New York City's economy is heading.

I've been at the Center researching economic development issues for nearly two decades now. A lot has changed with the city's economy during this time. Perhaps most remarkably, New York has 975,000 more jobs today than it did 20 years ago. The city's economy is also significantly more diverse than it was then.

There have been a number of reasons for the city's economic renaissance. But one of the key factors has been the phenomenal rise of the city's innovation economy.

Yes, we've also seen significant job growth in restaurants, in home health care, in retail …

But it's been the rise of the innovation economy that's given New York a major new engine of growth in high-wage export industries like tech, advertising, film, fashion, and architecture. These are fields that have grown significantly in only a handful of metro areas—and New York just happens to be number one or two in nearly all of them.

Two years ago, we published a major study about the city's creative economy, which found that while traditional economic drivers like finance and legal services had stagnated over the past decade, employment in film and television production soared by 53 percent, and jobs also grew by 33 percent in architecture, by 26 percent in performing arts, 24 percent in advertising, 24 percent in visual arts, and 17 percent in applied design. All these creative sectors outpaced the city's 12 percent employment growth during the same period.

Amazingly, our research has shown even more significant job growth has occurred in the city's tech sector. A study out last week by ABNY, Tech:NYC and the Partnership for New York City underscored this.

I wish I could say that we've see similar growth in more traditional export industries that offer good paying jobs, like manufacturing.

Unfortunately, it's not really the case.

While it's true that the manufacturing sector has stabilized in recent years, the number of jobs in Brooklyn's manufacturing sector declined by 5 percent from the first quarter of 2015 to the first quarter of 2017. During the same period, private sector jobs in the borough increased by 9 percent.

As recently as 2000, manufacturing still accounted for 10.6 percent of all private sector jobs in Brooklyn. But today, it's just 3.3 percent – or less than 20,000 out of the borough's 600,000 private sector jobs.

Where there has been growth in manufacturing, much of it has been among highly entrepreneurial manufacturing firms and in subsectors where traditional manufacturing intersects with design and technology. In other words, parts of the innovation economy.

If New York is going to create 100,000 good jobs – or, hopefully, a lot more – city policymakers absolutely need to embrace the innovation economy and ensure that New York has the commercial spaces that innovation economy firms need to launch and grow.

Unfortunately, this kind of space is in short supply across the city. That's why I believe the investments that Industry City is making are so crucial to both the future of the city's economy and the future of manufacturing. It's why I support the proposal to create an Innovation Economy Hub at Industry City.

I've been out to Industry City a number of times since the redevelopment began in 2013 and each time I have been impressed by the pace at which this long-underutilized facility has been brought back to life with so many job intensive companies.

CUF has focused much of our research in the past couple years on the creation of middle class jobs, and there is no question that Industry City is a major source of good-paying jobs that are accessible to a broad range of New Yorkers.

I'm also impressed with Industry City's workforce development partnerships through its Innovation Lab, and how it is helping to support the workforce needs of their small business tenants.

The old zoning constructs ought to be updated for important projects like Industry City.

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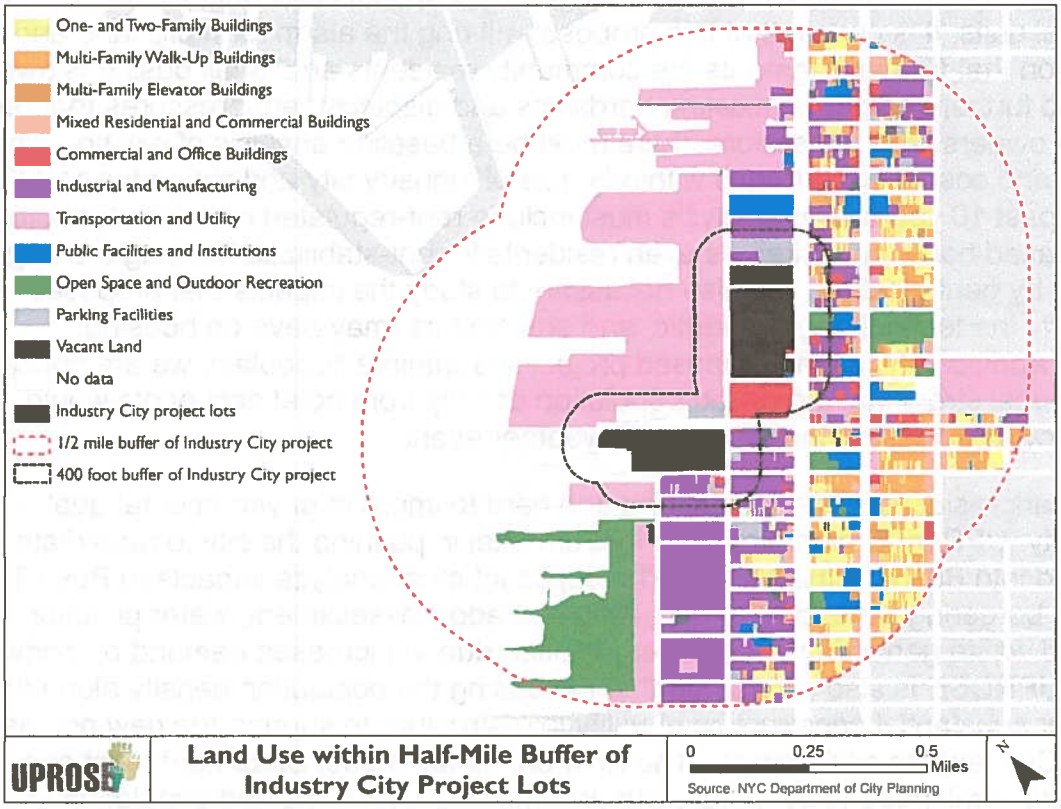
UPROSE

Testimony for CEQR Public Scoping Meeting on Industry City
October 24, 2017

Thank you for the opportunity to comment on this proposal. My name is Ryan Chavez and I am the Infrastructure Coordinator at UPROSE. UPROSE is a multiracial intergenerational environmental justice organization, which has served residents of the Sunset Park community for over 50 years. We are very concerned about the impacts of this proposed rezoning on climate resiliency, industrial business retention, and environmental quality in Sunset Park.

A proposal of this magnitude is sure to have neighborhood-wide impacts on this predominantly working class community of color. We recommend that each task within the scope and the subsequent Environmental Impact Review analyze primary impacts within ½ mile of the Project Area and secondary impacts within the Sunset Park neighborhood boundary of zip codes 11232 and 11220. As noted in the CEQR Technical Manual, analyzing primary impacts within 400 feet of the project boundary is the minimum recommended threshold. This might be sufficient if the land use of the minimum threshold reflected the maximum recommended threshold of ½ mi from the project boundary. However, as our spatial analysis shows there is a significant number of residential, commercial, and industrial uses within ½ mi of Industry City (see figure below). It would be irresponsible and inequitable to neglect the direct impacts that this proposed rezoning would have on residents and business owners within ½ mi of Industry City and the impacts on the overall Sunset Park community.



Siempre En La Lucha Y Siempre Por Nuestra Gente
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UPROSE

As one of New York City's last manufacturing districts, Sunset Park is primed to become a climate resilience and green job hub to meet the city and state's climate goals. For many years, UPROSE has worked with community residents, local business, community-based organizations, and city agencies on community-based plans for the Sunset Park waterfront, including the Sunset Park 197-A Plan, Sunset Park Brownfield Opportunity Area Study, and the Conceptual Plan for a Sunset Park Greenway. These documents were made from deep engagement with a wide spectrum of Sunset Park community members and reflect verified community needs and priorities for the industrial waterfront. Furthermore, the "Land Use, Zoning, and Public Policy" and "Socioeconomic Conditions" analysis should directly analyze consistency with the Sunset Park 197-A Plan, the Sunset Park Brownfield Opportunity Area Study, and the Conceptual Plan for a Sunset Park Greenway. These community-based planning documents identify industrial retention, climate adaptation manufacturing, green job training, and local hiring/procurement as community needs. To further analyze consistency, the applicant should provide a detailed inventory of proposed tenants at Industry City including their industry, projected number of employees, wages, local hiring/retention goals, and technical/educational requirements.

As an organization committed to climate justice, UPROSE deeply understands the role that social cohesion plays in climate resiliency. Displacement pressures on low-income residents and small business owners have already begun pushing the residents most vulnerable to climate change out of our community. Extensive research has shown that communities that are best able to withstand and recover from extreme weather events are those which are socially cohesive, where everyone knows their neighbors, where there is established trust, and people look out for one another. Even though this proposal does not include building residential units, it is certain that this proposal will ring the alarm for more land and rent speculation that further fragments the community residents and small business owners we serve and further compound existing hardships and displacement pressures that residents and business owners face. Therefore, there must be a baseline analysis of existing land use, housing, and cost of living trends within ½ mile of industry city and zip codes 11232 and 11220 over the past 10 years. This analysis must include rent-regulated housing, in addition to the market-based housing market, as even residents in rent-stabilized housing are negatively impacted by gentrification. It is also necessary to study the impacts that proposed tenants, particularly the technology, academic, and arts sectors, may have on housing demand. Additionally, as the proposed project lies within a floodplain, we are concerned about the additional strain that increased population density from hotel occupants would have on emergency response during an extreme weather event.

Sunset Park residents have fought long and hard to improve environmental quality in their community. UPROSE members were instrumental in pushing the city to remediate a vacant brownfield into Bush Terminal Park. The applicant must analyze impacts to Bush Terminal Park and bordering water bodies, including a shadow assessment, water pollution due to increased waste generation, and water pollution due to increased demand on combined sewer outfalls. UPROSE is also concerned that increasing the population density along the waterfront will trigger substantial construction of utility infrastructure to support the new population of Industry City tenants and visitors. The Environmental Impact Statement must consider what infrastructure will need to be installed to accommodate for projected population growth within

the area and what the impact of installing new water, sewer, and energy infrastructure will be on parking, traffic, noise, air quality, and water quality within ½ mile of Industry City. The applicant should also conduct a thorough assessment of the expected water usage by tenancy type and potential hazardous materials that may be generated by proposed tenants (ie; toxic art materials).

Lastly, we are concerned about the influence that the proposed project will have on greenhouse gas emissions and energy resilience. The applicant must analyze projected energy consumption by tenancy and business type, as well greenhouse gas and co-pollutant emissions from projected energy consumption, both direct and induced. As Sunset Park is vulnerable to the impacts of flooding, extreme heat, and other climate impacts, it is necessary to identify if the proposed project is consistent with the city and state's greenhouse gas reduction goals. Some areas of Sunset Park already, such as the Greenwood load pocket, already have overburdened energy infrastructure. The Environmental Impact Statement must analyze how the proposed project will influence existing capacity of the energy grid in Sunset Park and impact local energy resilience in the event of an extreme weather event.

I sincerely hope that the applicant addresses the concerns that we have outlined above.

Sincerely,
Ryan Chavez

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STROOCK

November 3, 2017

Ashley Doukas
Direct Dial 212-806-5772
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Robert Dobruskin, EAD Director
New York City Department of City Planning
120 Broadway, 31st Floor
New York, New York 10007

Re: Industry City Scoping Documents
CEQR Application No. 18DCP034K
Applicant, 1-10 Bush Terminal Owner LP
Comments on EIS Scope

Dear Mr. Dobruskin:

We are counsel to a client that could be affected by the proposed land use actions associated with the redevelopment of Industry City ("IC") as outlined in the above referenced City Environmental Quality Review ("CEQR") and Uniform Land Use Review Procedure ("ULURP") application currently under consideration before the New York City Department of City Planning ("DCP"). The proposed land use actions will likely affect land use and zoning trends and policies not only in the chosen study area (i.e., a 400 foot radius from the proposed project area) but in the broader industrial area of Gowanus and Sunset Park. We are not opposing the redevelopment of IC but, whatever redevelopment plan is approved, the integrity of the industrial zone must be maintained for present and future industrial uses essential for the operation and growth of the City. Therefore, we respectfully submit the following comments to DCP for consideration with respect to the required scope of the Environmental Impact Statement ("EIS") for IC's proposed zoning changes and special permits.

Specifically, IC is currently located within an M3 manufacturing district, the Southwest Brooklyn Industrial Business Zone ("SB IBZ") established by the New York City Industrial Business Zone Boundary Commission pursuant to Title 22, Section 625 of the New York City Administrative Code, and the Sunset Park Significant Maritime Industrial Area ("SMIA") designated pursuant to the New York City Waterfront Revitalization Program ("WRP"). M3 districts, which have been disappearing rapidly, provide the only space for many uses essential to the operation and growth of the City. IBZs were established to protect M3 districts and "to encourage the retention and growth of industrial and manufacturing businesses."[1] In accordance with the WRP, the purpose of the SMIA designation is to preserve the "working waterfront" with its manufacturing and maritime uses, and "to support the many industrial uses essential to the functioning of the city and the local

[1] New York City Industrial Business Zone Boundary Commission, *Staff Recommendations*, November 2013, p. 3.

and regional economy" (including municipal and public utility services, energy generation and rail freight services).[2]

Sunset Park's 197a Community Plan, approved by the City Council on December 21, 2009, while recognizing the importance of community waterfront access and environmental protection of adjacent residential communities, was developed to "preserve Sunset Park's rich maritime and industrial heritage" and to promote industrial development.[3] In November 2015, as part of the City's "10-Point Industrial Action Plan," Mayor de Blasio and the City Council made a strong commitment to "ensuring that space in our core industrial areas remains available for industrial and manufacturing businesses," and specifically discussed limiting certain uses in core industrial areas to "reduce use conflicts."[4]

In accordance with the established policies discussed above, the applicant, the DCP and all involved agencies should (1) address in the EIS the short term and long term compatibility of the proposed project with existing heavy industrial uses in the area and any future industrial uses permitted under the M3 use regulations and (2) provide measures to ensure industrial retention in the SB IBZ and SMIA.

Thank you for your consideration of these comments.

Sincerely,

Ashley Doukas

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[2] New York City Department of City Planning, *Waterfront Revitalization Program*, June 2016, p. 25. Policy 2.1(C) of the WRP requires that the City "maintain sufficient manufacturing zoning in SMIAs to permit the industrial and water-dependent uses that are essential to the city's economy and the operation of utilities, energy facilities and city services (p. 27).

[3] *Sunset Park 197-a Plan*, p. 16-18; *City Planning Commission Report* (modifying and approving the 197-a plan), November 18, 2009, p. 1-2; *see also* Community Board 7 (Borough of Brooklyn), New *Connections/New Opportunities – Sunset Park 197-a Plan*, Spring 2011.

[4] November 3, 2015, *Mayor de Blasio and Speaker Mark-Viverito Unveil Action Plan to Grow 21st Century Industrial and Manufacturing Jobs in NYC*, http://www1.nyc.gov/office-of-the-mayor/news/780-15/mayor-de-blasio-speaker-mark-viverito-action-plan-grow-21st-century-industrial-and#/0; *see also New York City Council, Engines of Opportunity: Reinvigorating New York City's Manufacturing Zones for the 21st Century*, November 2014.

My name is Jenny Dubnau, and I'm a native New Yorker, a long-time working artist, and a founding member of the Artist Studio Affordability Project (ASAP). ASAP focuses on the workspace affordability crisis for NYC's working artists, and the ways in which real estate interests use the (temporary) presence of artists to increase rents to a level that actual artists can no longer afford, in addition to furthering displacement in working class communities of color. I have a particular interest in Industry City because in 2013, dozens and dozens of artists were displaced by a series of rent increases, and a group of us formed ASAP as a direct result: we continue to work on this issue on a citywide basis.

Like small manufacturers and other makers and artisans, working artists (and musicians and dance troupes) need space where we can make some noise, create a bit of dust, and store our heavy equipment. Unrenovated, tough old buildings work just great for us. Working artists have far more in common with manufacturers who will provide good jobs to people who already live in the Sunset Park community, than we do with what is called the "creative economy." The conflation of working artists with the "creative economy" is a false one, both economically and culturally. Another thing we makers and manufacturers have in common is the inability to pay high rent: once rents creep up to and past $2/sq ft per month, we are effectively priced out: we either have to give up and leave our spaces, work far longer hours in order to afford them, or double or triple up. Already, even without this proposed rezoning, Industry City has changed from an affordable working environment for manufacturers and working artists to a glitzy, upscale playground, with gourmet food shops and events galore which signify culture, but which actually serve to displace it. I can't even count the number of artist friends who have lost their studios in Industry City, and those who remain are stretched to the breaking point. I spoke to an Industry City artist the other day who said that over the past two years, over fifteen of his fellow artists have been displaced from their studios at Industry City.

I would like to see City agencies study the proposed rent structure of the rezoned Industry City "Innovation Hub." If working artists and manufacturers are to be retained in any meaningful numbers, rents must be kept low. The frequent use of the term "re-tenanting" in the Draft Scope of Work is deeply concerning. I will also say that the kinds of jobs that are being touted as part of this rezoning must be studied rigorously: if they are comprised of, on the one hand, upper-echelon jobs requiring a college degree and on the other, low-paying service economy jobs, the community of Sunset Park will lose. The creation of permanent, good-paying jobs for Sunset Park residents as well as the preservation of a thriving community of NYC working artists will not be furthered by what is essentially a luxury rezoning. I can guarantee you this: if the rents in Industry City go even higher than they are now, what remains of the working artist and manufacturing community will be permanently displaced.

BROOKLYN
CHAMBER OF COMMERCE

October 24, 2017

Written testimony respectfully submitted to NYC Department of City Planning by Egaudy Gomez, Director of Organizing and Neighborhood Strategy at the Brooklyn Chamber of Commerce, regarding Industry City's rezoning plan.

Good morning Chair Marisa Lago, and Members of the Commission:

I am Egaudy Gomez, and I serve as the Director of Organizing and Neighborhood Strategy at the Brooklyn Chamber of Commerce.

The Brooklyn Chamber of Commerce is a membership-based business assistance organization that represents the interests of over 2,100 member businesses across the borough of Brooklyn. The Brooklyn Alliance is the not-for-profit economic development organization of the Chamber. It works to address the needs of businesses through direct business assistance programs.

You heard earlier about the Chamber's strong support for this zoning initiative. I'm here to tell you about the Chamber's role in the Innovation Lab and our partnership with Industry City in reaching out to area small businesses.

In recent months, I've met with nearly 250 small businesses along the corridors of 3rd, 4th and 5th Avenues in Sunset Park. When meeting with these small businesses, I have conducted in-person surveys to help understand their most important needs. It is clear from these conversations with business owners that they have already seen an uptick in business as a result of the growth at Industry City.

It is evident that the additional revenue that these small businesses see has major, positive impact on their bottom lines and their ability to keep their doors open. The Chamber is very encouraged by the $80M of investment made by Industry City, thus far, that has gone directly to local business while producing another $120M of induced spending.

In the coming months, the Brooklyn Chamber will be working with these neighborhood businesses and the Innovation Lab to ensure they are aware of, and have access to, financing programs, social and online media marketing opportunities, B2B opportunities, as well as hiring and human resources support.

We strongly support Industry City's plan. Their investment to date not only supports small businesses, located at Industry City, but also in the immediate surrounding community.

Thank you for providing us with the opportunity to testify in this case.

EG/ah

BROOKLYN
CHAMBER OF COMMERCE

October 24, 2017

Written testimony respectfully submitted to NYC Department of City Planning by Andrew Hoan, President and CEO of the Brooklyn Chamber of Commerce, regarding Industry City's rezoning plan.

Good morning Chair Marisa Lago, and Members of the Commission:

I am Andrew Hoan and I serve as the President and CEO at the Brooklyn Chamber of Commerce.

The Brooklyn Chamber of Commerce is a membership-based business assistance organization that represents the interests of over 2,100 member businesses across the borough of Brooklyn. The Brooklyn Alliance is the not-for-profit economic development organization of the Chamber. It works to address the needs of businesses through direct business assistance programs.

I am here to enthusiastically endorse Industry City's rezoning plan for the future. Since 2013, the team at Industry City has invested over $250M to bring the long-neglected complex back to life. Over $80M in procurement has gone directly to local businesses with another $120M of induced benefit.

The number of businesses at Industry City has already increased from 150 to 450, and jobs are coming to the innovation ecosystem at an extraordinary pace -- 100 jobs a month on average, with the total number of jobs increasing from 1,900 to 6,500 over the last four years.

The local impact is not just about the numbers, however, it's about the lives that are have been touched as a result. Entrepreneurs and workers have already benefitted from Industry City's accomplishments and stand to benefit through this zoning plan. Of the 4,000 Sunset Park residents who live and work in their area, 20 percent work at businesses located at Industry City.

Through its Innovation Lab, Industry City has connected to the local community while supporting small business and creating a pipeline of job opportunities for local residents. More than 1,000 Sunset Park area residents have benefited from services such as on-site job training, placement and an entrepreneur support center. The Brooklyn Chamber is proud to be a partner with the Innovation Lab. You will hear more about our partnership from Egaudy Gomez, Director of Organizing and Neighborhood Strategy at the Brooklyn Chamber of Commerce, in later testimony.

This rezoning plan will ensure that job creation continues and accelerates in a number of ways. The plan will add space for academic facilities, strengthening Brooklyn's already world-class talent pipeline. It will add amenities that support existing and new businesses, including a hotel and hospitality center. The plan will also foster a collaborative, innovation-driven environment that retains and attracts job-intensive businesses – all while generating $1B of investment and creating 20,000 jobs.

For all of these reasons, I strongly support Industry City's plan and I encourage others to, as well.

Thank you for providing us with the opportunity to testify in this case.

AH/sk

BROOKLYN
CHAMBER OF COMMERCE

October 24, 2017

Written testimony respectfully submitted to NYC Department of City Planning by Samara Karasyk, Executive Vice President and Chief of Staff of the Brooklyn Chamber of Commerce, regarding Industry City's rezoning plan.

Good evening Chair Marisa Lago, and Members of the Commission:

I am Samara Karasyk, and I serve as the Executive Vice President and Chief of Staff at the Brooklyn Chamber of Commerce.

The Brooklyn Chamber of Commerce is a membership-based business assistance organization that represents the interests of over 2,100 member businesses across the borough of Brooklyn. The Brooklyn Alliance is the not-for-profit economic development organization of the Chamber. It works to address the needs of businesses through direct business assistance programs.

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For all of these reasons, I strongly support Industry City's plan and I encourage others to, as well.

Thank you for providing us with the opportunity to testify in this case.

SK/ah

WATERFRONT ALLIANCE

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Public Testimony
City Planning Commission, City of New York
Re: Industry City (CEQR No. 18DCP034K)
October 24, 2017

Roland Lewis
President and CEO
Waterfront Alliance

The Waterfront Alliance is a non-profit civic organization and coalition of more than 1,000 community and recreational groups, educational institutions, businesses, and other stakeholders committed to restoring and revitalizing New York Harbor and the surrounding waterways. New York City is a city of water, with our waterways serving as a vital resource for commerce, transportation, education, and recreation.

Brooklyn's waterfront is part of the nation's third largest port: the Port of New York and New Jersey, a vital part of the regional economy supports that 336,000 jobs—larger than more prominent sectors such as broadcasting and entertainment—and more than $53 billion in business activity. Shipping, marine transportation and maritime businesses are the economic engine of the city and provide thousands of jobs to New Yorkers, especially in Red Hook and Sunset Park, with walk-to-work opportunities in industrial trades, longshoring and other shipping jobs. NYC Economic Development Corporation estimates that more than 2,500 blue- and white-collar jobs Brooklyn jobs are directly linked to maritime industrial use, comprising a cross-section of the industry from Erie Basin, Gowanus Bay, Sunset Park, Red Hook Container Terminal, and the Brooklyn Navy Yard. This sophisticated support industry fosters economic sustainability and connectivity.

Recent development at Industry City has been an important part of growing Brooklyn's job base, supporting emerging industries as well as traditional manufacturing. For decades, Industry City was an example of an underutilized waterfront, with largely vacant buildings. In the last few years, more than 2 million square feet of space has been leased to businesses that are building New York's economy, supporting local entrepreneurship, and providing job opportunities for Sunset Park and surrounding communities. This includes converting vacant or underutilized storage space into high-employment space.

Our coastal city remains at risk, with the threat of sea level rise and more frequent and more powerful coastal storms demanding all of us to act to develop physical as well as social resiliency. Adaptation and mitigation require a variety of strategies, from hard infrastructure such as flood barriers, to natural features and green shorelines. Industry City has taken sound steps to upgrade physical resiliency, including elevating mechanicals above projected flood levels and introducing green infrastructure. Preserving a working waterfront should be a core goal of any development in Brooklyn, especially as Industry City falls within one of New York's six Significant Maritime and Industrial Areas (SMIAs). It is important to prioritize industrial and job-intensive uses in SMIAs and their surroundings, to expand job opportunities for local residents, especially in high-tech research and manufacturing, and eliminate environmentally hazardous truck trips by increasing capacity for rail and waterborne freight movement.

We reiterate our call to the City to activate South Brooklyn Marine Terminal (SBMT) as an active working waterfront site. In recent years, the City has invested more than $100 million in infrastructure improvements as part of a program to reactivate SBMT with long-term,

maritime-dependent uses. This is consistent with City policy through the Waterfront Revitalization Program, as well as with local priorities as expressed through the 197-a community plan, which called for revitalizing SBMT as a "job-intensive high performance maritime, industrial and transportation uses."

The City must continue to develop policies that support existing publicly and privately-managed maritime facilities and plan for future needs, accounting for new technologies and growth industries. A revitalized SBMT would contribute to increased opportunities for Industry City-based businesses to distribute goods produced there. SBMT can accommodate non-containerized cargo including non-standard shipments – for example, large parts of the New York Wheel structure which started coming in 2016. Cargo unloaded there has access to the network of rail that runs through Brooklyn and out of the borough, as well as the Sunset Park waterfront.

Offshore wind power generation poses a significant opportunity to meet a critical goal renewable energy goal by staging maritime support services at SBMT. In March 2017, the Bureau of Ocean Energy Management entered into a lease for nearly 80,000 acres approximately 30 miles off the coast of New York for exploration of offshore wind development. Although power generation is not expected to begin until approximately 2027, New York City must position itself as the hub for significant maritime support services this growth industry will require.

NYU | TANDON SCHOOL OF ENGINEERING

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Testimony of Sayar Lonial, Executive Director Marketing & Communications for NYU Tandon School of Engineering Before the New York City Planning Commission For the Scoping Session on Industry City application to create the Special Sunset Park Innovation District

Good Evening.

Chair Lago and fellow members of the City Planning Commission, my name is Sayar Lonial and I am pleased to be here to speak on behalf of New York University's Tandon School of Engineering at today's scoping hearing (CEQR No. 18DCP034K) regarding Industry City's Application to create the Special Sunset Park Innovation District.

By way of background, our school has a long and proud tradition in Brooklyn, dating back to 1854 and many of you may know it as an earlier incarnation, Brooklyn-Poly. In 2014 Poly merged with NYU restoring engineering as a discipline to the nation's largest private research university after a 40-year hiatus. In 2015, to honor a gift from Chandrika and Ranjan Tandon, NYU changed the name of the school to its current moniker, NYU Tandon. For the past five years Tandon and NYU have been contributors to the growing momentum which has made Brooklyn a major hub for innovation and creativity. From Greenpoint to Sunset Park and all areas in between, the rise of tech businesses – both large and small – have transformed Brooklyn's and New York's economy. For the most part we have focused on the area defined by Dumbo, The Navy Yard and Downtown Brooklyn – better known as the Brooklyn Tech Triangle. Our presence in this area is only strengthened by the re-development and adaptive re-use of the former MTA headquarters located at 370 Jay Street, which was deserted for years and has been an eyesore for the neighborhood. In addition, next year we will be opening a new hub for Augmented and Virtual reality in the Navy Yard – a clear demonstration that NYU is not only here to stay in Brooklyn, but that we share the common goal of businesses, non-profits and real estate interests in continuing and expanding the Borough of Kings as the tech capital of New York State and beyond

But today I am here to discuss a new project, one that builds upon the strong foundation Industry City has started in Sunset Park. Working with Andrew Kimball and his team our goal is to expand the Brooklyn Tech Triangle concept, defined by finite points in and around our campus at MetroTech, into the Brooklyn Innovation Coastline, a redefining of the waterfront – reaching from beyond Sunset Park to Williamsburg and Greenpoint, and even into Queens. Our newest project is the creation of a, start-up business incubator, which we call "FutureLabs". The defining characteristic behind our fourth entrepreneurship hub - the Veterans Future Lab - is to focus on a population rather than a sector - such as data, digital or green focused businesses. The Sunset Park Future Lab will focus on its tenants – veterans. We will be opening the State's first start-up

business support network solely devoted to businesses created by veterans and their spouses. The ultimate goal is to help veterans transition from a life of service to our country to a career as members of the innovation economy. The Lab, expected to open later this year, will not only offer desk space for new businesses, but will also include a prototyping space, which will allow not only our veteran owned businesses to transform their ideas from concept to design, but will also be open on a membership basis for tenants of Industry City. In addition, we will offer discount memberships to Sunset Park residents, as well as expand upon our already strong K12 STEM program. Currently we are not working with any schools in the area, but we are already setting the groundwork to build upon Industry City's outreach into the community started by their Innovation Lab, to be able to offer our services to ensure that residents of this neighborhood get every opportunity to make the decision to enter into a STEM field like engineering, medicine or computer science. Over the next decade there will be over a million jobs created in the STEM arena and it is our goal to make sure that the citizens of New York are prepared to fill them. In addition, we expect to team with NYU's School of Professional Studies at NYU to develop certificate programs that offer workforce development opportunities both in the classroom and through online portals to help the current employed generation transition to the tech jobs of the future.
This is nothing new to us at NYU, as we have always taken our direction from the phrase *in and of the City*. The decision to move to Sunset Park and into the confines of Industry City was based upon the exciting developments that are already taking place in the area. Industry City has seized upon the Tech Triangle concept and has recruited a cohort of businesses that are in the vanguards of making, manufacturing, innovation and technology. From lamps made from mushrooms to drones and textile manufacturing to an organic gel that will stop bleeding within moments; the small, large and in between businesses being fostered at Industry City have created an exciting nexus of talent and energy. Coupling the surrounding businesses with the work of Industry City's Innovation lab, which houses Opportunities for a Better Tomorrow and CUNY's City Tech, we are sure that our programs will create a more sustainable and better prepared Sunset Park community.

NYU is pleased to support the rezoning application for this area which holds the promise of spurring innovative products and forging long standing partnerships well into the future.

ASSOCIATION FOR NEIGHBORHOOD & HOUSING DEVELOPMENT, INC.

ANHD
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TESTIMONY OF ARMANDO MORITZ-CHAPELLIQUEN, BEFORE THE DEPARTMENT OF CITY PLANNING CONCERNING THE SUNSET PARK INNOVATION DISTRICT

October 24, 2017

Good Morning. Thank you for the opportunity to testify.

My name is Armando Moritz-Chapelliquen and I am the Campaign Coordinator for Equitable Economic Development with the Association for Neighborhood and Housing Development (ANHD). ANHD is a membership organization of NYC- neighborhood based housing and economic development groups- CDCs, affordable housing developers, supportive housing providers, community organizers, and economic development service providers. Our mission is to ensure flourishing neighborhoods and decent, affordable housing for all New Yorkers. We have over 100 members throughout the five boroughs who are working alongside communities to create economic opportunity and developed over 100,000 units in affordable housing.

I am here to speak on the proposal to create the Special Sunset Park Innovation District. This text includes a request to rezone portions of the Affected Area from M3-1 to M2-4, a change in parking requirements, and the creation of a special permit that alters uses and establishes a special permit for hotels. While this proposal has many serious impacts for the local community, of which you will hear from local organizations and stakeholders, we would like to frame our concerns in the context of the Special Sunset Park Innovation District's citywide impact.

Impact for Local Residents

The proposed Special Sunset Park Innovation District has the potential to significantly impact the local housing market and the residential displacement effects that can come with any market change. While the proposed action is not itself calling for new residential development, it is projected to create 13,000 new "innovation-economy" jobs in Industry City. This represents the potential for a massive influx of a new work force that could be demographically different than the current Industrial Business Zone (IBZ) employees and residents of Sunset Park. **Such a large-scale change in the IBZ's economy and character is bound to have an impact on the surrounding area's housing market – as new workers look to locate close to their employment and as Industry City becomes a destination in its own right.**

Yet the Draft Scope of Work indicates that the City does not intend to analyze residential displacement impacts at all, based on a flawed CEQR methodology that only considers residential displacement if residential units would be directly developed by the proposed land use action. This allows the City to ignore the potential displacement impacts of a project of this large size. **We would urge the City to conduct a detailed residential displacement analysis for both the primary and secondary study areas, including statistics on where workers in the IBZ currently live and estimates on where projected future employees of Industry City may choose to live.** This is not the first or last time that a proposed land use action will have significant impacts on the local housing market without itself calling for a change in residential zoning or the development of new housing units. It is imperative that the City set a strong precedent for these types of projects moving forward in committing to analyze residential displacement in Sunset Park.

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Impact for Broader Economic Development Policies
At a time when the City is about to restrict hotels in industrial areas citywide, it is worth analyzing what impact the hotel special permit contained within the Special Sunset Park Innovation District has on zoning protections in core industrial areas. The fact that the proposed District is located within one of the City's 21 Industrial Business Zones is a detail not lost on those who have watched as the industrial and manufacturing uses have given way to commercial and residential uses, often to the detriment of communities who were previously employed in the manufacturing jobs that moved upstate or over to New Jersey.

M-Designated Districts As a Framework
Because the City currently doesn't recognize the Industrial Business Zones in zoning maps, it is not possible to consider issues of indirect business displacement due to increased rents across the Southwest Brooklyn IBZ as a result of this application. "M-Designated Districts", mapped as part of the City's proposed self-storage text amendment, largely coincide with the City's Industrial Business Zones, providing a zoning framework upon which to analyze applications like the Special Sunset Park Innovation District. Rather than consider the proposal's impacts for the immediate vicinity of a project area, the M-Designated District provides a way to consider the impacts of proposal as part of a broader industrial landscape. When framed in this way, new questions are raised for the Special Sunset Park Innovation District, such as whether it is good industrial policy to essentially bisect the Southwest Brooklyn Industrial Business Zone into northern and southern halves. **The Department should consider the socioeconomic impacts of this proposal not only in the currently mapped "Study Area", but across the M-Designated District that will be established when the self-storage text amendment is enacted.**

Hotel Special Permit in an Industrial Business Zone
Whether or not one adopts the aforementioned frame, the creation of a new special permit to allow hotels in an area where they are not currently permitted (an M3-1 area) raises serious questions. The City, as part of its effort to curb competing uses from Industrial Business Zones, vowed to restrict hotels in the Industrial Business Zones back in 2015. The effort has since changed to target M1 areas across the five boroughs, but a serious concern remains if the City is willing to restrict a competing use in many industrial areas across the city while simultaneously seeking to allow that same use in an area where it was otherwise unable to take root. While the Special Sunset Park Innovation District is in fact a special district and not emblematic of all Industrial Business Zones, **the fact that a hotel use would not just be permitted, but actively written into a proposal for a core industrial area, raises questions about priorities when it comes to the Industrial Business Zones across the city.**

We support the City's effort to use zoning to bolster core industrial areas as engines of economic opportunity. In the context of the City's broader residential and industrial policies, this proposal raises a number of questions. We look forward to working with neighborhood partners and the City to advance job opportunities for community residents and provide equitable economic development.

OPPORTUNITIES FOR A BETTER TOMORROW

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Liliana Polo-McKenna, CEO – Opportunities for a Better Tomorrow (OBT)
Industry City Re: Industry City Scoping Hearing – 10/24/17

Good morning. My name is Liliana Polo-McKenna and I am the Chief Executive Officer of Opportunities for a Better Tomorrow (OBT). OBT is currently one of NYC's largest providers of workforce development and education services for youth, ages 17-24, and adults not currently working nor in school, as well as adults. OBT was founded in 1983 in Sunset Park. We serve over 4,000 youth and adults annually across six sites in Brooklyn and Queens. One of these sites is housed at the Innovation Lab at Industry City.

I grew up in Sunset Park. The past forty years have seen several waves of change to the neighborhood. Perhaps one of the most notable and relevant to this conversation, has been the changes along 3rd and 2nd Avenue in Industry City. When my grandparents and my mother came to Sunset Park in the 1970s, they got jobs in the factories at Industry City. They walked down from 6th Avenue and 48th Street every morning, alongside hundreds of other people working in the factories. This was bookended by the climb back up the hill every night. I remember the stories about braving that cold wind off the water in the middle of winter; or the fumes from the dye used on the sweaters, or the regular raids on the factories by INS. I remember school vacations spent with one of those small scissors that only fit between your thumb and index fingers, used to cut extra string off of the sweaters. It was a fascinating place to be as a child, riding up on those old elevators, with the operator carefully pulling the doors shut and leaning against his stool.

One by one these factories closed and jobs disappeared. My grandparents retired, and my mother moved around from factory to factory. Until there were no more factories to move to. I share this story because I am know that it is not unique to me. This place, Industry City, holds great significance because it gave my family an entry point to economic mobility. But that was many years ago, and what once was a hub for the neighborhood fell into disrepair. The buildings became a reminder of what once was and the jobs of the past.

And now, with a significant facelift, the goal is to bring back that path to economic mobility, albeit with a very different set of jobs and opportunities, with the promise to access the jobs of tomorrow.

OBT was a founding partner of the Innovation Lab. The goal of the Innovation Lab was to create a space which would function as an entry point to opportunities available in Industry City, in particular, pathways to new careers, via internships, training programs, entrepreneurship, and employment. In April 2016, the Innovation Lab at Industry City opened its doors, and with it, OBT's first technology sector program was born. Our program serves 60 youth per year, training them in the fundamentals of coding and web design. 61% of these young people are from Brooklyn neighborhoods, including Sunset Park. They earn the Adobe Photoshop Associate or Expert (ACA/ACE) credentials. Young people who have completed our program have had internships or are employed at companies like Evergreen Architectural Design, Aerobo, Time Inc., and Lilac Chocolates.

The reason I am here in support of this proposal is because of the youth we serve. What we hear from our youth is that they want access to opportunities; they want access to higher education, and that they want to learn skills so they can not only survive, but thrive in an economy that they have not been prepared for through the school system. Gentrification has dealt significant blows to communities across NYC, and Sunset Park has been no exception. It has been an issue in Sunset Park long before 2013; and proceeding with caution is a non-negotiable. We also have a responsibility to ensure that the young people coming up through our school system have access and are prepared for not only the jobs of today, but those that are to come, so they and their families can continue to live in the community.

The Innovation Lab provides a significant entry point for youth, primarily youth of color, to access careers in technology, or tech-adjacent sector, whether in Industry City or elsewhere.

It would be naïve to say that there is a clear and easy path to bringing back thousands of jobs. There isn't. We have to be rigorous in our analysis, and in our efforts to look at the types of businesses and companies coming into Industry City that will be good for the sustainability of jobs and the community as a whole. I welcome the opportunity to work with Industry City and partners in Sunset Park to be able to open doors for other families seeking the same opportunities my family sought nearly forty years ago.

Liliana Polo-McKenna, Ed.L.D.
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UNITED BROTHERHOOD OF CARPENTERS AND JOINERS OF AMERICA
NEW YORK CITY & VICINITY DISTRICT COUNCIL OF CARPENTERS

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Written Comments: Draft Scope of Work for Environmental Impact Statement, Industry City Complex

The New York City District Council of Carpenters and Joiners of America is a representative body comprised of nine individual locals and 25,000 union members. The District Council functions as the voice for thousands of New York City's most dedicated and skilled Carpenters, Millwrights, Dockbuilders, Marine Divers, Core Drillers, Timbermen, Cabinetmakers, Floorcoverers, and Industrial Workers.

The NYC District Council feels the Draft Scope of Work for the Industry City Complex is inadequate, leaving a significant amount of community concerns unaddressed. The Carpenters Union has thousands of members that reside within Brooklyn, many of which feel this project could create a greater benefit for the surrounding community. The Draft Scope of Work for the Environmental Impact Statement fails to address critical issues facing the community and should be considered woefully insufficient. The community is in need of good jobs, yet the Draft Scope of Work does not evaluate the quality of jobs being created. Hundreds of construction jobs will be created through the Industry City Complex, with the potential to create significant economic benefits for the community. Yet, without the inclusion of labor standards in the Environmental Impact Statement, the community will be denied these important benefits. Residents will be deprived of access to quality jobs with family sustaining wages and benefits. There is a potential to create economic opportunity and mobility for a great deal of local residents, but the Draft Scope of Work does nothing to allow it to happen. The Draft Scope of Work examines the potential adverse impact the project will have on residents' socioeconomic status, yet primarily focuses on displacement. It does not assess the potential negative impact of the creation of low wage construction jobs as opposed to the quality construction careers that could be generated with the insertion of labor standards. The jobs created because of this development will have a significant impact on the community and it is troubling that their impact is not being assessed in the Environmental Impact Statement.

Another concern that should be addressed in the Draft Scope of Work is the potential hazard of having an untrained and potentially exploited workforce performing construction in the neighborhood. With the City of New York acknowledging that both construction fatalities and accidents are on the rise, it is imperative that workers be skilled in their respective craft. Unskilled workers can potentially put themselves, other construction workers and pedestrians at serious risk. Community residents deserve the safest possible environment the City can provide, and it is vital that the potential negative impact of having an unskilled workforce on the jobsite is studied.

While assessing the environmental impact of a development project, it is important to consider the potential economic opportunity for residents, as well as the overall safety of the community. The abovementioned factors must be considered in the EIS to ensure the project is creating the greatest possible benefit for the community and its residents.

Statement regarding Industry City's Draft Scope of Work for an Environmental Impact Statement
Oct. 24, 2017

By: Kelly Anderson
702 49th St. #2F
Brooklyn, NY 11220
kellyjmanderson@gmail.com

Dear Commissioners,

Good morning, and thank you for this opportunity.

My name is Kelly Anderson. I am a parent, a CUNY professor, and I directed the documentary *My Brooklyn*, which gave me a first-hand view of the 2004 Downtown Brooklyn rezoning and its impacts. Industry City isn't in Downtown Brooklyn, or Williamsburg, but there are important lessons to be drawn from the many communities in our city that have been transformed by recent rezonings.

I have lived in Brooklyn for 30 years. I have witnessed the displacement of neighbors who were here long before me, long before it became cool and a lucrative place to buy real estate, people who held communities together during decades of disinvestment only to be thrown asunder by the force of gentrification.

I have lived in Sunset Park for the past 7 years. Every day when I walk out my door, I am thankful that I live in a gorgeous, extraordinarily diverse, multi-generational working- and middle-class neighborhood. Sunset Park is a gem. For those of us who have lived in NYC more than a couple of years, it has a quality we miss in other parts of the city that have become too expensive, too elite, too monolithic.

But it's a delicate ecosystem of renters, owners, small businesses and community organizations already strained by rising rents and real estate speculation. The Industry City rezoning could easily decimate this community by forcing a change that is too much, too big, and honestly not for the people who are currently in Sunset Park. No matter how many salsa parties or free movie nights IC throws, everybody who walks in there knows it's not for the current community.

Sunset Park residents and business owners have long stated, including in Community Board 7's 197-a plan, that protecting against residential speculation, and prohibiting big

box stores and hotels are priorities. Will this rezoning meet those goals? In many ways, it directly contradicts them.

Another consistent goal in existing community plans is the retention of industrial uses on the waterfront, and the proposed rezoning is too broad to guarantee that any manufacturing will happen. What is an "Innovation Economy Hub"? What kinds of jobs will be created and who will get them? What will they pay? Is anybody going to track what happens after this rezoning is granted? Who's going to go back in 3 or 5 years and say, "What a minute? Where's the manufacturing you promised?" And even if we give Jamestown the benefit of the doubt, what happens if they sell to someone else? Where are the guarantees then? There are none and we all know it.

I know it will be claimed that if it's "not visionary and bold, it won't work." But PLEASE let's not accept this argument at face value. Why not craft something less big, less-open ended, something that meets the goals that have been articulated by this community, and would give this community a fighting chance to weather the displacement and other negative impacts.

If this project is to avoid being just another gentrification nightmare, this environmental review must address residential displacement, commercial displacement, social impacts, cultural impacts, and economic impacts. These potential impacts are so large that the impact area studied be done at 0.5 mile for primary impacts and include zip codes 11232 and 11220 for secondary impacts.

I hope that the applicant is able to address these very serious concerns moving forward.

Thank you very much for listening.

TESTIMONY BY DR. TOM ANGOTTI, INDUSTRY CITY DRAFT SCOPE OF WORK

tangotti@hunter.cuny.edu

October 23, 2017

I am Professor Emeritus of Urban Policy and Planning at Hunter College and the Graduate Center, CUNY, a recognized expert on planning in New York City, a native and long-time resident of Brooklyn and, during my years working for the NYC Department of City Planning I was the planner assigned to Sunset Park and the Brooklyn Waterfront Plan. I am in Uruguay where I am a Fulbright Scholar and send these notes to be read into the testimony because I believe the Industry City proposal is flawed and must be severely questioned.

I am appalled at the gross omissions in the Draft Scope of Work.

- The project is of such a massive scale that the study area should be at least ½ mile. Residential and business displacement and traffic impacts are likely to occur as far away as 8th Avenue.
- As someone who has witnessed displacement in Brooklyn neighborhoods for decades, it is clear to me that the indirect business and residential displacement caused by this project will be grossly underestimated unless the city insists on going beyond the narrowest interpretation of CEQR Guidelines, taking a hard look at the proposal.
- The EIS should include as alternatives the CB7 197-a plan, the UPROSE plan for waterfront access, and all previous waterfront and community plans.
- The EIS must include a plan for resilience consistent with the city's resiliency planning.
- While it is pure folly for the city to continue to entertain new high-density development within 250 feet of expressways, the EIS must consider human exposures to auto emissions and noise. The BQE is notoriously congested and to add more traffic will only multiply environmental and public health impacts. The city must also honestly project promised mass transit improvements, including added subway capacity and the BQX given the history of serious lags in construction and implementation.
- The EIS does not consider the added burden on the very limited public open space in Sunset Park. The Industry City plan is likely to make the existing waterfront open space inaccessible to the large low-income Latino and Asian populations in Sunset Park, the very groups that advocated creation of the open space.
- The Draft Scope fails to state that the vacancies in Industry City were created by the owners as they speculated on the land with the expectation of a zoning change. Therefore, the "No Action" alternative fails to take into account that

without the rezoning the owners, following their vested interests, would likely find tenants for their properties.

- The EIS should consider the effect of one or a small number of corporate tenants replacing the smaller businesses and industries.
- Finally, and in some ways most important, the Draft Scope of Work reads as if it was written in a time capsule before Superstorm Sandy and the city's planning for sea level rise and resiliency. The proposal for Industry City preempts a more just and sustainable approach that starts with long-term planning and climate justice as basic pillars. Industry City would expand the city's exclusive waterfront enclaves for the wealthy and displace those who can't afford the rent. It would possibly exclude locally-owned green businesses, alternative energy and waste facilities. This, above all, requires a hard look.

Testimony for CEQR Public Scoping Meeting on Industry City
October 24, 2017

Good Day,

Thank you very much for the opportunity to comment.

My name is Alma Calixto and I have lived in Sunset Park for 25 years.
I am a working class parent of a 2-year old daughter and a special needs son.

My written testimony reflects my concerns about socioeconomic impacts this proposed project will have in the community. Because of time limits, I will specifically refer to the need to analyze neighborhood character and residential displacement within the scope of this project. The written testimony I have submitted expands upon how to analyze these concerns with the CEQR scope.

I am very concerned that this project will precipitate displacement of working class immigrant families that currently reside in Sunset Park. Therefore, the CEQR scope must incorporate a participatory analysis of the neighborhood that involves Sunset Park residents. This must include an analysis residential rental prices pre- and post- the development of Industry City.

I hope that the applicant is able to address these very serious concerns moving forward

Thank you very much for your time,
Alma Calixto

Testimony to the 10/24/2017 hearing on the
"Draft Scope of Work for Environmental Impact Statement for Industry City"

Izzy Doughty
Brooklyn CB 6, 20+ year resident.

Introduction:

The scope of work for the Industry City Proposal needs to be more robust to address the study of complicated and unique potential impacts on a complicated and unique community in Brooklyn.. Below, according to sections of the scope of work, I innumerate areas where the applicant might expand on the scope of their study.

Scope + Buffer

The proposed zoning change could have effects that ripple through the entire sunset park neighborhood and all of south Brooklyn. The four-hundred foot buffer proposed in the scope of work will not be adequate to examine the entire radius of impact. The project should have a blanket ½ mile buffer and larger buffers in certain instances. Please refer to specific sections for guidance on minimum buffer size, but recognize that the scope of impact from this project is likely to exceed CEQR minimum buffer requirements.

Zoning, Land Use and Public Policy

- **Adverse Effects on Specific Industries**

The establishment of the so-called sunset park innovation zone as well as amendments to zoning map would facilitate non-industrial uses such as hotels in the project area in otherwise protected specially designated industrial zones. Extensive study needs to be done to assure the public that the industries protected by these designations (the SMIA and the IBZ) remain so.

The proposed action area is within both an Industrial Business Zone (IBZ) and a Significant Maritime Industrial Area (SMIA). These designations are made to create specific industry types that have become vulnerable because of NYC's real estate market and material delivery infrastructure, but remain a crucial resource for working class people as well as maintaining the industrial diversity that built NYC's economy in the first place. By introducing a land-use change within these protected zones, this project may threaten the existence of the northwest Brooklyn IBZ and SMIA.

The marketing of Industry City recognizes the duty of an IBZ located business to build industrial jobs. Research into labor markets across immigration status, education level, locality and other opportunity factors needs to test the virtues of the special innovation zone. Also parallel research on the other NYC SMIA and IBZ's, needs to be conducted and proof submitted that this project will maintain and create new opportunities for the working class people of sunset park. The potential of a "domino effect" on land use change within an IBZ and SMIA on the rest of the IBZ and SMIA must be investigated as well.

The primary study area for this section should go beyond the 400 foot buffer and examine the entire SMIA and IBZ areas, overlaid. The secondary study area should include the adjacent residential neighborhoods where a local workforce might be sourced.

New York State Department of Environmental Conservation's Policy 29 on Environmental Justice and Permitting designates certain areas as Environmental Justice Areas where special considerations must be made in planning decisions. Among these considerations is extra consultation with communities who live in those areas, about how the planning decision will effect them. The scope of work should include detailed qualitative study and documentation of public engagement. Additionally the scope should include conversation of the Sunset Park 197a plan.

Indirect Residential Displacement

"Population" does not only mean those people living in an area, but those people who occupy an area, including occupying by working, shopping, or staying in that area.

Though the project does not include the development of housing, the project aims to massively increase Daytime Population of Workers and Shoppers, as well as Hotel Guests and Students. Together, the increased daytime population is likely to represent a significant portion of the population within a half mile buffer (and an even more significant within the 400 ft buffer). This population, although only present part of the day, is likely to dramatically alter the scoieo economic make up of the area. I recommend that a detailed analysis for indirect residential displacement be included in the scope.

Transportation
+Climate Change

Because the study area is a Climate Justice Community (certified by the Environmental Protection Agency as such), In addition to weekday and weekend peak hour volume studies, models need to be made to account for disaster evacuation scenario volumes. The contemporary national political situation make man-made and natural more likely to occur now, than ever before in history. Consultation with the Office of Emergency Management may be necessary in concocting the necessary models.

The CEQR technical review manual explicitly states that different scopes must be analyzed according to the project and that a project must avoid segmentation of cumulative impact. Therefore transportation, both public and auto, should be assessed cumulatively along shared infrastructural routes. The proposed project is adjacent to an exit on the Brooklyn Queens Expressway, a highway burdened daily with bumper to bumper traffic. This project will generate increased auto traffic along the BQE, but it does not exist in isolation. A study should be done of each of the new developments within a 1000 foot buffers of all BQE exits in Brooklyn and Queens, and their cumulative added traffic volume should be taken into account.

Likewise, subway ridership along the R line must be analyzed holistically. Bloomberg's fourth avenue rezoning added many units within a 400 ft buffer of the R line. Each of these units and the anticipated traffic increase must be modeled holistically and cumulatively.

The proposed Highway traffic study must expand it's scope from the Gowanus Expressway only, to the entire BQE. A scope including the entire BQE should be incorporated to avoid segmentation. Among this, the increase in transportation demand given by proposed project should be looked at in conjunction with all new developments (past five years) within (1000 foot) buffers of each of the BQE exits, what is the cumulative raised impact on the roads. This project and the increased demand it raises does not exist in isolation. Disaster evacuation models should also be prepared for the BQE.

The parking analysis needs to be expanded. As an addition to the on-street parking analysis, a survey should be conducted of local population's ability to afford lot parking, paid lot parking, if unaffordable by community, should not be seen as an alternative to over saturating on-street parking in neighborhood.

Attention should be paid to subway stairwell capacity (In addition to peak rush hour volumes, account for evacuation models). In addition to stairwells, an Accessibility survey must be completed. The accessibility survey should include all public transit and routes from public transit within a half mile of project site.

Safety:

The BQE exit on 38th street and 4th avenue will cause traffic bound for industry city to route to 36th street along 4th avenue before turning back towards the project. In these two blocks, especially at the intersection of fourth ave and 37th street two elementary schools are passed by, endangering young children by placing them in proximity of auto traffic. A traffic safety study must be conducted, and if found that children are put in danger, the developers should pay the cost of rerouting the highway exit.

Neighborhood Character

On a personal note, I grew up in park slope, an upper-class community in Brooklyn neighboring Sunset-Park. Park Slope lacks in ethnic and cultural diversity, and in order to fill the human need to experience social heterogeneity, I often made trips to Sunset Park to engage in the rich music, cultural festivals, cuisine, street-life and social scene brought by diversity and made possible by the affordable to working class families real estate market.

Detailed studies that expand the meaning of cultural resource are needed to ensure the continued prosperity and diversity of sunset-park. Additionally, immigrant communities rely on a parallel, largely informal system of social services and the projects' influence on these resources must be studied as well. The study on these areas should go into depth appropriate of a sanctuary city, who places utmost concern in protecting it's immigrant communities.

Good Evening and thank you for the opportunity to comment.

My name is Aminta Freeman and I grew up spending weekends here in Sunset Park as a child and decided to move here with my family four years ago.

I am a working single mother of two. I have a son who recently graduated from PS 24 located on 38th Street and 4th Avenue and a daughter currently enrolled in the 4th grade. I have uncles, aunts and cousins who reside in Sunset Park along with friends who I also consider family. These friends include my sweet neighbors that share their home cooked meals with my children, the small mom and pop shop owners like the Karate Dojo, the bodega, the florist shop and the family owned dry cleaners. These businesses not only provide goods and services at pricing my family and friends can afford, they also provide a sense of communal love and a safe place for my children to learn, thrive and grow. This is what Sunset Park looks like.

I am here because I am very concerned about what this proposed project will do in terms of changing that communal feeling, that tribe feeling in Sunset Park to one that caters to a culture of consumption and recreation geared to higher income tenants and therefore completely alienating and displacing working families and small mom and pop business owners.

Because of time limits, today I will speak specifically about the need to analyze residential and commercial displacement and the social and cultural impacts associated within the scope of this project. The written testimony I have submitted expands upon how to analyze these concerns.

I strongly believe that this project if approved will lead to the acceleration of displacement with the monopolizing of large corporations such as Amazon and Google; it will make it impossible for the manufacturing sector and small business to compete. It will be impossible for them to exist. Sunset Park is a walk to work community made up of people of color predominantly the working class. This community's livelihood depends on the manufacturing sector and small businesses. Further, the impact of the higher income tenants who desire these amenities will expeditiously further increase rental prices. I know this because my building was sold recently. The new management informed me my lease would not be renewed 60 days before my current lease expired unless I was willing to pay an additional $400 per month. I was given 30 days with the possibility of a 30-day extension for a total of 60 days to agree to the increase or vacate the apartment along with my 58-year-old mother and two children. I was able to fight back; however, my case is the exception and not the norm. The rezoning of Industry City will only expedite this process for working families who did not ask for this and certainly will not benefit from it.

I therefore ask you consider:

- How does this proposal advance the existing community needs?
- How will temporary displacement, while redevelopment occurs, impact existing businesses?
- Will these businesses have to close during construction?
- What will be the pricing scheme to ensure that the proposed Industry City space remains accessible to low-income businesses, artists and makers of Sunset Park?
- How will the proposed project effect the customer base for existing local business?
- Analyze the projected population growth of employees who may relocate to Sunset Park to be located closer to new businesses located in Industry City.
- Provide a detailed list of proposed anchor stores which includes their industry, average number of employees, average number of sales, types of jobs generated and technical/educational requirements and corresponding wages
- Analyze the non-monetary roles of existing retail stores and how they contribute to the neighborhood character and cultural fabric
- Analyze projected loss of revenue for independent businesses in recommended primary and secondary study areas that may occur due to direct and indirect business displacement
- Conduct a trip generation analysis for each scenario for all travel modes including walking, bus, train and personal vehicles.
- Analyze the impacts of increased travel demand/trip generation on parking availability and cost
- Analyze the impacts on public transportation based on projected population
- Analyze the indirect residential displacement within recommended primary area (within 0.5 mi of project area) and secondary area (zip codes 11232 and 11220)
- Analyze trends in cost of living to include housing, utility and transportation burden of recommended primary area (within 0.5 mi of project area) and secondary area (zip codes 11232 and 11220) over the past 5 years.

I hope that the applicant is able to address these very serious concerns moving forward.

Thank you for your time.

Aminta Freeman
240-600-5404.

Testimony for CEQR Public Scoping Meeting on Industry City
October 24, 2017

Good afternoon.

Thank you so much for the opportunity to comment. My name is Jason Gomez and I have lived in Sunset Park for 20 years. I am an active sunset park resident. My sisters live and go to school in Sunset Park and my grandmother has lived in Sunset Park for over 50 years.

I am here today because I am worried about what this project will bring into the neighborhood I grew up in, will my grandmother have to leave her home and go back to the Dominican Republic. My grandmother has lived in Sunset her whole life. She has owned a Dominican Restaurant called "*Santa Barbara*" in Sunset Park that had served hundreds of latinos and Asians. My grandmother bought all her groceries from local bodegas and supermarkets. Me, my brothers and sisters would always go to her home every two weeks on thursday to eat my grandmother food. I am concerned that Industry City rezoning will lead to the displacement of these bodegas and supermarkets and bring forward large chain supermarkets like Whole Foods. Local businesses have also provided my grandmother with affordable food options. I also worried about what the changes will bring and how they affect my grandmother cooking because my grandmother loves Dominican food and if she can't afford the ingredients then I don't know what she will do. That's why the applicant needs to analyze how existing retail within ½ mile of Industry City impacts the neighborhood's character and culture.

Every Sunday I go to Sunset Parks Bush Terminal Pier Park to play football on the soccer field with eleven of my friends. The park has been made represent resiliency and sustainability on the waterfront. Large commercial buildings will have environmental impacts to the green space in bush terminal park for example the trees and the grass not getting enough sunlight and in result the green space begins to die. Therefore, I want to know what impact taller buildings and increased waste will have on the park and waterfront.

Thank you for your time.

Thank you for the opportunity to comment on Industry City's proposal.

My name is Neisha G. and I grew up in Sunset Park. I am a working class, active resident of the community.

I am writing to you because I am very concerned about what this proposed project will do to the entire Sunset Park community. I am gravely concerned about the social impacts this will have on the working class families of my community.

Your proposal looks to analyze within 400 feet of the project area. However, your proposal will negatively impact ALL of Sunset Park. Your proposal needs to analyze more than 400 ft.

Your proposal seeks to build hotels in an area that already has 7 hotels nearby. Your proposal does not include analysis of how building these hotels will affect already increasing rent prices and property values in my working class community. Your analysis needs to include how dramatically rent prices will continue to increase. What are you doing to protect my community that is in grave danger of being displaced because of **YOUR** presence? Your proposal should include an analysis on how the excessive noise from the construction, pollution from construction debris and air quality will affect the neighboring homes and businesses, and particularly the elderly and young children in the area.

Your proposal also needs to include a study on how it will affect our small businesses. These small businesses are vital to us and to the economy of Sunset Park. You are endangering an entire community and generations of families from being PUSHED OUT, so I ask you to consider what jobs are proposing to offer us? Will these jobs that become available in Industry City pay us a livable wage and salary that will allow us to support our families and to continue living in our neighborhood? Are the jobs with vacancies going to only be service types of jobs or are you also offering positions for individuals with higher education degrees?

Your presence in Sunset Park is **not** wanted nor is it needed. You are not publicizing your plans in a way that actually makes it accessible to the very people you are

hurting. In addition to posting information about these public hearing on the New York City website, information should be placed in OUR neighborhood so that we may be more involved and knowledgeable about what you are planning.

How dare you make plans to displace an entire community and then not even hold a public hearing on your proposals in that neighborhood?

If you are only analyzing within 400 feet of your project site, this only reaffirms to me that you have **NO INTEREST** in how you are affecting the families and businesses in Sunset Park. You think you are making Sunset Park "trendy." However, all you are doing is causing unnecessary hardship on hardworking individuals who have made Sunset Park their home, and have made it the neighborhood you wish to attract people to. Again I say, your presence in Sunset Park is **NOT NEEDED**, nor is it **WANTED**.

Thank you,

Neisha G.

November 3, 2017

Robert Dobruskin, Director
Environmental Assessment and Review Division
NYC Department of City Planning
120 Broadway, 31st Floor
New York, NY 10271

Dear Mr. Dobruskin,

I am a faculty member and the acting chair of the Department of Urban Studies at Queens College, and an affiliate faculty member at the Graduate Center's Environmental Psychology Doctoral program. My family moved to Sunset Park, Brooklyn in 1974 where my father continues to live. I am also a member of the POWWA coalition.

I thank you for this opportunity to state my concerns regarding Industry City's Rezoning Proposal (CEQR No. 18DCP034K) to expand retail and permit the development of hotels and academic facilities. The approval of Industry City's rezoning request will undoubtedly catalyze transformative neighborhood change resulting in the direct and indirect displacement of local businesses and residents.

I have researched and published numerous articles on the real estate imperatives of Industry City's initiatives to rebrand Sunset Park's industrial, working waterfront as an innovation hub. I have documented rising commercial rents, increasing numbers of speculative sales, and the displacement of small, industrial businesses ever since Jamestown Properties and their investor partners acquired an ownership share of Industry City in 2013. A sample of my online publications concerning Industry City's Sunset Park Innovation District proposal and the potential impacts on the surrounding working class, Latino-Asian communities includes:

Hum, Tarry. 2017. "'Get Ready Sunset Park, 'Brooklyn' is Coming': The Real Estate Imperatives of an Innovation Ecosystem." *Progressive City*, https://www.progressivecity.net/single-post/2017/07/11/"GET-READY-SUNSET-PARK-'BROOKLYN'-IS-COMING"-THE-REAL-ESTATE-IMPERATIVES-OF-AN-INNOVATION-ECOSYSTEM

Hum, Tarry. 2016. "The Hollowing-Out of New York City's Industrial Zones." *Metropolitics*, http://www.metropolitiques.eu/The-Hollowing-Out-of-New-York-City.html

Hum, Tarry. 2015. There is Nothing Innovative about Displacement. *Gotham Gazette Opinion*. http://www.gothamgazette.com/index.php/opinion/5942-there-is-nothing-innovative-about-displacement-industry-city

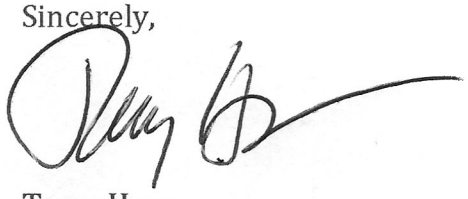
Hum, Tarry. 2015. Sunset Park Redevelopment Proposal Misses the Mark. *Gotham Gazette Opinion*. http://gothamgazette.com/index.php/opinion/5666-sunset-park-redevelopment-proposal-misses-the-mark-tarry-hum

I am writing today to elaborate on my concern that Industry City's rezoning application represents a definitive action that will result in the obliteration of Sunset Park's working class communities and the small businesses that support the local workforce and residents. The Draft Scope of Work for an Environmental Impact Statement for Industry City finds that "(T)he Proposed Project Would not directly displace any residents, and therefore this issue does not require analysis in the EIS" (pg. 17). However, this is absolutely false because Industry City has clearly stated their intention to acquire and demolish six properties along Third Avenue between 36th and 37th Streets for their proposed 12-story Gateway Building with ground floor retail and 11 stories of hotel space.

Five of these properties – 952, 954, 956, 958 and 960 Third Avenue -- are three story buildings with two stories of residential apartments. These buildings are located in Brooklyn's Census Tract 100. According to the American Community Survey 2015 5-year estimates, there are more than 6,000 residents in this waterfront census tract of which the majority are Asian (59%) and Latino (33%) with astoundingly high poverty rates at 40% and 48% respectively. Although two-thirds of the adults residing in this census tract have less than an high school education, they have high labor force participation rates. The overwhelming majority (79%) are renters at imminent risk of losing their homes as property values along the waterfront continue to skyrocket.

Industry City's proposal for a Special Sunset Park Innovation District will essentially create a neighborhood version of "a tale of two cities" resulting in the occupational and residential segregation and dispossession of Sunset Park's working class, Latino and Asian immigrant communities.

Sincerely,



Tarry Hum

11/3/2017

Good afternoon,

My name is Antoinette Martinez.

My family moved to Sunset Park in 1979. It's where my grandparents purchased their very first home, where my father teaches Taekwondo to local kids every Saturday, where my mother teaches English to Chinese youth, and it's where my only brother is buried.

Sunset Park has always been a cultural hub for innovation and I am very concerned about this proposed project and strongly believe that it will lead to neighborhood wide displacement. In a city fighting to rezone its space – I challenge industry city to think twice before rezoning its buildings to build more hotels and retail space in a city that's fighting to do the same. Also, I want to highlight that rezoning this space is going to have real consequences on us, the people who live in Sunset Park.

- Currently Industry City requested to examine a space of 400 ft. radius of proposed project of the project area, however I find this request disrespectful as it ignores the consequences rezoning will have on local residents, like myself. I request that the area surveyed be expanded to the maximum allowable (1/2 mile) and even dare to push it further that a better picture is accountable for in terms of neighborhood wide effects.

- In addition to that, I call the applicants to include direct residential displacement to their study and to examine the effects on indirect residential displacement regardless of the number of units hosted by the residential development.

- I very strongly believe that rezoning Sunset Park's waterfront to build a "Special Sunset Park Innovation District" with hotels and retail space dismisses the potential for revitalizing Sunset Park's current M3 zone to introduce green job business clusters. I call the scope to study how advantageous it would be to maintain M3 zoning and how it can be used to strengthen industrial business zones in Sunset Park, and to also account for how detrimental rezoning would be towards maintaining an economically viable community for local residents who currently live and work here.

- I also challenge the scope to look into how this proposal conflicts with current community based planning initiatives, like the Sunset Park 197-a Plan, which is sponsored by Brooklyn Community Board 7.

- The scope mentions that M# industrial zones normally host power plants, noise, traffic and pollutants, I challenge industry city's scope to dig deeper and examine the environmental and health impacts reconstruction will have over a 10-year period on local residents with the entire neighborhood and if these consequences differ in any way to the consequences of exposure to the current M3 zone.

- Socioeconomic Conditions
    - Direct Residential Displacement
        - Study must access neighborhood wide residential displacement
    - Direct Business Displacement
        - Study must access neighborhood wide small/local business displacement
    - Indirect Residential Displacement

        - Study must access neighborhood wide residential displacement. The proposal states: *According to the CEQR Technical Manual, residential development of 200 units or less would typically not result in significant socioeconomic impacts due to indirect residential displacement*

      However, the term typically is not a definitive statement and a study must be conducted to ascertain certainty.
    - INDIRECT BUSINESS DISPLACEMENT DUE TO RETAIL MARKET SATURATION
        - If the capture rate for specific, relevant categories of goods exceeds 50% percent this proposal should access adverse impacts due to indirect business displacement as a result of competition, and conduct further detailed analysis to confirm findings.

- Neighborhood Character:
    - A Neighborhood Character evaluation needs to be conducted Challenge this section to look at how this proposed project will impact the CURRENT neighborhood character and not future projections.
- Public Health:
    - Sunset Park is on the top five Brooklyn communities with the highest lung cancer rate, according to a 2010 cancer report by SUNY Downstate. Since it's projected that construction would take place over 10 years, a public health analysis needs to be conducted assessing the impact on air quality construction will have on the Sunset Park community; especially since construction will take place under the Gowanus highway which already is a heavy source of pollutants such as particulate matter, carbon monoxide, nitrogen oxides, and benzene.
- Transportation:
    - Since traffic on first, second, third and fourth Ave may exacerbate traffic on the already busy 5th Ave, the Street Network analysis needs to be expanded to include the following: to
        - 4th Avenue at 36th, 37th, 38th, 39th, 40th, **41st, 42nd, 43rd, and 44th Streets**
        - **5th avenue 36th, 37th, 38th, 39th, 40th, 41st, 42nd, 43rd, and 44th Streets**

- Urban Design and Visual Resources:
    - A detailed urban design and visual resources analysis should be conducted as the primary assessment.

- Historic and Cultural Resources:
    - Study should identify and describe in detail the historic district and any known architectural resources within a surrounding ½ mile of the study area.

Thank you,

Antoinette Martinez
Sunset Park Resident - 30 years

Testimony for CEQR Public Scoping Meeting on Industry City

October 24, 2017

Good evening, thank you very much for the opportunity to comment.

My name is **Marcela Mitaynes** and I have lived in Sunset Park since I was 5 years old.

I am a working class parent, active community resident, board member for local community board 7 and chair of the housing committee, tenant advocate of a local Sunset Park community organization Neighbors Helping Neighbors, helping tenants fight displacement and a board member for Tenants PAC.

I am here because I am very concerned about how this proposed project will NOT include direct or indirect residential displacement.

Because of time limits, today I will speak specifically about the need to analyze residential displacement with will directly affect the cultural diversity within the scope of this project. The written testimony I have submitted expands upon how to analyze these concerns with the CEQR scope.

Four generations of my family have called Sunset Park home. In 2008 I was displaced out of my rent stabilized home and my family has been priced out. I quickly learned gentrification was impacting my community of Sunset Park. It's now 2017 and as an advocate I have witnessed countless families face displaced. If this project is to proceed, it will be like a tidal wave, completely wiping out the working class of color.

The current speculation of the rise in property value directly effects the affordable housing stock as landlords try both legal and illegal ways to convert affordable units to market rate. This study must extend beyond the proposed area of 400 feet to at least a ½ mile if not further and an analysis of changes in the rental/real estate prices pre/post Industry City. The working class community is living below standard living conditions and paying 2/3rds of their income towards rent (https://ny.curbed.com/2016/4/21/11477788/this-year-new-yorkers-will-spend-two-thirds-of-their-income-on-rent) as NY finds itself in a housing crisis and landlords are price gouging. Poor air quality due to the current traffic flow thru the Gowanus highway, will only be increased from the impact of 10 years of construction and then by the numerous amounts of people this project aims to attract directly effecting the residents of Sunset Park also merits a study of the air quality pre/post Industry City. The proposed hotel (in an area which already has several) and high end retail proposed by this scope will accelerate the displacement pressure and will rapidly increase residential rental prices already being experienced. "A recent New York Times article highlighted five of New York City's "Next Hot Neighborhoods" and, unsurprisingly, they flagged Sunset Park West — aka the narrow strip of residential blocks west of Third and Fourth Avenues — as one neighborhood that will soon see surging property values," (https://bklyner.com/sunset-park-west-is-someplace-that-exists-says-new-

york-times-sunset-park/). There is a need to conduct analysis of rental prices/changes in median income pre/post Industry City.

Industry city is blatantly ignoring the 197a plan which specifically wanted to protect against land speculation. Hotel and retail will not provide the working class employment salary to support a family or afford the rent. Sunset Park is a working class community. There is no place for high end shops such as caffeinated gold for $18 dollars a cup at the Extraction Lab (http://gothamist.com/2017/02/07/brooklyn_coffee_luxury.php), or a $3600 wool rug, on sale at ABC Carpet & Home (http://www.abchome.com/shop/kerala-wool-rug-10-x12-4-1406559).

This project is certain to cause resident rental prices to skyrocket as the real estate industry begins to use Industry City to attract new comers by advertising Sunset Park, Brooklyn's southern hood is a triple threat. "It's an area I've been pushing developers to look at. One, we see the artists moving into Industry City and, two, some of the surrounding neighborhoods are very expensive. One Sunset Park, a 54-unit rental-to-condo conversion at 702 44th St. Apartments in the building have been going on the market as renters vacate them since 2008, (http://nypost.com/2015/01/21/sunrise-on-sunset-brooklyns-southern-hood-is-a-triple-threat/). Industry City, the new SOHO (https://www.nytimes.com/2014/01/19/nyregion/industry-city-the-soho-of-sunset-park.html

I strongly believe that this project will lead to displacement of the long term community residents, disrupting the cultural diversity that makes Sunset Park unique.

I hope that the applicant is able to address these very serious concerns moving forward.

Thank you very much for your time.

October 31, 2017

WRITTEN TESTIMONY FOR INDUSTRY CITY CEQR SCOPE & REZONING PROPOSAL

Dear Robert Dobruskin,

My name is Ivan Rivera and I have lived in Sunset Park for 46 years. I am active community resident and I am writing to you because I am very concerned about what the proposed rezoning of Industry City will do to the neighborhood of Sunset Park.

I'm writing to testify specifically about the need to analyze residential and commercial displacement and to broaden the social and economic impact assessments within the scope of this project. I strongly believe that this project will lead to more negative environmental and socioeconomic impacts within the neighborhood. This project is certain to make the waterfront community more vulnerable to climate change, as social cohesion will be disturbed and it will create community instability if/when construction begins. I am also very concerned that this project will shrink the manufacturing sector and hurt the small businesses in the community. The applicant needs to seriously evaluate the risk of environmental and socio-economic impacts on the community.

The CEQR scope needs to be expanded to analyze rental prices/changes in median income pre/post Industry City. I understand that Industry City is not the only force driving displacement in Sunset Park, but it has already had an impact on rental prices and speculation. More and more advertisements on Craigslist for over-priced apartments mention proximity to Industry City, when this never used to be the case. Industry City is already being used to justify increasing rents that low-income and working class residents cannot afford. Therefore the CEQR scope must analyze impacts on residential displacement within at least ½ mile of Industry City, and the ripple effects across the neighborhood (zip codes 11220 and 11232).

The CEQR scope must incorporate impacts to the environment concerning the 10 years of construction and changes in land use resulting in changes in traffic and subsequent air quality issues. Sunset Park already has poorer air quality due to industrial uses and the BQE. This project has the serious potential to add to an existing problem. The scope must analyze the environmental, noise, and public health impacts of construction. This includes not only redevelopment of the property itself, but also the construction of supporting energy, transportation, water, and sewer infrastructure. This analysis should include impacts on waste generation, water quality, public waterfront access, and greenhouse gas emissions.

Increased construction will also impact existing businesses near Industry City. Analysis on construction impacts should also include a summary of storeowners who may be impacted by loss of customer activity and revenue due to blocked signage and storefronts. The extent of lost revenue must also be projected.

To analyze impacts on business displacement the scope should be expanded to analyze current conditions and existing trends in all sectors present in Sunset Park (zip codes 11232 and 11220) to ensure that proposed anchor tenants meet community needs. The analysis must include a detailed list of proposed anchor stores, analyzing their consistency with existing plans such as the Sunset Park 197-A, Sunset Park Brownfield Opportunity Area Plan, and the Mayor's Industrial Action Plan. There also needs to be an analysis of the primary customer base of commercial and industrial businesses within ½ mile of

Industry City to assess the potential for out-competing older neighborhood businesses. Lastly, there needs to be an economic assessment of the projected loss of revenue for businesses within ½ mile of Industry City and throughout the neighborhood (zip codes 11232 and 1220) due to direct and indirect business displacement.

Thank you for your time and for the opportunity to comment,
Ivan Rivera
445-44th
Brooklyn, NY 11220

Samuel Stein
CEQR Testimony on Industry City
October 24th, 2017

My name is Samuel Stein, and I am an Urban Studies instructor at Hunter College, a Geography graduate student at the CUNY Graduate Center, and a long-time activist and writer on land use issues in New York City. I have a degree in urban planning, and a professional background in labor research and tenant organizing.

Like many others, I have been highly disturbed by the intensive industrial displacement that has occurred throughout our city, and in recent decades has hit the Brooklyn-Queens waterfront with particular intensity. New York City's industrial sector has historically been a locus of accessible, well-paying, often unionized jobs that have enabled the survival and growth of the city's working class. A less discussed feature of New York's industrial sector is its ability to act as a counter-weight to real estate power, as industrial production tends to dampen excessive land value inflation and industrial workers and employers have historically called for affordable housing development and preservation.

For a very long time, New York City planners have followed real estate's lead to enable industrial displacement and encourage other commercial and residential uses in places with rent gaps—or a noticeable difference between the rents land owners currently reap and those they could collect if a parcel were rezoned or rehabilitated for a more capital-intensive use. This was the case first in lower Manhattan, starting under Robert Moses and continuing into the Bloomberg years.

I study Chinatown, where industrial production was displaced not only because of employer's ability to secure lower wages elsewhere, but also because of land use changes that encouraged a transition from industrial to residential and commercial uses—especially hotels. Today there are over 30 hotels in Chinatown, and many of them are on formerly industrial lots. Just three are unionized, and they have contributed to the swift and sever gentrification taking place in that historically working-class immigrant neighborhood.

Now, New York City planners seem to be moving in the opposite direction. The Industrial Action Plan seeks to strengthen protections on industry beyond the existing Industrial Business Zones, and the proposed text amendment to M-1 zones would discourage the kind of industrial-to-hotel conversions we have seen in Chinatown, Long Island City, Williamsburg, and of course Sunset Park.

Industry City's proposed rezoning would go in the opposite direction, and encourage the kind of destructive transformations that have fed into the gentrification of so many New York City neighborhoods. Hotels are an agglomeration economy: they tend to attract others nearby and feed off that competition. The impacts of allowing Industry City to transform from an industrial cluster to a hospitality and tourist economy would therefore ripple out into the surrounding neighborhood. The proposed action would: raise land values in the surrounding area, creating the kinds of rent gaps that cause gentrification; encourage the owners of industrial land to seek similar changes, or make them as-of-right where they are allowed; attract speculators who will

purchase nearby land, evict existing industrial, small commercial and residential users, and sell at a higher price; and further weaken one of Brooklyn's greatest potential assets: its industrial waterfront.

In light of this urgency, I make the following recommendations for the CEQR scope:

- The next draft must incorporate a larger area around the development. The scope should use an at least half-mile buffer for the primary area, and the secondary area should include the entirety of zip codes 11232 and 11220. A change of this magnitude will affect areas far outside the existing 400-foot buffer, and these changes must be analyzed.
- The scope must specifically address the effects of the proposed change on industrial businesses. While the current draft looks at commercial businesses in general, a more complex picture must be painted that addresses the particular needs of the industrial sector, which is uniquely vulnerable to displacement in ways some other commercial operators (including hotels) are not.
- The scope must include a full survey of the local economy, including the anchor businesses that employ large numbers of people as well as all of the smaller businesses that—often in coordination with one another—collectively employ a large percentage of the Sunset Park community.
- The scope must address direct and indirect residential displacement as a factor in business displacement, as the consumer base for many companies lies directly in those most vulnerable to direct and indirect displacement as a result of this project.

These issues must be addressed in any scope that seeks to identify the potential threats to Sunset Park's industrial waterfront ecosystem.

Thank you very much for you time.

Testimony for CEQR Public Scoping Meeting on Industry City
October 24, 2017

To Whom It May Concern:

Thank you very much for the opportunity to comment.

My name is Ana Vasquez and I am an active community volunteer in Sunset Park. I have spent over six years working with different organizations that provide social and education services to immigrant families.

My written testimony reflects my concerns about the cultural impacts this proposed project will have in the community. Because of time limits, I will specifically refer to the need to analyze neighborhood socioeconomic conditions within the scope of this project. The written testimony I have submitted expands upon how to analyze these concerns with the CEQR scope.

I strongly believe that this project will lead to a change in neighborhood character from a rich community of working class Latino, Arab, and Chinese immigrants to a homogeneous community of higher-income tenants and visitors. Therefore, the CEQR scope needs to be expanded to include an analysis of trends within the recommended primary and secondary area over the last five years. This must include demographic data like ethnicity, median household income, and changes in cost of living.

I hope that the applicant is able to address these very serious concerns moving forward

Thank you very much for your time,
Ana Vasquez

Testimony for CEQR Public Scoping Meeting on Industry City

October 24, 2017

Good evening, thank you very much for the opportunity to comment.

My name is **Walter Wolfe** and I have lived in Sunset Park for 31 years.
I am an active community resident. I am here because I am very concerned about what this proposed project will bring to Sunset Park, development of Hotel and Conference Center. We do not need more hotels or a conference center. There are currently over a handful of hotels within the area of Industry City.

Our transportation infrastructure in currently inadequate for the residents at the current time. The 4th avenue, R and N trains, along with our buses, B63 on 5th avenue and B37 on 3rd avenue, are overcrowded. At times, I am left standing, unable to board due to the crowded bus and left waiting for the next bus. During school hours, I sometimes have to let buses go by before I can board. Sometimes, the bus driver does not even stop to let riders on. If I am lucky to get on the bus, I have to ride it standing and stuffed like a sardine.

Sunset Park is located next to one of the busiest highways, The Gowanus expressway. We have to deal with constant air pollution, causing numerous heath issues such as asthma. PS 503 and 506 that are located within 1 block of the Gowanus highway, cannot open their windows during the nice weather due to the smog. This will be worse with the additional cars, driving through Sunset Park trying to get to YOUR convention center.

I strongly believe that this project will lead to additional air pollution.
This project is certain to cause the residents additional health issues.

Thank you very much for your time.

Testimony for CEQR Public Scoping Meeting on Industry City

October 24, 2017

Thank you very much for the opportunity to comment.

My name is **Hugo Yanes** and I have lived in Sunset Park for 38 years.
I am an active community resident. I am here because I am very concerned about how this proposed project will impact my family and community.

Because of time limits, today I will speak specifically about the need to analyze residential displacement within the scope of this project. I live off my retirement pension and pay 30% of my income towards rent because I currently live in federally subsidized housing know as Project Based Section-8 housing. The original contract with the federal government was for 20 years. Once the original contract expired, the owner has renewed the contract with the federal government, twice but for only 5 years each time. There were originally 2000 units and now there are only 411 units because the owners have decided not to renew the contracts and the affordable units were then converted to market rate. If I get displaced, where will I be able to relocate on a fixed income? There is currently a rich cultural diversity. There must be an analysis of the changes in residential rentals/real estate prices pre/post Industry City.

I strongly believe that this project will lead to displacement of the long-term community residents. This project is certain to cause resident's rents to skyrocket. I hope that the applicant is able to address these very serious concerns moving forward.

Thank you very much for your time.

Sincerely,
Hugo Yanez

Testimony for CEQR Public Scoping Meeting on Industry City
October 24, 2017

Good afternoon,

My name is Joanne Zhao and I have lived in Sunset Park for 23 years. I am an active community member who grew up in the Brooklyn Chinatown area, or known to locals as 8th Avenue. I am here today speaking because I am concerned about the impacts this proposed project will most definitely have on the cultural and economic face of my beloved community.

Having lived in Sunset Park my whole life, I value deeply the need and importance for communities like mine: low-income immigrant communities of color. We are the largest walk to work community who depend on the industrial waterfront and local businesses to thrive and support our families. I strongly believe that this project is aware that with a rezoning change, the face of Sunset Park will change along with it if the impacts are not addressed and assessed properly. Sunset Park currently and for a long time, has been a predominantly Latinx, Chinese, and Arab working-class community who depend on one another. These types of communities and relationships are the lifeline of not only Sunset Park, but for New York City as a whole. As we've seen with other neighborhoods such as Williamsburg that has been rezoned, this project will attract a homogenous population, normally higher-income tenants, investors, and tourists, something that's not beneficial nor a close reality for Sunset Park's current tenants.

In terms of the current scope, cultural and economic impacts are not assessed to the extent that has importance to Sunset Park. The plans for assessment is limited to the minimum required area of 400 feet away from Industry City and it only includes nationally and state recognized historical places. Instead, the scope should include the maximum area of .5 mile and conduct community-based research to identify and analyze impacts on community-identified historical and cultural places. In other words, a character analysis of the neighborhood in its entirety needs to be conducted. Industry City should analyze feedback mechanisms between displacement and neighborhood character. In addition, there should be analysis on how current local businesses within the .5 mile radius of Industry City support the cultural and economic fabric of the community. Within Industry City's current plan, these important community aspects are not being taken into consideration to the extent they should be. To not assess potential impacts on community-identified important places is irresponsible and not fair nor transparent for my community.

I hope you folks can address these very serious concerns moving forward. Thank you very much for your time.

Joanne Zhao

APPENDIX C
Methodology Memoranda

Memorandum

To: New York City Department of City Planning

Date: November 22, 2017

cc: Andrew Kimball – Industry City
Linh Do and Olivia Jovine – AKRF
Jesse Masyr and Ethan Goodman – Fox Rothschild

Project #: 28970.01

From: Amir Rizavi and Alfred Yeung - VHB

Re: Industry City Redevelopment EIS - Travel Demand Analysis Memorandum [Revised DRAFT]

The following memorandum summarizes the transportation screening analysis for the Industry City Redevelopment EIS as per the *2014 City Environmental Quality Review (CEQR) Technical Manual*. It provides a detailed description of the project analysis framework and travel demand assumptions used to determine the number of trips generated by the proposed project.

The project site is located in the Greenwood and Sunset Park sections of Brooklyn and consists of several underutilized parcels. These parcels are generally bounded by 32nd Street to the north, 41st Street to the south, Third Avenue to the east, and First Avenue to the west. The following uses are expected to be developed as part of the proposed project: Industry City Innovation Economy, destination retail, academic space, hotel, food store, event space, and local retail.

ANALYTICAL FRAMEWORK

The following uses on the project site are currently active: 2,058,355 square feet (sf) of Industry City Innovation Economy space, 71,835 sf of retail space, 10,000 sf of event space, 358,782 sf of common area, 72,824 sf of training facility space for the Brooklyn Nets basketball team, and 1,386,886 sf of warehouse space. There is also approximately 1,342,114 sf of vacant space on the site. An additional 179,921 sf of Industry City Innovation Economy space, 128,165 sf of total retail space (destination and local) and 320,672 sf of warehouse space would be developed as part of the No Action condition, converted from vacant space.

As part of the proposed project, an additional 1,335,506 sf of Industry City Innovation Economy space, 580,800 sf of destination retail space, and 79,200 sf of local retail would be developed, in addition to 386,546 sf of academic space, 40,000 sf of food store space, 271,619 sf of hotel space (420 rooms), and 33,003 sf of event space. The amount of warehouse space would decrease by 1,292,558 sf as part of the proposed project and the amount of common area would increase by 76,555 sf. However, a more conservative density-dependent scenario will be analyzed for the Transportation analyses; this scenario eliminates the warehouse use and replaces it with an additional 173,874 sf of Industry City Innovation Economy space and 241,128 sf of academic space. Table 1 shows the development programs under the existing, No Action, the Proposed Project, and the density-dependent scenario. A transportation screening analysis was performed and detailed below. A figure showing the location of the proposed project is shown in Figure 1.

One Penn Plaza
Suite 715
New York, NY 10119
P 212.857.7350

Figure 1
Project Sites
Industry City Redevelopment EIS

Table 1 – Program Comparison

Land Use	Existing Condition	No Action Condition Scenario	Proposed Development Program	Density Dependent Development Program
Industry City Innovation Economy	2,058,355 sf	2,238,276 sf	3,573,782 sf	3,747,656 sf
Food Store	N/A	N/A	40,000 sf	40,000 sf
Academic	N/A	N/A	386,546 sf	627,674 sf
Hotel	N/A	N/A	271,619 sf (420 rooms)	271,619 sf (420 rooms)
Local Retail	N/A	97,050 sf	176,250 sf	176,250 sf
Destination Retail	71,835 sf	102,950 sf	683,750 sf	683,750 sf
Event Space	10,000 sf	10,000 sf	43,003 sf	43,003 sf
Warehouse	1,386,886 sf	1,707,558 sf	415,000 sf	0 sf
Brooklyn Nets Training Facility	74,824 sf	74,824 sf	74,824 sf	74,824 sf
Common Area	358,782 sf	358,782 sf	435,337 sf	435,337 sf
Vacant	1,342,114 sf	679,960 sf	N/A	N/A

CEQR TRANSPORTATION ANALYSIS SCREENING

According to the *2014 CEQR Technical Manual* procedures for transportation analysis, a two-tiered screening process is to be undertaken to determine whether a quantified analysis is necessary. The first step, the Level 1 (Trip Generation) screening, determines whether the volume of peak hour person and vehicle trips generated by the proposed project would remain below the minimum thresholds for further study.

These thresholds are:

- 50 peak hour vehicle trip ends;
- 200 peak hour subway/rail or bus transit riders; and
- 200 peak hour pedestrian trips.

If the proposed project results in increments that would exceed any of these thresholds, a Level 2 (Trip Assignment) screening assessment is usually performed. Under this assessment, project-generated trips that exceed Level 1 thresholds are assigned to and from the site through their respective networks (streets, bus and subway lines, sidewalks, etc.) based on expected origin-destination patterns and travel routes.

Level 1 Screening Assessment (Trip Generation)

The travel demand factors used to calculate the projected number of trips generated by the proposed project were obtained primarily from the *2014 CEQR Technical Manual* and surveys conducted at Industry City for existing innovation economy, and previously approved New York City EISs and EASs such as the *Admiral Row Plaza FEIS (2011)*, *NYU Core FEIS (2012),* and *Coney Island Rezoning FEIS (2009)*. Tables 2 and 3 provide the travel demand assumptions used for the weekday AM, midday, PM, and Saturday peak hours.

Industry City Innovation Economy

Industry City Innovation Economy is the primary land use existing on the project site and this use does not operate as a traditional workspace; the design and development of products are both performed on-site. Based upon the substantial amount of Innovation Economy space already tenanted at industry City, Industry City Innovation Economy can generally be classified as a blend of manufacturing space, artisanal manufacturing and design studio space, and space that would most closely resemble office space.

A trip generation rate of 8.61 daily person trips per 1,000 sf for weekdays and 2.20 daily person trips per 1,000 sf for Saturdays, and weekday temporal distributions of 10.0 percent, 13.3 percent, 11.6 percent, and 14.2 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were based on survey data of existing Innovation Economy uses conducted by VHB in August 2016. Saturday trip generation rates were prorated based on the number of employees working on a typical Saturday compared to a typical weekday. Directional distributions of 78.6 percent "in", 49.3 percent "in", 29.4 percent "in", and 46.7 percent "in" were used for the weekday AM, midday, PM peak hours, and Saturday respectively, based on the August 2016 survey. The weekday AM and PM peak hour modal splits of 18.5 percent by auto, 0.6 percent by taxi, 3.8 percent by bus, 70.4 percent by subway, and 6.7 percent by walk or bike, and weekday midday and Saturday peak hour modal splits of 9.1 percent by auto, 0.3 percent by taxi, 0.6 percent by bus, 21.5 percent by subway, and 68.5 percent by walk or bike, were based on survey data of the existing innovation economy use obtained from the applicant, Industry City, between January 2015 and April 2015.

Daily delivery trips were based on the average of rates obtained from the *Admiral Row Plaza FEIS (2011)* for the light industrial use and the office use from the *2014 CEQER Technical Manual*. Trip generation rates of 0.50 daily trucks per 1,000 sf for the weekday and 0.11 daily trucks per 1,000 sf for the Saturday, and temporal distribution of 13 percent, 9 percent, 1 percent, and 1 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were used for the analysis.

Table 2 – Weekday Travel Demand Assumptions

	Industry City Innovation Economy	Food Store	Academic	Hotel	Local Retail	Destination Retail	Event Space	Warehouse
Person Trip Gen Rate	8.61 [4]	175 [5]	26.6 [1]	9.4 [1]	205.0 [1]	78.2 [1]	76.0 [11]	5.8 [9]
	per 1,000 SF	*per 1,000 SF*	*per 1,000 SF*	*per room*	*per 1,000 SF*	*per 1,000 SF*	*per 1,000 SF*	*per 1,000 SF*
Linked Trip Credit	0%	0%	0%	0%	25%	0%	0%	0%
Temporal Distribution								
AM Peak	10.0% [4]	5.0% [5]	16.0% [1]	8.0% [1]	3.0% [1]	3.0% [1]	3.0% [11]	17.0% [9]
Midday Peak	13.3% [4]	6.0% [5]	9.0% [7]	14.0% [1]	19.0% [1]	9.0% [1]	10.3% [11]	14.0% [9]
PM Peak	11.6% [4]	10.0% [5]	26.0% [1]	13.0% [1]	10.0% [1]	9.0% [1]	10.2% [11]	13.0% [9]
Modal Split (AM/PM Peak)								
Auto	18.5% [3]	54.0% [5,6]	6.0% [7]	45.0% [8]	2.0% [2]	59.0% [8]	36.0% [6,11]	18.5% [3,10]
Taxi	0.6% [3]	2.0% [5,6]	2.5% [7]	15.0% [8]	3.0% [2]	3.0% [8]	12.0% [6,11]	0.6% [3,10]
Bus	3.8% [3]	10.0% [5,6]	7.7% [7]	5.0% [8]	6.0% [2]	18.0% [8]	25.0% [6,11]	3.8% [3,10]
Subway	70.4% [3]	10.0% [5,6]	68.8% [7]	10.0% [8]	4.0% [2]	15.0% [8]	25.0% [6,11]	70.4% [3,10]
Walk/Bike	6.7% [3]	24.0% [5,6]	15.0% [7]	25.0% [8]	85.0% [2]	5.0% [8]	2.0% [6,11]	6.7% [3,10]
Modal Split (Midday Peak)								
Auto	9.1% [3]	54.0% [5,6]	5.0% [7]	45.0% [8]	2.0% [2]	59.0% [8]	36.0% [6,11]	9.1% [3,10]
Taxi	0.3% [3]	2.0% [5,6]	2.0% [7]	15.0% [8]	3.0% [2]	3.0% [8]	12.0% [6,11]	0.3% [3,10]
Bus	0.6% [3]	10.0% [5,6]	8.0% [7]	5.0% [8]	6.0% [2]	18.0% [8]	25.0% [6,11]	0.6% [3,10]
Subway	21.5% [3]	10.0% [5,6]	10.0% [7]	10.0% [8]	4.0% [2]	15.0% [8]	25.0% [6,11]	21.5% [3,10]
Walk/Bike	68.5% [3]	24.0% [5,6]	75.0% [7]	25.0% [8]	85.0% [2]	5.0% [8]	2.0% [6,11]	68.5% [3,10]
Vehicle Occupancy								
Auto (AM Peak)	1.43 [3]	1.12 [5]	1.20 [7]	1.60 [8]	2.00 [2]	2.05 [8]	2.00 [11]	1.43 [3,10]
Auto (Midday Peak)	1.43 [3]	1.32 [5]	1.20 [7]	1.60 [8]	2.00 [2]	2.05 [8]	2.00 [11]	1.43 [3,10]
Auto (PM Peak)	1.43 [3]	1.34 [5]	1.20 [7]	1.60 [8]	2.00 [2]	2.05 [8]	2.00 [11]	1.43 [3,10]
Taxi	1.43 [3]	1.38 [5]	1.30 [7]	1.40 [8]	2.00 [2]	2.05 [8]	2.00 [11]	1.43 [3,10]
Directional Split (Ins)								
AM Peak	78.6% [4]	57.0% [5]	95.0% [7]	41.0% [8]	50.0% [2]	61.0% [8]	56.0% [11]	83.0% [9]
Midday Peak	49.3% [4]	50.0% [5]	50.0% [7]	69.0% [8]	50.0% [2]	55.0% [8]	14.0% [11]	50.0% [9]
PM Peak	29.4% [4]	52.0% [5]	10.0% [7]	58.0% [8]	50.0% [2]	47.0% [8]	5.0% [11]	25.0% [9]
Truck Trip Gen	0.50 [1,2]	2.14 [5]	0.10 [7]	0.24 [8]	0.35 [1]	0.70 [8]	0.35 [11]	0.67 [9]
	per 1,000 SF	*per 1,000 SF*	*per 1,000 SF*	*per room*	*per 1,000 SF*	*per 1,000 SF*	*per 1,000 SF*	*per 1,000 SF*
Truck Temporal Distribution								
AM Peak	13% [1,2]	12.0% [5]	9.7% [7]	12.0% [8]	8.0% [1]	8.0% [8]	7.9% [11]	14.0% [9]
Midday Peak	9% [1,2]	13.0% [5]	9.1% [7]	9.0% [8]	11.0% [1]	11.0% [8]	14.7% [11]	9.0% [9]
PM Peak	1% [1,2]	4.0% [5]	5.1% [7]	1.0% [8]	2.0% [1]	1.0% [8]	1.1% [11]	1.0% [9]
Truck Trip Directional Split (Ins)	50.0% [1,2]	50.0% [5]	50.0% [7]	50.0% [8]	50.0% [1]	50.0% [8]	50.0% [11]	50.0% [9]

1. 2014 CEQR Technical Manual
2. Admiral Row Plaza FEIS 2011
3. Based on survey of innovation economy use conducted by Industry City between January and April 2015
4. Based on survey of innovation economy use conducted by VHB in August 2016
5. Whole Foods Traffic Study, 2012
6. Modal splits modified to reflect local travel characteristics of the land use
7. Cornell NYC Tech FEIS, 2013, based on Graduate Students component
8. Coney Island Rezoning FEIS 2009
9. Lower Concourse Rezoning and Related Actions FEIS 2009
10. Assumes modal splits and/or vehicle occupancy similar to Innovation Economy use
11. Conference Center rates from Brooklyn Piers 7 – 12 EAS 2006

Table 3 – Saturday Travel Demand Assumptions

	Industry City Innovation Economy	Food Store	Academic	Hotel	Local Retail	Destination Retail	Event Space	Warehouse
Person Trip Gen Rate	2.20 [4]	231.0 [5]	13.5 [1]	9.4 [1]	240.0 [1]	92.5 [1]	50.74 [11]	1.4 [9]
	per 1,000 SF	*per 1,000 SF*	*per 1,000 SF*	*per room*	*per 1,000 SF*	*per 1,000 SF*	*per 1,000 SF*	*per 1,000 SF*
Linked Trip Credit	0%	0%	0%	0%	25%	0%	0%	0%
Temporal Distribution								
Saturday Peak	14.2% [4]	9.0% [5]	16.0% [1]	9.0% [1]	10.0% [1]	11.0% [1]	12.5% [11]	11.0% [9]
Modal Split								
Auto	9.1% [3]	63.0% [5]	5.0% [7]	45.0% [8]	2.0% [2]	59.0% [8]	36.0% [6,11]	9.1% [3,10]
Taxi	0.3% [3]	3.0% [5]	2.0% [7]	15.0% [8]	3.0% [2]	5.0% [8]	12.0% [6,11]	0.3% [3,10]
Bus	0.6% [3]	10.0% [5]	8.0% [7]	5.0% [8]	6.0% [2]	18.0% [8]	25.0% [6,11]	0.6% [3,10]
Subway	21.5% [3]	10.0% [5]	10.0% [7]	10.0% [8]	4.0% [2]	13.0% [8]	25.0% [6,11]	21.5% [3,10]
Walk/Bike	68.5% [3]	14.0% [5]	75.0% [7]	25.0% [8]	85.0% [2]	5.0% [8]	2.0% [6,11]	68.5% [3,10]
Vehicle Occupancy								
Auto	1.43 [3]	1.48 [5]	1.20 [7]	2.20 [8]	2.00 [2]	2.49 [8]	3.00 [11]	1.43 [3,10]
Taxi	1.43 [3]	1.38 [5]	1.30 [7]	1.40 [8]	2.00 [2]	2.49 [8]	3.00 [11]	1.43 [3,10]
Directional Split (Ins)								
Saturday Peak	46.7% [4]	52.0% [5]	50.0% [7]	56.0% [8]	50.0% [2]	55.0% [8]	25.0% [11]	50.0% [9]
Truck Trip Gen	0.11 [1,2]	0.85 [5]	0.10 [7]	0.08 [8]	0.04 [1]	0.04 [8]	0.02 [11]	0.02 [9]
	per 1,000 SF	*per 1,000 SF*	*per 1,000 SF*	*per room*	*per 1,000 SF*	*per 1,000 SF*	*per 1,000 SF*	*per 1,000 SF*
Truck Temporal Distribution								
Saturday Peak	1% [1,2]	9.0% [5]	9.1% [7]	9.0% [8]	11.0% [1]	11.0% [8]	14.7% [11]	9.0% [9]
Truck Trip Directional Split (Ins)	50.0% [1,2]	50.0% [5]	50.0% [7]	50.0% [8]	50.0% [1]	50.0% [8]	50.0% [11]	50.0% [9]

1. 2014 CEQR Technical Manual
2. Admiral Row Plaza FEIS
3. Based on survey of innovation economy use conducted by Industry City between January and April 2015; assumes the Saturday peak hour modal split is similar to the weekday peak hour modal split
4. Based on survey of innovation economy use conducted by VHB in August 2016; the Saturday peak hour temporal and directional distributions is similar to the weekday midday peak hour temporal and directional distributions
5. Whole Foods Traffic Study, 2012
6. Modal splits modified to reflect travel characteristics of the land use
7. Cornell NYC Tech FEIS, 2013, assume similar travel characteristics as weekday midday peak hour
8. Coney Island Rezoning FEIS 2009
9. Lower Concourse Rezoning and Related Actions FEIS 2009
10. Assume modal splits and/or vehicle occupancy similar to Innovation Economy use
11. Conference Center rates from Brooklyn Piers 7 – 12 EAS 2006

Food Store

For the food store use, trip generation rates of 175 daily person trips per 1,000 sf for weekday and 231 daily person trips per 1,000 sf for Saturday were obtained from the *Whole Foods Traffic Study (2012)*. Temporal distribution rates, mode splits (adjusted for local characteristics), vehicle occupancy, and directional distribution rates were obtained from the *Whole Foods Traffic Study (2012)*. The modal splits assumed for the weekday AM, midday, and PM peak hours were 54 percent by auto, 2 percent by taxi, 10 percent by bus, 10 percent by subway, and 24 percent by walk or bike, and the modal split assumed for the Saturday peak hour are 63 percent by auto, 3 percent by taxi, 10 percent by bus, 10 percent by subway, and 14 percent by walk or bike. Vehicle occupancies of 1.12 persons per auto, 1.32 persons per auto, 1.34 persons per auto, and 1.48 persons per auto for the weekday AM, midday, PM, and Saturday peak hours, respectively, were assumed. Vehicle occupancy of 1.38 persons per taxi was assumed for all peak hours. The temporal distributions used were 5 percent, 6 percent, 10 percent, and 9 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, and the directional distributions of 57 percent "in", 50 percent "in", 52 percent "in", and 52 percent "in" were assumed for the weekday AM, midday, PM, and Saturday peak hours, respectively.

For food store delivery trips, trip generation rates of 2.14 daily trucks per 1,000 sf for the weekday and 0.85 daily trucks per 1,000 sf for the Saturday, and temporal distributions of 12 percent, 13 percent, 4 percent, and 9 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were obtained from the *Whole Foods Traffic Study (2012)*.

Academic

A trip generation rate of 26.6 daily person trips per 1,000 sf for weekdays and 13.5 daily person trips per 1,000 sf for Saturdays were obtained from the *2014 CEQR Technical Manual*. Weekday and Saturday temporal distributions of 16 percent, 26 percent, and 16 percent for the weekday AM, PM, and Saturday peak hours, respectively, were obtained from the *2014 CEQR Technical Manual*. Since a weekday midday peak hour temporal distribution is not provided in the *2014 CEQR Technical Manual*, it was assumed to be 9 percent which was obtained from the graduate component found in the *Cornell NYC Tech FEIS (2013)*. Modal splits, vehicle occupancy, and directional distributions was obtained from the *Cornell NYC Tech FEIS (2013)* for the graduate student component. The modal splits assumed for the weekday AM and PM peak hours were 6 percent by auto, 2.5 percent by taxi, 7.7 percent by bus, 68.8 percent by subway, and 15 percent by walk. The modal splits assumed for the weekday midday peak hour were 5 percent by auto, 2 percent by taxi, 8 percent by bus, 10 percent by subway, and 75 percent by walk. Vehicle occupancies of 1.20 persons per auto and 1.30 persons per taxi were assumed. Directional distributions of 95 percent "in", 50 percent "in", and 10 percent "in" for the weekday AM, midday, and PM peak hours, respectively, were assumed. Saturday peak hour factors were assumed to be similar to the weekday midday peak hour.

For academic delivery trips, trip generation rate of 0.10 daily trucks per 1,000 sf for the weekday and Saturday, and temporal distribution of 10 percent, 9 percent, 5 percent, and 9 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were obtained from the *Cornell NYC Tech FEIS (2013)*.

Hotel

For the hotel use, trip generation rates of 9.4 daily person trips per room for weekdays and Saturdays, and temporal distributions of 8 percent, 14 percent, 13 percent, and 9 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were obtained from the *2014 CEQR Technical Manual*. The weekday AM, midday, PM, and Saturday peak hour modal splits of 45 percent by auto, 15 percent by taxi, 5 percent by bus, 10 percent by subway, and 25 percent by walk or bike were obtained from the *Coney Island Rezoning FEIS (2009)*. Vehicle occupancies of 1.60 persons per auto and 1.40 person per taxi during the weekday peak hours and 2.20 persons per auto and 1.40 person per taxi during the Saturday peak hour, were obtained from the *Coney Island Rezoning FEIS (2009)*. Directional distributions of 41 percent "in", 69 percent "in", 58 percent "in", and 56 percent "in" for the weekday AM, midday, PM, and Saturday peak hours, respectively, were obtained from the *Coney Island Rezoning FEIS (2009)*.

For hotel delivery trips, trip generation rates of 0.24 daily trucks per room for the weekday and 0.08 daily trucks per room for the Saturday, and temporal distributions of 12 percent, 9 percent, 1 percent, and 9 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were obtained from the *Coney Island Rezoning FEIS (2009)*.

Local Retail

For the local retail use, trip generation rates of 205 daily person trips per 1,000 sf for weekdays and 240 daily person trips per 1,000 sf for Saturdays were obtained from the *2014 CEQR Technical Manual*, and a 25 percent credit was applied to account for linked trips between local retail and other uses on the project site. Vehicle occupancy, modal split, and directional distribution rates were obtained from the *Admiral Row Plaza FEIS (2011)* and the temporal distribution rates were obtained from the *2014 CEQR Technical Manual*. The modal split assumed for the weekday AM, midday, PM, and Saturday peak hours are 2 percent by auto, 3 percent by taxi, 6 percent by bus, 4 percent by subway, and 85 percent by walk or bike. Vehicle occupancies of 2.00 persons per auto or taxi were used for all peak analysis hours. The temporal distributions used were 3 percent, 19 percent, 10 percent, and 10 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, and the directional distribution used was 50 percent "in" for all peak analysis hours.

For local retail delivery trips, trip generation rates of 0.35 daily trucks per 1,000 sf for the weekday and 0.04 daily trucks per 1,000 sf for the Saturday, and temporal distributions of 8 percent, 11 percent, 2 percent, and 11 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were obtained from the *2014 CEQR Technical Manual*.

Destination Retail

For the destination retail use, trip generation rates of 78.2 daily person trips per 1,000 sf for weekdays and 92.5 daily person trips per 1,000 sf for Saturdays were obtained from the *2014 CEQR Technical Manual*. Vehicle occupancy, modal split, and directional distribution rates were obtained from the *Coney Island Rezoning FEIS (2009)* and the temporal distribution rates were obtained from the *2014 CEQR Technical Manual*. The modal splits used for the weekday AM, midday, and PM peak hours are 59 percent by auto, 3 percent by taxi, 18 percent by bus, 15 percent by subway, and 5 percent by walk or bike, and 59 percent by auto, 5 percent by taxi, 18 percent by bus, 13 percent by subway, and 5 percent by walk or bike for the Saturday peak hour. Vehicle occupancies of 2.05 persons per auto or taxi were used for the weekday peak analysis hours, and vehicle occupancies of 2.49 persons per auto or taxi were used for the Saturday peak hour. The temporal distributions used were 3 percent, 9 percent, 9 percent, and 11 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, and the directional distributions used were 61 percent "in", 55 percent "in", 47 percent "in", and 55 percent "in" for the weekday AM, midday, PM, and Saturday peak hours, respectively.

For destination retail delivery trips, trip generation rates of 0.70 daily trucks per 1,000 sf for the weekday and 0.04 daily trucks per 1,000 sf for the Saturday, and temporal distributions of 8 percent, 11 percent, 1 percent, and 11 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were obtained from the *Coney Island Rezoning (2009)*.

Event Space

The proposed event space would serve as an accessory meeting or event area, and would only be available for use by Industry City tenants. Trip generation rates of 76 daily person trips per 1,000 sf for weekdays and 50.74 daily person trips per 1,000 sf for Saturdays were based on the conference center use obtained from the *Brooklyn Piers 7-12 EAS (2006)*. The temporal distribution, directional distribution, modal split, and vehicle occupancy rates were also obtained from the conference center use from the *Brooklyn Piers 7-12 EAS (2006)*. The modal split was modified to reflect local travel characteristics. Temporal distributions of 3 percent, 10.3 percent, 10.2 percent, and 12.5 percent were assumed for the weekday AM, midday, PM, and Saturday peak hours, respectively, and directional distributions of 56 percent "in", 14 percent "in", 5 percent "in", and 25 percent "in" were assumed for the weekday AM, midday, PM, and Saturday peak hours, respectively. The modal splits of 36 percent by auto, 12 percent by taxi, 25 percent by bus, and 25 percent by subway, and 2 percent by walk or bike were assumed for all peak hours. Vehicle occupancies of 2 persons per auto or taxi and 3 persons per auto or taxi were used for weekdays and Saturdays, respectively.

Daily delivery trips rates were based on the conference center use from the *Brooklyn Pier 7-12 EAS (2006)*. Trip generation rates of 0.35 daily trucks per 1,000 sf for the weekday and 0.02 daily trucks per 1,000 sf for the Saturday, and temporal distribution of 7.9 percent, 14.7 percent, 1.1 percent, and 14.7 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were used for the analysis.

Warehouse

For the warehouse use, trip generation rates of 5.8 daily person trips per 1,000 sf for weekdays and 1.4 daily person trips per 1,000 sf for Saturdays were based on the rates in the *Lower Concourse Rezoning and Related Actions FEIS (2009)*. The weekday AM and PM peak hour modal splits of 18.5 percent by auto, 0.6 percent by taxi, 3.8 percent by bus, 70.4 percent by subway, and 6.7 percent by walk or bike, and the weekday midday and Saturday peak hour modal splits of 9.1 percent by auto, 0.3 percent by taxi, 0.6 percent by bus, 21.5 percent by subway, and 68.5 percent by walk or bike, are all assumed to be similar to the innovation economy use. The vehicle occupancy is also assumed to be similar to the innovation economy use and the rate of 1.43 persons per auto or taxi was used for the peak analysis hours. Temporal distributions and directional distributions were also obtained from the Lower *Concourse Rezoning and Related Actions FEIS (2009)*. The temporal distributions used were 17 percent, 14 percent, 13 percent, and 11 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, and the directional distributions used were 83 percent "in", 50 percent "in", 25 percent "in", and 50 percent "in" for the weekday AM, midday, PM, and Saturday peak hours, respectively.

For warehouse delivery trips, trip generation rates of 0.67 daily trucks per 1,000 sf for weekdays and 0.02 daily trucks per 1,000 sf for Saturdays, and temporal distributions of 14 percent, 9 percent, 1 percent, and 9 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were obtained from the Lower *Concourse Rezoning and Related Actions FEIS (2009)*.

Level 1 Screening Results

Transit and Pedestrians

The net increment of transit and pedestrian trips generated as part of the proposed project as compared to the No Action condition are summarized in Table 4 below. The net increment of transit and pedestrian trips broken down by land use is provided at the end of this memorandum.

Transit and pedestrian trips generated by the proposed project, would exceed the *2014 CEQR Technical Manual* Level 1 screening thresholds for transit and for pedestrians. The increase in transit trips would be 2,402 person trips during the weekday AM peak hour, 2,215 person trips in the weekday midday peak hour, 5,302 person trips in the weekday PM peak hour, and 2,587 person trips in the Saturday peak hour. The net increase in pedestrian trips (walk/bike plus transit) is expected to be 3,315 person trips during the weekday AM peak hour, 5,987 person trips during the weekday midday peak hour, 7,506 person trips during the weekday PM peak hour, and 5,459 person trips during the Saturday peak hour. Since the number of peak hour transit trips and the number of peak hour pedestrian trips expected to be generated by the proposed project would exceed the CEQR thresholds of 200 transit rider trips per hour and 200 pedestrian trips per hour, a Level 2 trip assignment and detailed analyses will be conducted within the EIS.

Table 4: Trip Generation Summary – Person Trips

	Weekday AM			Weekday Midday			Weekday PM			Saturday		
Mode	**In**	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**
Bus	379	149	528	583	545	1,128	474	837	1,311	747	662	1,409
Subway	1,658	216	1,874	558	529	1,087	767	3,224	3,991	615	563	1,178
Walk/Bike	631	282	913	1,914	1,858	3,772	847	1,357	2,204	1,449	1,423	2,872
Total	**2,668**	**647**	**3,315**	**3,055**	**2,932**	**5,987**	**2,088**	**5,418**	**7,506**	**2,811**	**2,648**	**5,459**

Traffic and Parking

Table 5 below summarizes the total peak hour vehicular volumes ("ins" plus "outs") that would be generated by the proposed project. The net increment of vehicle trips broken down by land use is provided at the end of this memorandum.

As shown in Table 5, the increase in hourly vehicle trips would be 988 vehicles per hour (vph) during the weekday AM peak hour, 2,089 vph in the weekday midday peak hour, 2,408 vph in weekday PM peak hour, and 2,408 vph in the Saturday peak hour. Since the incremental volume of vehicle trips generated by the proposed project would exceed the 50 vehicle trip threshold during all peak hours analyzed, a Level 2 vehicle trip assignment and detailed analyses will be conducted within the EIS.

Table 5: Trip Generation Summary – Vehicle Trips

	Weekday AM			Weekday Midday			Weekday PM			Saturday		
Mode	**In**	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**	**In**	**Out**	**Total**
Auto	461	291	752	904	763	1,667	831	1,079	1,910	1,044	896	1,940
Taxi	118	118	236	189	189	378	243	243	486	228	228	456
Truck	0	0	0	22	22	44	6	6	12	6	6	12
Total	**579**	**409**	**988**	**1,115**	**974**	**2,089**	**1,080**	**1,328**	**2,408**	**1,278**	**1,130**	**2,408**

In the existing conditions, Industry City is providing 588 parking spaces which are spread out between surface lots within the development parcels, private roadways between the Finger Buildings, and in spaces leased from the South Brooklyn Marine Terminal (SBMT). Industry City will be providing 1,811 parking spaces to 2,111 parking spaces (an increment of 983 to 1,283) to accommodate the additional need of parking resulting from the proposed project and background developments within the project site (No-Action condition). These spaces would be developed within the development parcels, and would include the construction of new parking garages, and implementation of stackers. Industry City will also explore the development of a mass transit support plan to reduce auto use amongst employees and patrons of Industry City. Such a plan may include:

- Establishing ferry service to and from Industry City during peak commuting hours;
- Establishing a dedicated bus shuttle system between Industry City and local subway stops;
- Establishing CitiBike stations in the vicinity of Industry City and potentially subsidizing Citibike membership for Industry City employees.

It should also be noted that the proposed Brooklyn-Queens Streetcar (BQX) may further reduce auto use for trips made to Industry City. The currently proposed route would run along Third Avenue in front of Industry City and connect the site to points along the Brooklyn and Queens waterfronts.

The peak weekday parking demand for the proposed project is approximately 1,100 parking spaces, and the peak Saturday parking demand is approximately 1,400 parking spaces. Existing parking availability is scarce in the surrounding area on weekdays, particularly during the weekday midday period, but some parking spaces that are currently occupied are expected to become available as a result of the conversion of existing warehouse space as part of the proposed project. There is parking available in the surrounding area on Saturdays.

Level 2 Screening Assessment (Trip Assignment)

As shown above, the number of trips generated by the proposed project would exceed the *2014 CEQR Technical Manual* Level 1 screening thresholds for vehicle and pedestrian trips during the peak hours analyzed. Project-generated trips were assigned through the surrounding street network based on expected routes to and from the project site. Auto trips were assigned to park in the proposed off-street parking facilities located in Building 11 (entrance to be located along 32nd Street between Second Avenue and Third Avenue) and in Building 21 (entrance to be located along First Avenue between 39th Street and 41st Street).

Transit and Pedestrians

Transit and pedestrian trips were assigned throughout the pedestrian network based on logical and direct travel routes to and from the project site from residential areas, neighborhood attractions, the subway stations and/or bus stops, to determine if the number of additional pedestrian trips generated by the proposed project would exceed 200 peak hour pedestrian trips at any single pedestrian element (e.g. crosswalk, sidewalk, corner reservoir area) approaching the site – the threshold for detailed pedestrian analysis.

Bus transit options within the project site vicinity include the B35 bus route which travels along 39th Street, the B37 bus route which travels along Third Avenue, and the B70 bus route which primarily travels along 39th Street but also includes a segment that travels along 36th and 37th Streets. The B35 and B70 bus routes begins on 39th Street between First Avenue and Second Avenue. The closest subway station is the 36th Street subway station along Fourth Avenue which provides service to the D, N, and R subway lines.

Project-generated walk trips were assigned to residential/commercial pockets within the project site vicinity. Residential neighborhoods surrounding the project site include Sunset Park to the east and south, and South Slope to the north. Notable attractions in the area include the Greenwood Cemetery, Liberty View Industrial Plaza, and Costco. Approximately 40 percent of the walk trips were assigned to the east along side streets such as 39th Street, 25 percent to the north and 35 percent to the south. Walk trips assigned to the north and south would generally travel along Second Avenue, Third Avenue, and Fourth Avenue.

Based on the pedestrian assignments detailed above and as requested by New York City Department of Transportation and New York City Department of City Planning, pedestrian counts and detailed level of service analyses would be performed at the following intersections for pedestrian crosswalks and corner elements:

1. Second Avenue and 39th Street (E/S/W crosswalks, NE/SE/SW/NW corners)
2. Third Avenue and 35th Street (N/E/S/W crosswalks; NE/SE corners)
3. Third Avenue and 36th Street (N/E/S/W crosswalks; NE/SE corners)
4. Third Avenue and 37th Street (N/E/S/W crosswalks)
5. Third Avenue and 39th Street (N/E/S/W crosswalks)
6. Fourth Avenue and 35th Street (N/S/W crosswalks; SW corner)
7. Fourth Avenue and 36th Street (N/E/S/W crosswalks; NW corner)
8. Fourth Avenue and 38th Street (N/E/S/W crosswalks)
9. Fourth Avenue and 39th Street (N/E/S/W crosswalks)

Pedestrian counts and detailed level of service analyses would be performed at the following sidewalks:

1. 35th Street between Third Avenue and Fourth Avenue (north and south sidewalks)
2. 36th Street between Third Avenue and Fourth Avenue (north and south sidewalks)
3. 39th Street between the waterfront and First Avenue (north and south sidewalks)
4. 39th Street between First Avenue and Second Avenue (north and south sidewalks)
5. 39th Street between Second Avenue and Third Avenue (north and south sidewalks)
6. 39th Street between Third Avenue and Fourth Avenue (north and south sidewalks)
7. Third Avenue between 35th Street and 36th Street (east sidewalk)
8. Fourth Avenue between 35th Street and 36th Street (west sidewalk)

Pedestrian counts and detailed levels of service analyses would be performed at selected elements at these locations for the weekday AM, midday, PM, and Saturday peak hours.

Traffic

Vehicle trip increments shown in Table 5 were assigned through the surrounding street network based on expected routes to the project site, the configuration of the roadway network, and the anticipated entrances to the project site. Trip assignments for each land use are discussed below.

Industry City Innovation Economy/Warehouse/Academic

Industry City Innovation Economy, warehouse, and academic space were based on origin-destination surveys conducted of Industry City Innovation Economy tenants. It is expected that most of the trips made by auto would originate from within Brooklyn (65 percent). Of the remaining trips, approximately 10 percent were assigned from Queens, 5 percent from Manhattan, 5 percent from the Bronx, and 5 percent from Staten Island. Approximately 10 percent of these trips are expected to originate from outside of the New York City boundaries from New Jersey and Long Island.

Trips from Brooklyn are largely expected to arrive via major roadways in the area such as the Gowanus Expressway (13 percent from the north and 15 percent from the south), the Prospect Expressway (5 percent), and Third and Fourth Avenues (12 percent from the north and 15 percent from the south). The remaining Brooklyn trips (5 percent) were assigned to arrive from the east via 39th Street and other streets such as 36th Street. Trips outside of Brooklyn were mostly assigned to arrive via the Gowanus Expressway (19 percent from the north and 14 percent from the south), a modest number of trips (2 percent) was assumed to arrive via Fourth Avenue from the north. Departing trips were assigned along the same routes as arrivals except for Gowanus Expressway trips; since there are no on-ramps within the vicinity of the project site, these trips would depart via Third Avenue and Fourth Avenue.

Destination Retail/Event Space

The destination retail and event space uses are expected to mostly serve visitors from within Brooklyn; project-generated vehicle assignments were based on population densities from the American Community Survey 2011 – 2015 within a 3-mile radius catchment area and accounted for geographical locations of the different census tracts. The majority of the trips would arrive to the project site using major roadways in the area such as the Gowanus

Expressway (5 percent from the north, 15 percent from the south), Third Avenue (10 percent from the north and 5 percent from the south), Fourth Avenue (5 percent from the north and 5 percent from the south), Prospect Expressway (5 percent), and 39th Street (10 percent). The remaining trips would utilize other streets and arrive at the project site via north-south streets such as Second, Third, and Fourth Avenues. Departing trips were assigned along the same routes as arrivals except for Gowanus Expressway trips; since there are no on-ramps within the vicinity of the project site, these trips would depart via Third Avenue and Fourth Avenue.

Local Retail/Food Store

The local retail and food store spaces are expected to serve the immediately surrounding areas. Therefore, auto trips were generally assigned from local origins within a one-mile radius of the project site based on population densities, and the proposed employment spaces. Auto trips would access the project site along roadways such as Second Avenue, Third Avenue, Fourth Avenue, and 39th Street. A modest number of trips were assigned via the other streets such as 36th Street. Departing trips were assigned along the same routes as arrivals.

Hotel

Hotel trips by auto would be expected to arrive from one of the local airports – JFK Airport (40 percent) and LaGuardia Airport (20 percent), and from tourist attraction areas in Manhattan (20 percent) and Brooklyn (20 percent). The majority of the trips were assumed to arrive via the Gowanus Expressway (45 percent from the north and 45 percent from the south) with the remainder via other roadways such Third Avenue, Fourth Avenue, and the Prospect Expressway.

Based on the vehicular traffic assignments detailed above and as requested by New York City Department of Transportation and New York City Department of City Planning, the following study locations were identified:

1. First Avenue and 39th Street
2. First Avenue and 41st Street
3. First Avenue and 42nd Street
4. First Avenue and 43rd Street
5. First Avenue and 44th Street
6. Second Avenue and 32nd Street
7. Second Avenue and 33rd Street
8. Second Avenue and 34th Street
9. Second Avenue and 35th Street
10. Second Avenue and 36th Street
11. Second Avenue and 37th Street
12. Second Avenue and 39th Street/Gowanus Expressway Southbound Off-Ramp
13. Second Avenue and 40th Street
14. Second Avenue and 41st Street
15. Second Avenue and 42nd Street
16. Second Avenue and 43rd Street
17. Second Avenue and 44th Street

18. Third Avenue and Prospect Avenue
19. Third Avenue and 30th Street
20. Third Avenue and 31st Street
21. Third Avenue and 32nd Street
22. Third Avenue and 33rd Street
23. Third Avenue and 34th Street
24. Third Avenue and 35th Street
25. Third Avenue and 36th Street
26. Third Avenue and 37th Street
27. Third Avenue and 38th Street
28. Third Avenue and 39th Street
29. Third Avenue and 40th Street
30. Third Avenue and 41st Street
31. Third Avenue and 42nd Street
32. Third Avenue and 43rd Street
33. Third Avenue and 44th Street
34. Fourth Avenue and 34th Street
35. Fourth Avenue and 36th Street
36. Fourth Avenue and 37th Street
37. Fourth Avenue and 38th Street/Gowanus Expressway Northbound Off-Ramp
38. Fourth Avenue and 39th Street
39. Fourth Avenue and 40th Street

Level of service analyses would be performed at these intersections for the weekday AM, midday, PM, and Saturday peak hours.

Industry City EIS - Person and Vehicle Trips by Land Use

Industry City Innovation Economy Vehicle Trips - Before balancing

	AM			Midday			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	131	37	168	56	57	113	58	135	193	15	16	31
Taxi	5	2	7	2	2	4	1	4	5	0	0	0
Truck	49	49	98	35	35	70	6	6	12	0	0	0
Total	185	88	273	93	94	187	65	145	210	15	16	31

Industry City Innovation Economy Person Trips

	AM			MD			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	189	53	242	80	81	161	84	196	280	20	23	43
Taxi	7	2	9	2	2	4	1	5	6	0	0	0
Bus	40	11	51	5	6	11	18	42	60	0	0	0
Subway	719	196	915	181	187	368	312	750	1062	48	56	104
Walk	68	17	85	582	597	1179	28	71	99	153	173	326
Total	1023	279	1302	850	873	1723	443	1064	1507	221	252	473

Academic Vehicle Trips - Before balancing

	AM			Midday			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	127	7	134	32	32	64	22	195	217	28	28	56
Taxi	48	2	50	12	12	24	8	75	83	11	11	22
Truck	3	3	6	3	3	6	2	2	4	3	3	6
Total	178	12	190	47	47	94	32	272	304	42	42	84

Academic Person Trips

	AM			MD			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	152	8	160	38	38	76	26	234	260	34	34	68
Taxi	63	3	66	15	15	30	11	98	109	14	14	28
Bus	195	10	205	60	60	120	33	301	334	54	54	108
Subway	1746	92	1838	75	75	150	299	2688	2987	68	68	136
Walk	381	20	401	563	563	1126	65	586	651	508	508	1016
Total	2537	133	2670	751	751	1502	434	3907	4341	678	678	1356

Hotel Vehicle Trips - Before balancing

	AM			Midday			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	37	52	89	107	48	155	83	61	144	40	32	72
Taxi	15	20	35	40	18	58	32	23	55	22	16	38
Truck	7	7	14	5	5	10	0	0	0	2	2	4
Total	59	79	138	152	71	223	115	84	199	64	50	114

Hotel Person Trips

	AM			MD			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	59	84	143	171	77	248	133	98	231	89	70	159
Taxi	20	28	48	57	25	82	44	32	76	30	23	53
Bus	7	10	17	19	8	27	15	10	25	10	8	18
Subway	13	19	32	38	17	55	30	22	52	20	15	35
Walk	32	47	79	96	42	138	74	54	128	50	39	89
Total	131	188	319	381	169	550	296	216	512	199	155	354

Local Retail Vehicle Trips - Before balancing

	AM			MD			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	3	3	6	14	14	28	8	8	16	9	9	18
Taxi	4	4	8	18	18	36	10	10	20	12	12	24
Truck	2	2	4	3	3	6	0	0	0	0	0	0
Total	9	9	18	35	35	70	18	18	36	21	21	42

Local Retail Person Trips

	AM			MD			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	3	3	6	23	23	46	12	12	24	15	15	30
Taxi	5	5	10	34	34	68	18	18	36	21	21	42
Bus	10	10	20	69	69	138	36	36	72	43	43	86
Subway	8	8	16	47	47	94	25	25	50	29	29	58
Walk	154	154	308	984	984	1968	517	517	1034	606	606	1212
Total	180	180	360	1157	1157	2314	608	608	1216	714	714	1428

Industry City EIS - Person and Vehicle Trips by Land Use

Destination Retail Vehicle Trips - Before balancing

	AM			Midday			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	239	152	391	647	530	1177	553	625	1178	770	631	1401
Taxi	11	4	15	27	22	49	27	31	58	64	53	117
Truck	15	15	30	21	21	42	1	1	2	0	0	0
Total	265	171	436	695	573	1268	581	657	1238	834	684	1518

Destination Retail Person Trips

	AM			MD			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	490	313	803	1327	1084	2411	1134	1279	2413	1917	1570	3487
Taxi	25	15	40	69	55	124	58	64	122	163	132	295
Bus	150	95	245	403	329	732	345	390	735	584	478	1062
Subway	123	79	202	337	277	614	288	324	612	423	345	768
Walk	41	26	67	113	92	205	96	107	203	163	132	295
Total	829	528	1357	2249	1837	4086	1921	2164	4085	3250	2657	5907

Event Space Vehicle Trips - Before balancing

	AM			Midday			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	8	7	15	7	41	48	3	44	47	7	19	26
Taxi	3	2	5	2	14	16	2	15	17	2	7	9
Truck	0	0	0	1	1	2	0	0	0	0	0	0
Total	11	9	20	10	56	66	5	59	64	9	26	35

Event Space Person Trips

	AM			MD			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	15	12	27	13	80	93	5	88	93	19	57	76
Taxi	5	4	9	4	27	31	2	30	32	7	19	26
Bus	11	8	19	9	55	64	3	61	64	13	39	52
Subway	11	8	19	9	55	64	3	61	64	13	39	52
Walk	1	0	1	1	5	6	0	6	6	2	3	5
Total	43	32	75	36	222	258	13	246	259	54	157	211

Food Store Vehicle Trips - Before balancing

	AM			Midday			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	96	72	168	86	86	172	147	135	282	184	170	354
Taxi	3	2	5	3	3	6	5	5	10	9	9	18
Truck	5	5	10	6	6	12	2	2	4	2	2	4
Total	104	79	183	95	95	190	154	142	296	195	181	376

Food Store Person Trips

	AM			MD			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	108	81	189	113	113	226	197	181	378	272	251	523
Taxi	4	3	7	4	4	8	7	7	14	13	12	25
Bus	20	15	35	21	21	42	36	34	70	43	40	83
Subway	20	15	35	21	21	42	36	34	70	43	40	83
Walk	48	36	84	50	50	100	87	81	168	61	56	117
Total	200	150	350	209	209	418	363	337	700	432	399	831

Warehouse Vehicle Trips - Before balancing

	AM			Midday			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	-180	-39	-219	-45	-45	-90	-43	-124	-167	-9	-9	-18
Taxi	-5	-2	-7	-2	-2	-4	-2	-3	-5	0	0	0
Truck	-81	-81	-162	-52	-52	-104	-5	-5	-10	-1	-1	-2
Total	-266	-122	-388	-99	-99	-198	-50	-132	-182	-10	-10	-20

Warehouse Person Trips

	AM			MD			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	-259	-54	-313	-63	-63	-126	-60	-179	-239	-12	-12	-24
Taxi	-8	-2	-10	-2	-2	-4	-2	-5	-7	0	0	0
Bus	-54	-10	-64	-3	-3	-6	-12	-37	-49	0	0	0
Subway	-982	-201	-1183	-150	-150	-300	-226	-680	-906	-29	-29	-58
Walk	-94	-18	-112	-475	-475	-950	-20	-65	-85	-94	-94	-188
Total	-1397	-285	-1682	-693	-693	-1386	-320	-966	-1286	-135	-135	-270

Industry City EIS - Person and Vehicle Trips by Land Use

Total Vehicle Trips - Balanced Taxi Trips

	AM			Midday			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	461	291	752	904	763	1,667	831	1,079	1,910	1,044	896	1,940
Taxi	118	118	236	189	189	378	243	243	486	228	228	456
Truck	0	0	0	22	22	44	6	6	12	6	6	12
Total	579	409	988	1,115	974	2,089	1,080	1,328	2,408	1,278	1,130	2,408

Total Person Trips

	AM			Midday			PM			SAT		
	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total
Auto	757	500	1,257	1,702	1,433	3,135	1,531	1,909	3,440	2,354	2,008	4,362
Taxi	121	58	179	183	160	343	139	249	388	248	221	469
Bus	379	149	528	583	545	1,128	474	837	1,311	747	662	1,409
Subway/	1,658	216	1,874	558	529	1,087	767	3,224	3,991	615	563	1,178
Walk	631	282	913	1,914	1,858	3,772	847	1,357	2,204	1,449	1,423	2,872
Total	3,546	1,205	4,751	4,940	4,525	9,465	3,758	7,576	11,334	5,413	4,877	10,290

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Draft Memorandum

To:	Mauricio Garcia, Robert Dobruskin – EARD
From:	Henry Kearney
Date:	June 22, 2018 (Revised)
Re:	Industry City Air Quality Analysis Methodology
cc:	Linh Do, Dyllon Gibbs

INTRODUCTION

The purpose of this memorandum is to describe the air quality analysis approach for the Project Area for the Industry City Rezoning Environmental Impact Statement (EIS). The Proposed Actions would facilitate the renovation and re-tenanting of certain existing underutilized structures within the Industry City complex, as well as the development of new buildings within the Project Area. Overall, the Proposed Actions would facilitate the re-tenanting of a substantial portion of the approximately 5.3 million-square-feet (sf) of existing structure, which already houses Innovation Economy uses that would continue in the future, and the development of 1.27 million sf in new construction buildings or enlargements of existing structures. In total, the Proposed Actions could result in an approximately 6.57 million sf mixed-use complex consisting of a combination of manufacturing, commercial, and community facility uses. This technical memorandum summarizes methodologies and assumptions that are proposed to be used in analyzing the air quality effect of the Proposed Project.

MOBILE SOURCE ANALYSIS

INTERSECTION ANALYSIS

The mobile source analysis will evaluate the proposed action for potential impacts from carbon monoxide (CO), and fine particulate matter less than 10 microns in diameter (PM_{10}) and less than 2.5 microns in diameter ($PM_{2.5}$) due to vehicular traffic anticipated to be generated by the proposed action. Based on a preliminary review of the study area roadway configuration and traffic patterns, it is anticipated that projected vehicle trips generated by the proposed action will exceed the CO threshold of 170 vehicles in a peak hour at some intersections in the study area. For PM_{10} and $PM_{2.5}$, the screening procedure outlined in the *CEQR Technical Manual* is based on determining whether the projected number of vehicles trips at an intersection exceeds thresholds based on heavy-duty diesel vehicle (HDDV) equivalents. The thresholds are as follows:

- 12 or more HDDV for paved roads with average daily traffic fewer than 5,000 vehicles;
- 19 or more HDDV for collector roads;

- 23 or more HDDV for principal and minor arterials; or
- 23 or more HDDV for expressways and limited access roads.

To determine whether any of these thresholds are exceeded, the worksheet referenced in Section 201 of the *CEQR Technical Manual* will be utilized to calculate the equivalent number of HDDV equivalents at intersections in the traffic study area. The worksheet uses vehicle classification information based on the traffic data collected for the project, and assigns these classifications to vehicle categories using a table referenced in the *CEQR Technical Manual*.[1] Roadway classifications will be determined by corridor at each intersection, based on NYCDOT functional class criteria and With Action traffic volumes.

Based on the preliminary draft TDF Memo, it is anticipated that the highest concentration of vehicle trips generated by the proposed action will be along the following corridors:

- Along First Avenue between 39th Street and 42nd Street;
- Third Avenue between 32nd Street and 44th Street, and
- 39th Street between First Avenue and Fourth Avenue.

Any intersections determined to exceed the CO and/or PM mobile source screening thresholds will be considered for analysis. Selection of specific intersections for analysis will depend on the baseline and No Action traffic conditions along with the vehicular trip generation and distribution under the proposed action. The selected intersections will be submitted for review and approval to DCP, along with a table that summarizes traffic parameters for each intersection and ranks them based on total project increments (for CO) and total heavy duty truck equivalents (for PM). At this time, it is anticipated that three (3) intersections in total will be analyzed, as per a June 6, 2018 discussion with DCP EARD staff.

Dispersion Modeling

The CO mobile source analysis will be conducted using the Tier 1 CAL3QHC model Version 2.0[2] at all intersections identified. The CAL3QHC model employs a Gaussian (normal distribution) dispersion assumption and includes an algorithm for estimating vehicular queue lengths at signalized intersections. CAL3QHC calculates emissions and dispersion of CO from idling and moving vehicles. The queuing algorithm includes site-specific traffic parameters, such as signal timing and delay (from the 2000 *Highway Capacity Manual* traffic forecasting model), saturation flow rate, vehicle arrival type, and signal actuation (i.e., pre-timed or actuated signal) characteristics to project the number of idling vehicles.

Following the EPA guidelines,[3] CAL3QHC computations will be performed using a wind speed of 1 meter per second, and the neutral stability class D. An assumed surface roughness of 3.21 meters will be used. The 8-hour average CO concentrations will be estimated from the predicted 1-hour average CO concentrations using a factor of 0.7 to account for persistence of meteorological conditions and fluctuations in traffic volumes. The $PM_{2.5}$ mobile source analysis will be conducted using the refined (Tier 2) version of the model, CAL3QHCR. CAL3QHCR is an extended module of the CAL3QHC model which allows for the incorporation of hourly traffic and meteorological data. Five years of meteorological data from LaGuardia Airport and concurrent upper air data from Brookhaven, New York will be used in the refined modeling. Off-peak traffic volumes will be determined by adjusting the peak period volumes based on the 24-hour distributions of actual vehicle counts collected at appropriate locations.

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[1] MOBILE6 Input Data Format Reference Tables, August 14, 2003.

[2] EPA, User's Guide to CAL3QHC, A Modeling Methodology for Predicted Pollutant Concentrations Near Roadway Intersections, Office of Air Quality, Planning Standards, Research Triangle Park, North Carolina, EPA-454/R-92-006.

[3] *Guidelines for Modeling Carbon Monoxide from Roadway Intersections*, EPA Office of Air Quality Planning and Standards, Publication EPA-454/R-92-005.

Meteorology

Tier I CO Analysis—CAL3QHC

At each receptor location, concentrations will calculated for all wind directions, and the highest predicted concentration was reported, regardless of frequency of occurrence. These assumptions ensure that reasonable worst-case meteorology would be used to estimate impacts.

Tier II $PM_{2.5}$ Analysis—CAL3QHCR

The CAL3QHCR model includes the modeling of hourly concentrations based on hourly traffic data and five years of monitored hourly meteorological data. The data would consist of surface data collected at LaGuardia Airport and upper air data collected at Brookhaven, New York for the period 2012–2016. All hours would be modeled, and the highest resulting concentration for each averaging period will be presented

Analysis Year

The microscale analyses would be performed for 2027, the year by which the Proposed Actions is likely to be completed. The future analysis would be performed both without the Proposed Actions (the No Action condition) and with the Proposed Actions (the With Action condition).

Background Concentrations

The background concentrations that would be used in the mobile source analysis are on concentrations recorded at a monitoring station representative of the county or from the nearest available monitoring station and in the statistical format of the National Ambient Air Quality Standards (NAAQS). These represent the most recent 3-year average for 24-hour average $PM_{2.5}$, the highest value from the three most recent years of data available for PM_{10}, and the highest value from the five most recent years of data available for CO. The background concentrations are presented in **Table 1**.

Table 1
Maximum Background Pollutant Concentrations for Mobile Source Analysis

Pollutant	Average Period	Location	Concentration	NAAQS
CO	1-hour	CCNY, Manhattan	2.3 ppm	35 ppm
	8-hour	CCNY, Manhattan	1.5 ppm	9 ppm
PM10	24-hour	Division Street, Manhattan	44 µg/m^3	150 µg/m^3
PM2.5	24-hour	J.H.S.126, Brooklyn	20.5 µg/m^3	35 µg/m^3
Source: New York State Air Quality Report Ambient Air Monitoring System, DEC, 2012–2016.				

Receptor Placement

Multiple receptors (i.e., precise locations at which concentrations are predicted) would be modeled at each of the selected sites; receptors will be placed along the approach and departure links at a 25 foot interval out to 75 feet in each direction, with an additional receptor at a distance of 125 feet from the intersection. Ground-level receptors would be placed at sidewalk or roadside locations near intersections with continuous public access, at a pedestrian height of 1.8 meters. Based on the DEP guidance for neighborhood-scale corridor $PM_{2.5}$ modeling, receptors in that analysis would be placed at a distance of 15 meters, from the nearest moving lane at each analysis location.

Emission Factors

Vehicular cruise and idle CO and PM emission factors to be utilized in the dispersion modeling would be computed using EPA's mobile source emissions model, Motor Vehicle Emission Simulator, or MOVES.[4] This emissions model is capable of calculating engine emission factors for various vehicle types, based on the fuel type (gasoline, diesel, or natural gas), meteorological conditions, vehicle speeds, vehicle age,

[4] EPA, MOVES Model, User Guide for MOVES2014a, December 2015.

roadway types, number of starts per day, engine soak time, and various other factors that influence emissions, such as inspection maintenance programs. Project specific traffic data obtained through field studies as well as county-specific hourly temperature and relative humidity data obtained from NYSDEC will be used.

To account for the suspension of fugitive road dust in air from vehicular traffic in the local microscale analysis, $PM_{2.5}$ emission rates will include fugitive road dust. However, since the New York City Department of Environmental Protection (DEP) considers fugitive road dust to have an insignificant contribution on a neighborhood scale, fugitive road dust will not be included in the neighborhood scale $PM_{2.5}$ microscale analyses. Road dust emission factors will be calculated according to the latest procedure delineated by EPA[5] and the *CEQR Technical Manual*.

If maximum predicted $PM_{2.5}$ concentrations result in a potential impact, refinements to the analysis would be implemented. Seasonal and off-peak emission factors can be prepared using additional runs of the MOVES model to capture the effect of temperature differences as well as changing vehicular classification mixes in off peak hours. If further refinements are necessary, the potential for additional and/or more detailed traffic data to be used within the air quality analysis, or the use of traffic mitigation measures, will be discussed with DCP.

PARKING FACILITIES

The Proposed Project would include approximately 471,100 gsf of street and structured accessory parking (up to 2,111 spaces); therefore, the mobile source analysis must account for the additional impacts from these sources. Based on parking garage/lot locations and sizes, an analysis of CO and PM emissions will be performed for the Building 11 and 21 garages since these facilities would have the highest number of parking spaces, and therefore, the greatest potential for impacts on air quality.

Emissions from vehicles entering, parking, and exiting the parking garages will be estimated using the EPA MOVES mobile source emission model as referenced in the *CEQR Technical Manual*. For all arriving and departing vehicles, an average speed of 5 miles per hour will be conservatively assumed for travel within the parking garage. In addition, all departing vehicles will be assumed to idle for 1 minute before proceeding to the exit. The concentration of CO and PM within the garages will be calculated assuming a minimum ventilation rate, based on New York City Building Code requirements of 1 cubic foot per minute of fresh air per gross square foot of garage area.

To determine pollutant concentrations, garage outlet vent(s) will be analyzed as a "virtual point source" using the methodology in EPA's Workbook of Atmospheric Dispersion Estimates, AP-26. This methodology estimates pollutant concentrations at various distances from an outlet vent by assuming that the concentration in the garage is equal to the concentration leaving the vent, and determining the appropriate initial horizontal and vertical dispersion coefficients at the vent faces.

The CO concentrations will be determined for the time periods when overall garage usage would be the greatest, considering the hours when the greatest number of vehicles would exit the facility. (PM_{10} concentrations will be determined on a 24-hour average basis, and $PM_{2.5}$ concentrations will be determined on both a 24-hour and annual average basis. Emissions from departing vehicles will include engine start emissions. Traffic data for the parking analysis will be derived from the trip generation analysis presented in the Transportation chapter of the DEIS.

Exhaust air from each the analyzed parking garages will be assumed to be vented through a single outlet at a height of approximately 10 feet above the sidewalk. Since there is no specific garage design at this time, the vent face was assumed to discharge towards the street that has the highest background levels of traffic, to be conservative. "Near" and "far" receptors will be placed along the sidewalks at a pedestrian height of 6 feet. A receptor will also modeled at and above the assumed vent release height, 10 feet from

[5] EPA, Compilations of Air Pollutant Emission Factors AP-42, Fifth Edition, Volume I: Stationary Point and Area Sources, Ch. 13.2.1, NC, http://www.epa.gov/ttn/chief/ap42, January 2011.

the vent, to conservatively assess the air quality impacts from the proposed Building 11 garage on the adjacent academic use, representing windows or air intake locations.

To determine compliance with the NAAQS, CO concentrations were determined for the maximum 8-hour average period. A persistence factor of 0.70 will be used to convert the calculated 1-hour average maximum concentrations to 8-hour averages, accounting for meteorological variability over the average 8-hour period, as referenced in the *CEQR Technical Manual*.

Background and on-street CO concentrations will be added to the modeling results to obtain the total ambient levels. The on-street CO concentration will be determined using the methodology in the Air Quality Appendix of the *CEQR Technical Manual*, utilizing traffic volumes from the traffic studies conducted for the Proposed Project, or based on the results of the CAL3QHC/R microscale analysis, as appropriate.

As per Section 210 of the *CEQR Technical Manual*, proposed uses adjacent to large existing parking facilities must be analyzed. There are two existing parking facilities bordering the Proposed Project. To the south of the Finger Buildings is the Costco surface parking lot. The parking lot is separated from the Project Site by 37th Street, and the proposed Gateway Building, which is the nearest sensitive use, is approximately 98 feet away. In addition, the Gateway Building, which would include hotel uses, would not have common areas on the ground floor, which would not have operable windows. Therefore, an analysis of the existing parking facility is not considered to be required. The existing South Brooklyn Marine Terminal has existing narrow surface parking bordering the west side of Second Avenue, across the street from the Finger Buildings. The portion of the SMBT parking facility is currently utilized by Industry City, and would expect to remain so in the future with the Proposed Actions. Since the parking lot is across the street, and is not "dense" (it consists of one parking lane that runs from 29th Street to 30th Street, no analysis is considered to be required.

ANALYSIS OF ELEVATED GOWANUS EXPRESSWAY

The Proposed Project would also introduce sensitive uses within 200 feet of the elevated section of the Gowanus Expressway. The effect of this existing roadway on the proposed uses will therefore be analyzed, as recommended in the *CEQR Technical Manual*.

Emission factors for CO and PM ($PM_{2.5}$ is the relevant pollutant for this analysis) will be estimated using estimated speeds and volumes obtained from adjusting the annual average daily traffic volumes published by the New York State Department of Transportation (NYSDOT) to estimate peak hour traffic volumes. Annual background growth rates consistent with guidance in the *CEQR Technical Manual* will be used to project traffic volumes for the analysis year. Receptors will be placed at various locations and elevations on each of the project sites with sensitive uses adjacent to the Gowanus Expressway to predict concentrations from vehicles.

STATIONARY SOURCES

HEATING AND HOT WATER SYSTEMS

A stationary source analysis will be conducted to evaluate potential impacts from heating and hot water systems for the Proposed Project. A number of boiler installations currently serve the Finger Buildings and the 39th Street Buildings. Some of these boiler installations were recently upgraded with newer equipment. It is assumed that each of the proposed new buildings to be constructed pursuant to the Proposed Actions would have a boiler installation that would generate hot water for building heating and domestic hot water, and would utilize natural gas exclusively. It is assumed that the exhaust stack(s) for proposed buildings would be located on the tallest portion of the roof.

To determine potential worst-case air quality impacts under the RWCDS, the Density-Dependent Scenario will be analyzed, since it maximizes sensitive uses and would be expected to result in higher fuel consumption for heating and hot water purposes used compared to the Proposed Scenario, which includes warehousing uses. The Proposed Scenario and the Density-Dependent Scenario would introduce three

new structures while the Overbuild Scenario would introduce only two new structures and would result in less sensitive uses. The bulk and mass from the reductions would be redistributed to bulk built above the Finger Buildings and the 39th Street.

Annual emissions rates for the heating and hot water systems of the proposed buildings will be calculated based on fuel consumption estimates, using energy use estimates based on type of development and size of the building as recommended in the *CEQR Technical Manual.* Short-term emissions will be conservatively estimated assuming a 100-day heating season. For the existing boiler installations, actual fuel consumption data will be used to calculate annual and short-term emission rates.

The exhaust velocity for each proposed new boiler installation will be calculated based on the exhaust flowrate for the boiler capacity, estimated using the energy use of the proposed building and EPA's fuel factors. Assumptions for stack diameter and exhaust temperature for the proposed systems will be obtained from a survey of boiler exhaust data undertaken and provided by DEP. For the existing boiler installations, the actual stack exhaust parameters will be used.

Emissions rates for the boilers will be calculated based on emissions factors obtained from the EPA *Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume I: Stationary Point and Area Sources*. PM_{10} and $PM_{2.5}$ emissions will include both the filterable and condensable fractions.

Dispersion Modeling

Potential cumulative air quality impacts from the Proposed Project's heating and hot water systems will be evaluated using the EPA/AMS AERMOD dispersion model.[6] AERMOD is a state-of-the-art dispersion model, applicable to rural and urban areas, flat and complex terrain, surface and elevated releases, and multiple sources (including point, area, and volume sources). AERMOD is a steady-state plume model that incorporates current concepts about flow and dispersion in complex terrain, including updated treatments of the boundary layer theory, understanding of turbulence and dispersion, and includes handling of terrain interactions. The AERMOD model calculates pollutant concentrations from one or more points (e.g., exhaust stacks) based on hourly meteorological data, and has the capability to calculate pollutant concentrations at locations where the plume from the exhaust stack is affected by the aerodynamic wakes and eddies (downwash) produced by nearby structures. The analysis of potential impacts from exhaust stacks will be performed assuming stack tip downwash, urban dispersion and surface roughness length, with and without building downwash, and elimination of calms. The AERMOD model also incorporates the algorithms from the PRIME model, which is designed to predict impacts in the "cavity region" (i.e., the area around a structure, which under certain conditions may affect an exhaust plume, causing a portion of the plume to become entrained in a recirculation region). The Building Profile Input Program (BPIP) program for the PRIME model (BPIPRM) will be used to determine the projected building dimensions modeling with the building downwash algorithm enabled. The modeling of downwash from sources accounts for all obstructions within a radius equal to five obstruction heights of the stack.

Methodology Utilized for Estimating NO_2 Concentrations

Annual NO_2 concentrations from stationary sources will be estimated using a NO_2 to NO_x ratio of 0.75, as described in EPA's Guideline on Air Quality Models at 40 CFR part 51 Appendix W, Section 5.2.4.

The 1-hour average NO_2 concentration increments from the Proposed Action's stationary combustion sources will be estimated using the AERMOD model's Plume Volume Molar Ratio Method (PVMRM) module to analyze chemical transformation within the model. The PVMRM module incorporates hourly background ozone concentrations to estimate NO_x transformation within the source plume. Ozone concentrations will be taken from the NYSDEC Queens College monitoring station that is the nearest

[6] EPA. *AERMOD Implementation Guide*. 454/B-16-013. December 2016; EPA. AERMOD Model Formulation and Evaluation. 454/R-17-001. May 2017; EPA. User's Guide for the AMS/EPA Regulatory Model (AERMOD). 454/B-16-011. December 2016.

ozone monitoring station and had complete five years of hourly data available. An initial NO_2 to NO_x ratio of 10 percent at the source exhaust stack will be assumed, which is considered representative.

The results represent the 5-year average of the annual 98th percentile of the maximum daily 1-hour average, added to background concentrations (see below).

Meteorological Data

The meteorological data set will consist of five consecutive years of meteorological data: surface data collected at LaGuardia Airport (2012–2016), and concurrent upper air data collected at Brookhaven, New York. The meteorological data provide hour-by-hour wind speeds and directions, stability states, and temperature inversion elevation over the 5-year period. These data are processed using the EPA AERMET program to develop data in a format which can be readily processed by the AERMOD model. The land uses around the site where meteorological surface data were available are classified using categories defined in digital United States Geological Survey (USGS) maps to determine surface parameters used by the AERMET program.

Receptor Placement

A comprehensive receptor network (i.e., locations with continuous public access) will be developed for the modeling analyses. Discrete receptors (i.e., locations at which concentrations are calculated) were modeled along the existing and proposed buildings' façades (including No Action developments) to represent potentially sensitive locations such as operable windows and intake vents. For each of the Project buildings, receptors will be conservatively placed on the all façades of the maximum development envelope. Rows of receptors at spaced intervals on the modeled buildings will be analyzed at multiple elevations. Receptors will also be placed at ground-level gathering spaces.

Background Concentrations

To estimate the maximum expected total pollutant concentrations, the calculated impacts from the emission sources must be added to a background value that accounts for existing pollutant concentrations from other sources (see **Table 2**). The background levels are based on concentrations monitored at the nearest NYSDEC ambient air monitoring stations over the most recent 5-year period for which data are available (2012–2016), with the exception of PM_{10}, which is based on 3 years of data, consistent with current DEP guidance (2014–2016). For the 24-hour PM_{10} concentration, the highest second-highest measured value over the specified period was used.

Table 2
Maximum Background Pollutant Concentrations for Heating and Hot Water System Analysis

Pollutant	Average Period	Location	Concentration ($\mu g/m^3$)	NAAQS ($\mu g/m^3$)
NO_2	1-hour	Queens College 2, Queens	(1)	188
	Annual	Queens College 2, Queens	17.5	100
$PM_{2.5}$	24-hour	J.H.S.126, Brooklyn	20.5	35
PM_{10}	24-hour	Division Street, Manhattan	44	150

Note:
(1) The 1-Hour NO_2 background concentration is not presented in the table since the AERMOD model determines the total 98th percentile 1-Hour NO_2 concentration at each receptor.
Source: New York State Air Quality Report Ambient Air Monitoring System, NYSDEC, 2012–2016.

Total 1-hour NO_2 concentrations will be calculated following methodologies that are accepted by the EPA and are considered appropriate and conservative. The methodology used to determine the compliance of total 1-hour NO_2 concentrations from the proposed sources with the 1-hour NO_2 NAAQS[7] is based on

[7]http://www.epa.gov/ttn/scram/guidance/clarification/Additional_Clarifications_AppendixW_Hourly-NO2-NAAQS_FINAL_03-01-2011.pdf.

adding the monitored background to modeled concentrations, as follows: hourly modeled concentrations from proposed sources are first added to the seasonal hourly background monitored concentrations; then the highest combined daily 1-hour NO_2 concentration is determined at each receptor location and the 98th percentile daily 1-hour maximum concentration for each modeled year is calculated within the AERMOD model; finally the 98th percentile concentrations are averaged over the latest 5 years.

Determining the Significance of Air Quality Impacts

For proposed buildings, the exhaust stacks for the heat and hot water systems will be assumed to be located at the edge of the development massing closest to the receptor, unless the source and receptor were immediately adjacent to each other. In these cases, the stack will be assumed to be located at an initial distance of 10 feet from the nearest receptor. If a source could not meet the NAAQS or $PM_{2.5}$ *de minimis* criteria, the stack would then be set back in 5 foot increments, until the source met the respective criteria. If necessary, further restrictive measures will be considered, including use of low NO_x burners, increasing stack heights, or a combination of these measures.

Predicted values will be compared with NAAQS for NO_2, SO_2 and PM_{10}, and the City's CEQR *de minimis* criteria for $PM_{2.5}$. In the event that violations of standards are predicted, an air quality E-designation (or other equivalent restriction, as appropriate) would be proposed for the site, describing the fuel and/or heating and hot water system exhaust stack restrictions that would be required to avoid a significant adverse air quality impact.

ADDITIONAL SOURCES

The *CEQR Technical Manual* defines "large" emission source as sources located at facilities which require a state facility permit, and "major" sources as sources located at Title V permitted facilities that require Prevention of Significant Deterioration permits and emit either 10 tons per year of any of the listed pollutants or 25 tons per year of a mixture of listed air pollutants.

No major or large emissions sources permitted under the DEC Title V program and state facility permit program were identified within the 1,000 foot study area; therefore, no quantified analysis of the impact of large sources on the Proposed Project is warranted.

INDUSTRIAL SOURCE ANALYSIS

Impacts of Existing Industrial Uses on the Proposed Project

Potential process and manufacturing sources located within a radius of 400 feet of the Proposed Project will be evaluated. NYCDEP's Bureau of Environmental Compliance (BEC) files will be examined to determine if there are permits for any industrial facilities that are identified. A review of federal and state permits will also be conducted. Once the industrial permits are received, they will be reviewed to determine if any should be excluded from the analysis based on the type of operation. For example, emergency generators are not considered industrial sources of emissions; therefore, these sources would not be analyzed. A field survey will be performed to confirm the operational status of the sites identified in the permit search, and to identify any additional sites have sources of emissions that would warrant an analysis. Is any such sources are identified; further consultation will be made with DCP to determine procedures for estimating emissions from these sources.

EPA's AERMOD refined dispersion model will be used to estimate the short-term and annual concentrations of critical pollutants at sensitive receptor sites. Predicted worst-case impacts on the project will be compared with the short-term guideline concentrations (SGC) and annual guideline concentrations (AGC) reported in the 2016 NYSDEC's DAR-1 AGC/SGC Tables guidance document to determine the potential for significant impacts. Hazardous Index will be used to assess the cumulative impacts for multiple pollutants.

Impacts of Existing/Future Processes at Industry City

Air emissions will be analyzed from existing process uses at Industry City, as well as proposed "Innovation Economy" uses, to assess their potential impacts on the potential sensitive uses at Industry City (hotel, colleges/universities, and ground-level gathering space).

Overview of Existing and Potential Emission Sources and Sensitive Uses

Existing Uses with Air Emissions Permits. Industry City is currently leased to approximately 450 firms, including a variety of designers, innovators, start-ups, manufacturers, and artists, alongside traditional manufacturing, artisanal craft, and technology sectors. Approximately 25 percent of Industry City's floor area is vacant, and 26 percent is occupied by storage and warehousing uses. The remaining 49 percent of Industry City complex is broken into component parts, which include 19 percent manufacturing uses (Use Group [UG] 16A, 17B, 17C, and 18 Equivalent), 10 percent light manufacturing and creative uses (UG 11A and 9A Equivalent), 10 percent office/tech space (UG 6B Equivalent), 1.4 percent retail uses (UG 6 Equivalent), 1.4 percent Brooklyn Nets training facility (UG 9), and 0.2 percent event space primarily located in Building 2 of the Finger Buildings and in the courtyard space along 2nd Avenue (UG 9), with the remaining 7 percent composed of vertical circulation and mechanical space. Existing manufacturing tenants at Industry City include food producers, garment producers, and specialty goods producers of goods such as guitars and paint for artists. Light manufacturing tenants include, among others, artists, home decor designers, and fashion workshops. Office and tech tenants include private firms and nonprofits.

A summary of existing uses that have active or expired permits for air emissions from the New York City Department of Environmental Protection (DEP) are shown in **Table 3**. It should be noted that just a small subset of existing businesses had/require air emissions permits, as well as that many of the uses that have permits are classified as UG 18, based on the description of the process.

Table 3
Existing Industry City Businesses, UGs, and Air Permit Information

Business	Use Category	UG	Pollutants Emitted
Utrecht Paint	Paint manufacture	18A	Particulates
Fodera Guitars	Guitar manufacturing (musical instruments manufacture, excluding pianos and organs)	11	Particulates, Acetone, VOCs, acrylic coating, lacquer thinner, vinyl sealer, dye stain concentrate
Baobab Frames & Art Services	Art frames	6	Particulates, MEK, MIBK, Isopropyl Alcohol, VOCs
Rag & Bone	Clothing/woodworking	16	Particulates, VOCs
Hercules Corrugated Box	Paper and print processing	17	Particulates
Absolute Woodward	Custom millwork and finishing	16	2-butoxy-ethanol
Rainbow Silk Screen	Silk screening / textiles printing	17	Particulates, VOCs
AM Cosmetics	Cosmetics	17	Acetone, Toluene
Interdynamics	Silk screening / textiles printing	17	4-Hydroxy-4-Methyl-Pentanone; 3-Methoxy Butylacetate; 2-Butoxyethyl; Acetate; Naphtha; Butylglycolate; Benzyl Alcohol; Cyclohexanone
W&M Headwear Co.	Headwear manufacture / hat manufacture	17	Water mist
Delta Packaging Special	Printing (assume unlimited)	17	Particulates
Crystal Ellis	Custom woodworking	16	Particulates; various solvents and VOCs
Milidak USA Inc.	Leather belts (leather tanning, curing, finishing or dyeing)	18	Particulates, Alcohol, Toluene
Williamsburg Furniture & Assoc.	Furniture manufacture	17	Particulates; Toluene; 2-Propanol; MEK; N-Butyl Acetate; VOCs
The Building Block	Custom woodworking	16	Particulates; N-Butyl Acetate; Acetone; Ethanol; VOCs
Woodcraft Design Inc.	Custom woodworking	16	Particulates; Xylene; N-Butyl Acetate; Butanone; Ethoxy Propyl Acetate
Atomic Woodworking	Custom woodworking	16	Particulates; Med. Aliph. Hyd. Solvent; Acetone; VOCs
Heritage Christmas	Christmas decorations manufacturing / products manufacture, custom	11	Particulates, water mist
Domanti, Egidio	Furniture manufacture	17	Particulates; Toluene; Isopropyl Alcohol; Acetic Acid; Butyl Ester; Acetone; Naphtha
Artemis Studios	Lamp shade manufacturing / products manufacture, custom	11	Particulates, Toluol
American Furniture	furniture manufacture	17	Particulates; various solvents and other VOCs

Note: Most of the current buildings do not have certificates of occupancy detailing UGs for existing uses, thus the listed UGs are approximations of UG categories existing uses may fall into.
Source: DEP permit information obtained in response to the request regarding existing uses in Industry City, April 2016.

Potential Future Uses that May Have Air Emission Sources. The Proposed Actions would include 1.78 million sf of manufacturing (UG 16A, 16B, 17B, 17C, and 18 equivalent) and approximately 893,445 sf of artisanal manufacturing and art/design studio (selected UG 9A and 10A, and UG 11A equivalent). Moreover, representative uses from these UGs are already present in the existing condition. With the Proposed Actions, UG18A uses shown in **Table 4** could be expected to locate on-site but would need to comply with M1 performance standards rather than M3 performance standards pursuant to current zoning regulations applicable to the site. However, based on the size and layout of available enclosed space for manufacturing/light industrial uses, UG18B uses would not be expected to be located at Industry City under a reasonable worst case development scenario (RWCDS), and are therefore not proposed to be analyzed.

Table 4
UG 18A Uses Reasonably Expected with the Proposed Action

UG18A Uses	Notes Regarding Air Quality Analysis
Beverages, alcoholic, or breweries	Existing use with no registered air emissions, no additional analysis of potential similar businesses proposed.
Glass or large glass products, including structural or plate glass or similar products	Analysis to be based on similar permitted uses in New York City
Graphite or graphite products	No uses with air permits found in data received from DEP or historical DEP databases. No additional analysis proposed.
Hair, felt, or feathers, bulk processing, washing, curing or dyeing	Analysis to be based on similar permitted uses in New York City
Leather or fur tanning, curing, finishing, or dyeing	Existing use, no additional analysis of potential similar businesses proposed
Linoleum or oil cloth	No permitted uses found. No additional analysis proposed
Meat or fish products or preparation of fish for packing	Analysis to be based on similar permitted uses in New York City
Metal or metal ores, reduction, refining, smelting, or alloying	Analysis to be based on similar permitted uses in New York City, including reasonable worst case metal-related businesses
Metal alloys or foil, miscellaneous, including solder, pewter, brass, bronze, or tin, lead or gold foil, or similar products	
Metal or metal products, treatment or processing, including enameling, japanning, lacquering, galvanizing, or similar processes	
Metal casting or foundry products, heavy, including ornamental iron work, or similar products	
Monument works, with no limitation on processing	Analysis to be based on similar permitted uses in New York City
Paint, varnishes, or turpentine	Existing use, no additional analysis of potential similar businesses proposed
Plastic, raw	Analysis to be based on similar permitted uses in New York City
Porcelain products, including bathroom or kitchen equipment or similar products	Analysis to be based on similar permitted uses in New York City
Rubber, natural or synthetic, including tires, tubes, or similar products	Analysis to be based on similar permitted uses in New York City
Soaps or detergents	Analysis to be based on similar permitted uses in New York City
Steel, structural products, including bars, girders, rails, wire rope, or similar products	Analysis to be based on similar permitted uses in New York City
Stone processing or stone products, including abrasives, asbestos, stone screenings, stone cutting, stone work, sand or lime products, or similar processes or products	Analysis to be based on similar permitted uses in New York City
Textile bleaching	No permitted uses found for bleaching. Analysis to be based on permitted textile operations in New York City
Wood or lumber processing including sawmills or planning mills, excelsior, plywood, or veneer, wood-preserving treatment, or similar products or processes	Existing use, no additional analysis of potential similar businesses proposed

Source:
NYC Open Data https://data.cityofnewyork.us/Environment/CATS-Permits/f4rp-2kvy and other information from DEP, April 2016.

Restrictions regarding co-location of UG 18 and other potential emission sources with sensitive uses will be accounted for, along with performance standards requirements, as discussed in subsequent sections of this memorandum.

Table 4 summarizes UG 18A uses that can be assumed under the RWCDS for the Proposed Actions.

As noted in **Table 4**, some types of uses in the future with the Proposed Actions are currently present in Industry City (e.g., wood processing and leather dying). To reasonably narrow down the types of potential uses to be analyzed as sources of air emissions for the future condition we propose the following assumptions:

- Future uses within the same UG 18 use type (for example wood processing) as existing uses in Industry City would have to comply with M1 zoning performance standards (see further discussion below) and would therefore have the same or lower emissions profile as those existing uses or similar uses that exist elsewhere in the City. Therefore, if based on the DEP permit information, there is no potential for impact from the existing uses onto the proposed sensitive uses (considering a

conservative minimum distance), there would be no potential for impact from a similar potential future use.

- Business types that typically do not need an air permit, such as soap manufacturing, would not be analyzed. Past information obtained from DEP will be used to determine whether a type of business within UG 18A typically requires a permit.
- Remaining uses are uses that could reasonably be expected to locate at the project site, that have processes that may require an air emissions permit, and are not already represented by the emissions profile of existing businesses would be analyzed, using representative information from existing businesses around the City, as indicated in **Table 4**.

To conservatively represent the range of locations of potential future uses that would be sources of emissions in the model, sources will be modeled on Buildings 1, 2, 8, and 26, as these are the closest to buildings where sensitive uses are proposed. Building 10 would also be modeled as a source, except in the case of the "Density-Dependent Scenario."

Proposed Future Sensitive Uses. The Proposed Actions would allow hotel uses (UG 5), and colleges/universities (UG 3A), which are not permitted under existing M3 zoning. The evaluation will consider hotels as sensitive uses. One hotel is planned to be located in the proposed new Building 21, while the second hotel, to be developed at a later point in time, would be located at the proposed new Gateway Building. It is anticipated that academic uses would locate in a new, purpose-built structures at Building 11 and in existing Building 9 and potentially Building 10 (in the "Density-Dependent Scenario"). UG3A also includes libraries, museum, and non-commercial art galleries, but these uses are not envisions or proposed at this time.

As discussed in the RWCDS memorandum for the Proposed Project, three RWCDSs were composed for the future with the Proposed Actions (the With Action condition): the "Proposed Scenario," "Density-Dependent Scenario," and the "Overbuild Scenario." For the assessment of potential effects from industrial sources, the maximum permitted over-build envelope will be used to account for the range of potential source and receptor heights. This maximum envelope would account for the maximum air quality impacts from industrial uses. In terms of locations of proposed sensitive uses, the three RWCDSs vary only slightly. To conservatively assess air quality effects, it will be assumed that the proposed Gateway Building would be developed and would include a hotel (this building is not included in the "Overbuild Scenario" but is included in the other two scenarios). Another difference between the RWCDSs is the use proposed in Building 10. The "Proposed Scenario" and the "Overbuild Scenario" assume that Building 10 would be occupied by innovation economy uses, while the "Density-Dependent Scenario" assumes that Building 10 would be occupied by academic and retail uses. Therefore, Building 10 will be analyzed both as an emission source, as proposed under the "Proposed Scenario" and the "Overbuild Scenario," and as a sensitive (academic) use, as proposed under the "Density-Dependent Scenario."

In conclusion, the following buildings will be analyzed as sensitive receptors: Building 9, Building 10, Building 11, Building 21, and the Gateway Building. A range of receptor heights will be modeled for each of these buildings, up to the maximum permitted over-build envelope height. Ground-level receptors will also be modeled to represent ground-level gathering space.

Overview of Proposed Development Restrictions

Co-location Restrictions. To reduce the possibility that industrial uses would significantly affect air quality at the proposed hotel and academic uses, the Special Permit would be restrict the co-location of sensitive uses near potentially noxious uses. The special district proposes to enforce this as follows: any permitted UG 3A or UG 5 may only locate in the same building as, or share a common wall with a building containing manufacturing or commercial uses upon certification by a licensed architect or engineer to the New York City Department of Buildings (DOB) that that such manufacturing or commercial use:

- Does not have a New York City or New York State environmental rating of "A," "B," or "C" under Section 24-153 of the New York City Administrative Code for any process equipment requiring a DEP operating certificate or New York State Department of Environmental Conservation (NYSDEC) State Facility Permit;
- Is not required, under the City Right-to-Know Law, to file a Risk Management Plan for Extremely Hazardous Substances; and
- Is not a use listed in UG 18.

The reverse is also true, in that any new manufacturing or commercial uses that meet any of the three criteria listed above will be restricted from locating in the same building as, or sharing a common wall with a building containing any existing UG 3A (colleges and universities; libraries, museums, and non-commercial art galleries) and UG 5 (hotels).

Therefore, businesses that require air emissions approvals for their process equipment (emissions sources) would not be located within the same building as uses that would be considered sensitive receptors.

Zoning and Performance Standards Requirements. The majority of the Affected Area is zoned M3-1, with a small portion of the Affected Area zoned M1-2. The Proposed Actions would map an M2-4 district over the majority of the Affected Area which is currently mapped M3-1, with a small portion of the Affected Area remaining an M1-2 district. M2-4 districts generally permit commercial uses and manufacturing uses with lower performance standards than in M1 districts. However, the new special district would modify applicable performance standards. Specifically, the area within the Special Sunset Park Innovation District will be subject to M1 performance standards. M1 district performance standards are the most stringent manufacturing district standard. Therefore, while UG 18 uses would be allowed in the Special Sunset Park Innovation District, those uses would need to conform to the M1 District performance standards, which are more stringent than the performance standards that existing industrial uses on-site are required to meet. The following are applicable performance standards restrictions within M1 Districts:

- The maximum amount of dust or other particulate matter from all sources including combustion for indirect heating, process dust, or combustion for incineration which may be emitted from a single stack or vent shall not exceed 33 pounds per hour.
- The emission of particulate matter shall be so controlled in manner and quantity of emission as not to be detrimental to or endanger the public health, safety, comfort, or other aspects of the general welfare, or cause damage or injury to property.
- The emission of toxic or noxious matter into the atmosphere shall be in accordance with limits established by the DEP. In addition to such emission limits, the emission of such matter shall be so controlled that no concentration at or beyond lot lines shall be detrimental to or endanger the public health, safety, comfort, and other aspects of the general welfare, or cause damage or injury to property.
- Additional performance standards regulating fire and explosive hazards, radiation hazards, odorous matter, emissions of dust from indirect heating would further limit the potential for sources of greatest concern to locate within the proposed special district.

Methodology and Assumptions for Analysis of Potential Impacts from Existing Uses

AKRF has obtained and reviewed a list of current commercial tenants from Industry City, along with information on existing sources with air permits issued by the DEP, as summarized in **Table 3**. A review of NYSDEC permit information was also performed to identify sources within the project area that possess a registration, state facility permit, or Title V air permit. The closest NYSDEC permitted facility is the Gowanus Generating station, more than 1,000 feet away from the location of proposed sensitive uses. Since this facility is beyond the screening distance for large or major sources of emissions, no analysis of these source categories is required.

Existing industrial sources of emissions permitted by the DEP will be analyzed using AERMOD, using emission rates for each pollutant and stack parameters provided in the permit to determine potential air toxics concentrations at sensitive receptor locations on the project site for each source. A variety of source locations will be modeled to account for both the existing location of the sources, and potential future source locations, at the closest allowable distance to the future sensitive uses (i.e., hotel and academic) on the Industry City complex, on all façades and at multiple elevations.

Predicted worst-case impacts on the Proposed Project will be compared with the short-term guideline concentrations (SGC) and annual guideline concentrations (AGC) reported in the NYSDEC's DAR-1 AGC/SGC Tables guidance document to determine the potential for significant impacts.[8] For each source location modeled, pollutants that exceed AGCs and/or SGCs will be summarized, along with the affected receptors. Potential cumulative impacts will be evaluated based on U.S. Environmental Protection Agency's (EPA) Hazard Index Approach for non-carcinogenic compounds and EPA's Unit Risk Factors for carcinogenic compounds, as discussed under "Cumulative Assessment." If needed, measures to preclude the potential for any significant adverse impacts will be identified.

Methodology and Assumptions for Analysis of Potential Impacts from Proposed "Innovation Economy" Uses

The permit data obtained from DEP will be supplemented by other data determined to be representative of potential future commercial tenants that would be allowed under the Proposed Actions. Historical DEP air permit databases will be reviewed to identify emission profiles for the uses that would be allowed and likely under the proposed zoning and analyzed, as indicated in **Table 4**. The data will be reviewed and to determine representative emission rates and stack parameters for each source category, considering the size, zoning, and nature of the sample facilities (for example whether the operations are enclosed, whether they are in a single-use or shared building, etc.). Emissions rates that will be modeled will account for reasonable worst-case emissions, considering size and other factors (e.g., smelters, which could not be reasonably accommodated in Industry City vs. small-scale jewelry design businesses that are typical of Industry City).

Since specific information on the location and emission characteristics of future industrial sources of emissions is not available, the analysis will be performed using a variety of source locations, at the closest allowable distance to the future sensitive uses (i.e., hotel and academic) on the Industry City complex, on all façades and at multiple elevations. Exhaust parameters will be based on conservative information obtained from historical permit databases accounting for size, zoning, and other limitations, as discussed for the development of the emissions profiles. As with existing sources, the potential sources will be modeled using AERMOD and predicted concentrations will be compared to the applicable guideline concentrations. For Building 21, which includes hotel use, the exhaust stacks will be modeled on the upper roof of the building.

A summary table will be prepared that will list the sources, pollutants, stack locations, and sensitive receptors. The table will be used to make decisions on protective measures, including (if needed) restricting the use or scale of certain processes or their location relative to sensitive uses.

Cumulative Assessment

For existing uses, an assessment of potential cumulative impacts will be performed, considering future sensitive uses. Potential cumulative impacts will be evaluated based on EPA's Hazard Index Approach for non-carcinogenic compounds and EPA's Unit Risk Factors for carcinogenic compounds. Both methods are based on equations that use EPA health risk information at referenced concentrations for individual compounds to determine the level of health risk posed by an expected ambient concentration of these compounds at a sensitive receptor. For non-carcinogenic compounds, EPA considers a

[8] NYSDEC, DAR-1 Guidelines for the Evaluation and Control of Ambient Air Contaminants Under Part 212; Appendix A, Toxicity Classification and Guideline Development Methodology for Annual and Short-Term Guideline Concentrations (AGC/SGC), August 2016.

concentration-to-reference dose level ratio of less than 1 to be acceptable. For carcinogenic compounds, the EPA unit risk factors represent the concentration at which an excess cancer risk of 1-in-1-million is predicted. In cases where an EPA reference dose or unit risk factor does not exist, the NYSDEC AGC will be used.

For potential future sources, each source will be modeled individually, since these sources are hypothetical and it would be unreasonable to compare a result of a hypothetical scenario, built on a number of superimposed conservative assumptions, with a specific risk factor. Furthermore, for moderate and high toxicity pollutants (which have lower threshold values that are used for determining significance) the likelihood that emission sources will have emissions of the same pollutant is very low. Therefore, for possible future sources, the potential for cumulative impacts will be evaluated qualitatively for more common pollutants. If the qualitative assessment indicates reason for concern regarding specific pollutants, a safety factor will be considered to account for uncertainty in the future mix of businesses and measures to avoid potential impacts to air quality will be identified. ✶

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Memorandum

To: Stephanie Shellooe, Aline Fader, DCP

From: Nathaniel Fletcher

Date: March 26, 2018

Re: Industry City EIS – Noise Analysis Methodology

cc: Daniel Abatemarco, Linh Do, Dyllon Gibbs, Ethan Goodman

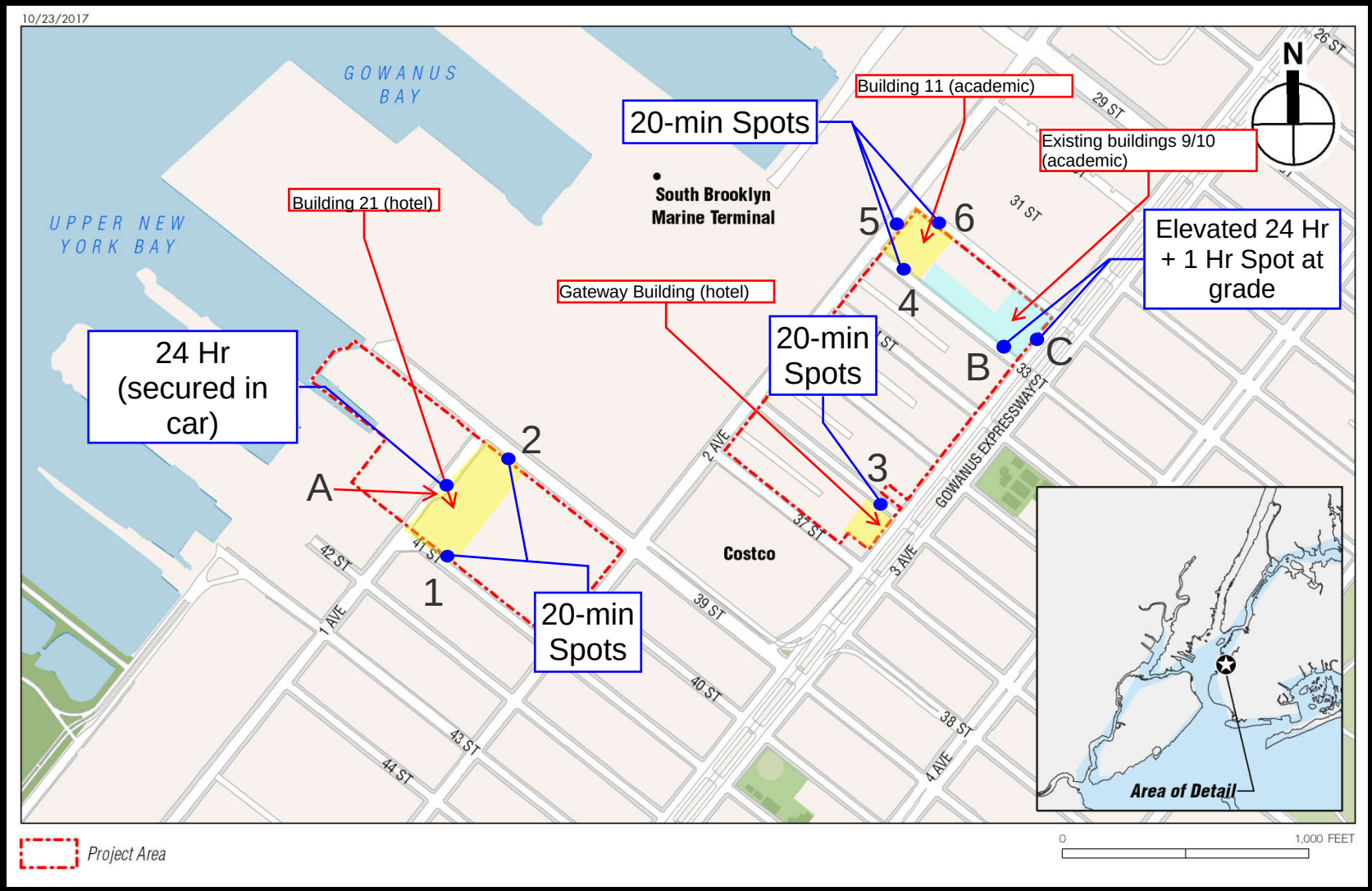
INTRODUCTION

The purpose of this memorandum is to describe the noise analysis approach for the Industry City Rezoning Draft Environmental Impact Statement (EIS). The Applicant proposes to re-tenant the Industry City complex with a mixed-use project containing manufacturing, commercial, and community facility uses that would, in combination, establish what the Applicant terms an Innovation Economy Hub. The Proposed Rezoning Area is located in the Sunset Park neighborhood of Brooklyn, in Community District 7 (see **Figure 1**); and comprises the Industry City complex (Block 679, Lot 1; Block 683, Lot 1; Block 687, Lot 1; Block 691, Lot 1 and 44; Block 695, Lots 1, 20, and 43; Block 706, Lots 1, 24, and 101; and Block 710, Lot 1) and certain adjacent properties that the Applicant plans to acquire (Block 695, Lots 37–42; Block 706, Lot 20; and a portion of Block 662, Lot 1).[1]

The noise analysis for the Proposed Actions will examine the following: 1) whether there are any locations where there is the potential for the Proposed Actions to result in significant noise impacts, and 2) what level of building attenuation would be necessary to provide acceptable interior noise levels at each development site as well as the proposed school site under guidelines contained in the 2014 *City Environmental Quality Review (CEQR) Technical Manual*. This memorandum presents a summary of the approach to noise level measurement and analysis for the Proposed Actions. This includes the selection of noise descriptors and receptor locations as well as the noise survey procedures. It also includes the method of establishing of noise levels from stationary sources associated with the proposed uses in the Area and the method of establishing noise exposure at noise-sensitive spaces that would be newly introduced under the Proposed Actions.

[1] Two lots on Block 691 (Lots 45 and 46) are neither owned by the Applicant, nor does the Applicant plan to acquire these lots. Under the Proposed Actions, these lots would be considered part of the "Affected Area."

PROJECT AREA



NOISE LEVEL MEASUREMENT

NOISE DESCRIPTORS

For purposes of the Proposed Actions, the 1-hour L_{eq} descriptor has been selected as the noise descriptor to be used in this noise impact evaluation, and the 1-hour L_{10} has been selected as the noise descriptor used to evaluate noise exposure at newly introduced noise receptors. These are the descriptors recommended by the *CEQR Technical Manual* for City environmental impact review classification.

NOISE RECEPTOR LOCATIONS

AKRF performed a field visit to develop a list of proposed receptor locations. According to field observations, vehicular traffic—particularly from the elevated Gowanus Expressway—is the dominant noise source throughout the study area, with some contribution from stationary sources (e.g., building HVAC equipment). Infrequent freight rail traffic on the 39th Street Rail line operates along 39th Street and 1st Avenue at very low speeds and its contribution to noise levels within the Proposed Rezoning Area is minimal.[2] In general, the levels of existing noise at each location are influenced by the amount of vehicular traffic on the immediately adjacent roadway or nearby roadways.

The proposed noise receptor locations were selected based on the following three criteria: 1) locations of projected noise-sensitive land uses (i.e., hotel or academic space) with the Proposed Actions; 2) providing comprehensive geographic coverage across the study area in order to get a comprehensive characterization of the ambient noise environment; and 3) existing land use patterns (e.g., along major commercial road corridors, along bus routes, near rail lines, and near existing stationary noise sources).

A total of 11 receptor sites were selected for the noise analysis in the rezoning area. These receptors, due to their proximity to the development sites, provide an effective and conservative representation of existing ambient noise levels at the locations at which noise-sensitive land uses would be developed with the Proposed Actions.

Figure 1 shows the locations of the 11 noise receptor sites and **Table 1** lists the noise receptor site locations, and details which receptor represents each proposed building façade. As detailed in **Table 1**, the south façade of the Gateway Hotel is represented by receptor 3, as are the north and west façades. The east façade, facing the Gowanus Expressway, is represented by B-1 and B-2. **Figure 1** shows the proposed buildings to be constructed as in-fill development (Building 11, Building 21, and the Gateway Building), and the existing structures to be re-tenanted, as part of the Proposed Actions.

[2] Field measurements performed on November 21, 2017 observed one train between approximately 7:00am and 7:00pm moving at approximately ten miles per hour (mph).

Table 1
Noise Receptor Locations

Noise Receptor Site	Location	Represented Newly Introduced Noise-Sensitive Area
A	1st Avenue between 41st Street and 39th Street, 10 feet above grade	Building 21 Hotel Space West Façade
1	41st Street, East of 1st Avenue, at grade	Building 21 Hotel Space South Façade
2	39th Street, East of 1st Avenue, at grade	Building 21 Hotel Space North and East Façades
3	36th Street, West of 3rd Avenue, at grade	Gateway Building Hotel Space North, West, and South Façades
4	33rd Street, East of 2nd Avenue, at grade	Building 11 Academic Space South Façade; Building 9 Academic Space South Façade
5	2nd Avenue between 33rd Street and 32nd Street, at grade	Building 11 Academic Space West Façade
6	32nd Street, West of 3rd Avenue, at grade	Building 11 Academic Space North and East Façades; Building 9 Academic Space North Façade
B-1	33rd Street, West of 3rd Avenue, at grade	Building 10 Academic Space East Façade; Gateway Building Hotel East Façade
B-2	33rd Street, West of Gowanus Expressway, third floor elevation overlooking Gowanus Expressway	
C-1	3rd Avenue between 33rd Street and 32nd Street, at grade	Building 10 Academic Space North, West, and South Façades
C-2	3rd Avenue between 33rd Street and 32nd Street, third floor elevation overlooking Gowanus Expressway	

NOISE SURVEY PROCEDURES

AKRF conducted a noise survey with noise measurements at 11 locations in the study area in November 2017 to ensure that data could be collected prior to the moratorium between the Thanksgiving Holiday and mid-January. Traffic counts were included during measurements at receptors other than A, B-2, and C-2 for the roadway immediately adjacent to each receptor site.

The timing and duration of noise level measurements at each noise receptor site is shown in **Table 2**.

Table 2
Noise Survey Timing and Duration

Noise Receptor Site	Measurement Duration/Time
A	Continuous 24-Hour Measurement
1	20-minute Spot Measurements During Weekday AM, MD, and PM Peak Periods[1]
2	
3	
4	
5	
6	
B-1[2]	Single 1-Hour Measurement Simultaneous with Site B-2 Continuous Measurement
B-2	Continuous 24-Hour Measurement
C-1[2]	Single 1-Hour Measurement Simultaneous with Site C-2 Continuous Measurement
C-2	Continuous 24-Hour Measurement

Notes:
[1] The weekday AM peak period is 7:30 to 8:30 AM, the weekday midday peak period is 12:30 to 1:30 PM, and the weekday PM peak period is 5:00 to 6:00 PM.
[2] At these locations, the difference in noise level measured at grade simultaneously with the level measured at the elevated location will be applied to the 24-hour measured noise levels at the elevated location to determine a 24-hour profile of at-grade noise levels.

Measurements were performed using Type 1 Sound Level Meter (SLM) instrument according to ANSI Standard S1.4-1983 (R2006). The SLMs had a laboratory calibration date within one year of the date of the measurements, as is standard practice. All measurement procedures were based on the guidelines outlined in ANSI Standard S1.13-2005.

PRELIMINARY NOISE SURVEY RESULTS

A summary of the noise measurement data as described herein can be found below in **Tables 3–6**.

Table 3
Noise Survey Results Summary (in dBA)

Site	Location	Time	L_{eq}	L_1	L_{10}	L_{50}	L_{90}
1	Along 41st Street between 1st and 2nd Ave	AM	62.5	73.6	65.9	57.4	55.3
		MD	61.5	72.9	61.2	57.8	55.4
		PM	57.5	68.4	59.8	53.5	51.4
2	Along 39th Street between 1st and 2nd Ave	AM	68.7	78.1	71.9	64.3	62.3
		MD	70.5	80.8	72	65	61.2
		PM	68.1	78.8	71.2	64.2	60.3
3	Along 36th Street between 2nd and 3rd Ave	AM	71	74.6	72.8	70.7	68.7
		MD	71.6	77.3	72.7	70.8	69.5
		PM	69.6	76.6	69.8	66.9	63.7
4	Along 33rd between 2nd and 3rd Ave	AM	69.7	81.7	71.5	63.5	60.9
		MD	63.8	73.6	66.1	60.5	59.2
		PM	65.9	76.6	69.1	61	59.3
5	2nd Ave between 32nd and 33rd Streets	AM	67.1	76.1	70.2	64.9	60.4
		MD	64.8	76.7	67.6	56.5	51.6
		PM	68	79.3	70.3	59.1	53.9
6	32nd Street between 2nd and 3rd Ave	AM	62	69.6	64	60.5	58.6
		MD	61.5	70.5	63.8	59.5	57.6
		PM	58.9	69.4	60.5	56.2	53.9
B-1	33rd Street, West of 3rd Avenue (at grade)	10:00 AM	75.7	80.2	77.3	75.1	73.5
C-1	3rd Avenue between 33rd Street and 32nd Street	11:00 AM	80	86.8	81.6	77.9	74.8

Note: Field measurements were conducted by AKRF on November 21, 2017.

Table 4
Location A – 24-hour Noise Survey Results Summary (in dBA)

Start Time	L_{eq}	L_1	L_{10}	L_{50}	L_{90}
12:00 AM	60.5	71.3	58.4	56.0	55.5
1:00 AM	60.1	72.7	57.9	56.0	55.6
2:00 AM	59.3	70.6	58.5	56.4	55.8
3:00 AM	62.0	74.9	60.7	56.9	56.1
4:00 AM	64.2	76.6	65.5	57.9	56.9
5:00 AM	63.3	74.1	67.0	58.1	57.0
6:00 AM	67.9	78.3	70.0	65.5	58.7
7:00 AM	67.2	78.6	70.0	62.0	59.0
8:00 AM	66.6	77.1	69.6	62.1	59.4
9:00 AM	67.1	76.9	70.4	62.7	58.9
10:00 AM	68.4	77.6	69.8	62.7	58.6
11:00 AM	68.1	78.3	72.0	62.8	57.8
12:00 PM	65.2	75.4	68.7	60.4	57.4
1:00 PM	65.9	76.5	69.1	60.2	57.0
2:00 PM	66.7	76.8	69.3	63.0	57.0
3:00 PM	67.5	78.7	69.7	61.6	56.9
4:00 PM	65.5	76.3	68.0	59.8	56.2
5:00 PM	65.6	76.6	66.6	59.1	55.8
6:00 PM	63.0	74.0	64.4	60.0	56.5
7:00 PM	63.6	74.1	65.2	59.8	57.2
8:00 PM	61.5	72.9	62.2	57.3	56.4
9:00 PM	63.3	76.5	63.2	57.0	56.3
10:00 PM	61.2	73.4	62.0	56.7	56.1
11:00 PM	62.0	73.5	62.0	57.0	56.1

Note: Field measurements were conducted by AKRF on November 21, 2017.

Table 5
Location B – 24-hour Noise Survey Results Summary (in dBA)

Start Time	L_{eq}	L_1	L_{10}	L_{50}	L_{90}
12:00 AM	76.1	80.2	77.6	75.1	72.8
1:00 AM	74.5	79.2	76.8	73.9	71.6
2:00 AM	74.6	80.2	77.1	73.7	71.1
3:00 AM	74.8	80.4	77.3	73.9	71.2
4:00 AM	75.9	80.5	78.0	75.3	72.9
5:00 AM	76.5	81.1	78.5	76.0	73.8
6:00 AM	76.5	80.4	78.1	76.0	73.8
7:00 AM	76.7	81.5	78.3	76.2	74.6
8:00 AM	76.7	83.8	77.8	75.9	74.3
9:00 AM	76.2	80.3	77.8	75.8	74.0
10:00 AM	76.4	80.9	77.7	75.5	73.7
11:00 AM	76.2	81.3	77.7	75.4	73.6
12:00 PM	75.6	79.8	77.2	75.1	73.4
1:00 PM	76.0	79.7	77.3	75.6	74.4
2:00 PM	76.2	81.6	77.2	75.6	74.4
3:00 PM	76.0	80.8	77.3	75.4	73.6
4:00 PM	75.0	79.6	76.2	74.6	73.1
5:00 PM	73.3	78.9	74.6	72.6	70.6
6:00 PM	73.9	80.0	75.0	73.0	70.9
7:00 PM	74.6	79.7	75.9	74.1	71.8
8:00 PM	75.8	78.7	76.9	75.6	74.5
9:00 PM	75.7	78.5	76.9	75.4	74.2
10:00 PM	76.0	79.1	77.3	75.8	74.5
11:00 PM	76.3	79.7	77.7	76.0	74.4

Note: Field measurements were conducted by AKRF on November 21, 2017.

Table 6
Location C – 24-hour Noise Survey Results Summary (in dBA)

Start Time	L_{eq}	L_1	L_{10}	L_{50}	L_{90}
12:00 AM	81.7	86.2	83.4	80.7	77.1
1:00 AM	79.5	85.1	82.3	78.7	74.2
2:00 AM	79.3	85.5	82.4	78.1	73.2
3:00 AM	79.4	86.0	82.5	78.1	73.2
4:00 AM	80.9	86.6	83.3	80.0	76.5
5:00 AM	81.7	87.0	84.0	81.0	77.9
6:00 AM	81.9	85.8	83.9	81.6	78.4
7:00 AM	82.1	86.3	83.7	81.6	79.4
8:00 AM	81.8	86.5	83.4	81.4	79.3
9:00 AM	81.3	85.5	83.1	80.9	78.1
10:00 AM	81.3	85.3	82.8	80.3	77.5
11:00 AM	80.9	85.9	82.8	80.3	77.8
12:00 PM	80.5	84.9	82.2	80.1	77.6
1:00 PM	80.8	84.4	82.4	80.5	78.8
2:00 PM	81.0	85.4	82.1	80.6	79.1
3:00 PM	80.7	85.1	82.5	80.3	78.1
4:00 PM	80.2	84.8	81.4	79.7	77.9
5:00 PM	77.2	83.6	79.0	76.4	73.1
6:00 PM	77.3	82.6	79.2	76.5	72.9
7:00 PM	78.2	83.2	80.4	77.7	73.5
8:00 PM	80.7	83.7	82.0	80.5	79.1
9:00 PM	80.7	83.9	82.2	80.5	78.8
10:00 PM	81.4	84.9	82.8	81.2	79.5
11:00 PM	81.7	85.0	83.3	81.5	79.4

Note: Field measurements were conducted by AKRF on November 21, 2017.

NOISE ANALYSIS

FAÇADE NOISE ATTENUATION REQUIREMENTS

Of the expected land uses that would be included in the Proposed Actions, the proposed Academic and Hotel uses would constitute newly introduced noise-sensitive receptors. Consequently, the EIS will consider projected noise exposure at these spaces. As shown in **Table 7**, the New York City *CEQR Technical Manual* has set noise attenuation quantities for buildings based on exterior $L_{10(1)}$ noise levels to maintain acceptable interior noise levels. The acceptable interior noise level thresholds for the EIS noise analysis will be 45 dBA or lower for hotel guestroom or classroom uses and 50 dBA or lower for office, administrative, conference/meeting room, and amenity spaces, and will be determined based on exterior $L_{10(1)}$ noise levels.

Table 7
Required Attenuation Values to Achieve Acceptable Interior Noise Levels

	Marginally Unacceptable				Clearly Unacceptable
Noise Level with the Proposed Project	$70 < L_{10} \leq 73$	$73 < L_{10} \leq 76$	$76 < L_{10} \leq 78$	$78 < L_{10} \leq 80$	$80 < L_{10}$
Attenuation[A]	(I) 28 dBA	(II) 31 dBA	(III) 33 dBA	(IV) 35 dBA	$36 + (L_{10} - 80)$[B] dBA

Notes:
[A] The above composite window-wall attenuation values are for classroom and hotel guestroom uses; office, administrative, conference/meeting room, and amenity spaces would require 5 dBA less attenuation. Innovation Economy, industrial, storage, corridor, stairwells, lobbies, and other spaces with non-noise-sensitive uses would not require any specific level of attenuation. All the above categories require a closed window situation and hence an alternate means of ventilation.
[B] Required attenuation values increase by 1 dBA increments for L_{10} values greater than 80 dBA.
Source: New York City Department of Environmental Protection.

Minimum façade noise attenuation ratings will be established for each of the newly introduced noise receptors as outlined above based on projected $L_{10(1)}$ noise levels in the future with the Proposed Actions. The projected future $L_{10(1)}$ noise levels comprise a combination of vehicular traffic noise, railway noise (for Sites A and 2, which are in proximity to the 39th Street Rail line), and stationary source noise from the surrounding Innovation Economy uses. The measured noise levels, as described above, include existing condition vehicular traffic and railway noise. The increase in vehicular traffic noise levels in the future with the Proposed Actions will be accounted for by adjusting the measured noise levels, using the proportionality equation described in section 332.1 of the *CEQR Technical Manual*. The contribution of stationary noise sources at surrounding areas will be accounted for by adding the maximum allowable noise levels allowable under the New York City Zoning Resolution (NYCZR) Section 42-213 (i.e., property-line noise level performance standards for manufacturing-zoned districts). The projected $L_{10(1)}$ noise levels in the future with the Proposed Actions will be applied to the standards shown in **Table 7** to establish building façade noise attenuation requirements at the newly introduced noise receptors. Any proposed noise-sensitive-use space would either demonstrate that the existing façade already meets the attenuation requirement or improve/replace the existing façade to meet the attenuation requirement.

INNOVATION ECONOMY DEMISING PARTITION NOISE ATTENUATION REQUIREMENTS

For the condition in which a newly introduced noise-sensitive use (i.e., Academic or Hotel) would exist on the same lot with Innovation Economy use, a minimum noise attenuation value would be set for demising partitions between the two uses to maintain acceptable interior noise levels. As with the analysis of façade noise attenuation described above, acceptable interior noise level thresholds for the EIS noise analysis will be 45 dBA or lower for hotel guestroom or classroom uses and 50 dBA or lower for office, administrative, conference/meeting room, and amenity spaces. Noise levels will be measured within a representative existing Innovation Economy space to establish worst-case interior noise levels from Innovation Economy use, and the measured $L_{eq(1)}$ noise level will be compared to the noise level ranges shown in **Table 7** to determine the necessary attenuation for demising partitions to maintain acceptable interior noise levels in adjacent noise-sensitive uses. The $L_{eq(1)}$, rather than the $L_{10(1)}$ noise level, will serve as the descriptor for establishing demising partition attenuation requirements, because the $L_{10(1)}$ noise level is specifically intended to evaluate noise exposure from traffic noise, whereas the $L_{eq(1)}$ noise level includes all acoustical energy incident during a measurement.

The Fodera Bass Guitar workshop has been selected as the representative Innovation Economy use to establish worst-case interior noise levels for existing and future Innovation Economy uses. It includes woodworking machinery (e.g., saws, routing machines, etc.) as well as ventilation equipment and serves as a conservative representation of noise from the types of light, manufacturing and industrial, that make up the expected Innovation Economy uses.

Under the master plans for the Proposed Actions that will be analyzed in the EIS, there is only one projected instance of a noise-sensitive use and Innovation Economy use existing on a single lot together, which would be the Hotel and Innovation Economy uses at Building 21. Building 21 would be a newly constructed building and the design of its demising partitions between the two uses would be required to provide the minimum noise attenuation established by the analysis described above. ✷

PROJECT AREA