

Chapter 24: Response to Comments on the DEIS¹

A. INTRODUCTION

This chapter summarizes and responds to all substantive oral and written comments on the Draft Environmental Impact Statement (DEIS) for the Proposed Actions made during the public comment period. These consist of comments made at the public hearing held by the New York City Planning Commission (CPC) and written comments submitted to the New York City Department of City Planning (DCP). The Notice of Completion for the DEIS was issued on August 16, 2021, which marked the beginning of the public comment period for the DEIS. The public hearing on the DEIS was held concurrently with the hearing on the Proposed Actions' Uniform Land Use Review Procedure (ULURP) application at 10:00 A.M. on October 6, 2021, which was held remotely via telephone and on the Internet through the NYC Engage portal in support of the City's efforts to contain the spread of COVID-19. The comment period for the DEIS remained open until 5:00 pm October 18, 2021.

Section B below lists the elected officials, community boards, organizations and individuals who commented on the DEIS, and Section C contains a summary of relevant comments on the DEIS and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the DEIS. Where more than one commenter expressed similar views, those comments have been grouped and addressed together.

Written comments received on the DEIS and a transcript of verbal testimony given at the DEIS Public Hearing are included in Appendix H to this Final Environmental Impact Statement (FEIS).

B. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

Elected Officials

1. Hon. Eric L. Adams, Brooklyn Borough President; written testimony dated October 5, 2021.

Interested Organizations and Individuals

2. Terri Carta, Brooklyn Greenway Initiative; oral testimony at the public hearing on October 6, 2021
3. Joe Chan, YMCA of Greater New York; oral testimony at the public hearing on October 6, 2021
4. Kendall Charter, Greenpoint YMCA; oral testimony at the public hearing on October 6, 2021
5. Edilsa Chavez, resident; oral testimony at the public hearing on October 6, 2021

¹ This chapter is new to the FEIS.

6. Mike Cherepko, resident; written testimony dated October 8, 2021
7. Ankur Dalal, resident; oral testimony at the public hearing on October 6, 2021
8. Shaurav Datta, resident; written testimony dated October 7, 2021
9. Juana De Jesus, resident; oral testimony at the public hearing on October 6, 2021
10. Michael Dulong and William Wegner, Riverkeeper, Inc.; written testimony dated October 18, 2021
11. Julia Amanda Foster, resident; oral testimony at the public hearing on October 6, 2021
12. Adam Ganser, New Yorkers for Parks; written testimony dated October 6, 2021
13. Catherina Gioino, Oonee; oral testimony at the public hearing on October 6, 2021
14. Robert Gorrill, resident; written testimony dated October 15, 2021
15. Harrison Grinnan, resident; oral testimony at the public hearing on October 6, 2021
16. Lukasz Grochowski, resident; oral testimony at the public hearing on October 6, 2021
17. Katie Denny Horowitz, North Brooklyn Parks Alliance; oral testimony at the public hearing on October 6, 2021
18. Michael Kawochka, resident; oral testimony at the public hearing on October 6, 2021; written testimony dated October 6, 2021
19. Millie Khemiri, resident; oral testimony at the public hearing on October 6, 2021
20. Peter Malinowski, Billion Oyster Project; oral testimony at the public hearing on October 6, 2021
21. Richard Mazur, North Brooklyn Development Corp.; oral testimony at the public hearing on October 6, 2021
22. Andy McDowell, Pete's Candy Store; oral testimony at the public hearing on October 6, 2021
23. William Meehan, resident; oral testimony at the public hearing on October 6, 2021
24. Dan Miller, resident; written testimony dated October 7, 2021
25. Sunny Ng, resident; written testimony dated October 11, 2021
26. Ramon Peguero, The Committee for Hispanic Children and Families; oral testimony at the public hearing on October 6, 2021
27. Arelis Puljols, resident; oral testimony at the public hearing on October 6, 2021
28. Renzo Ramirez, 32BJ SEIU; oral testimony at the public hearing on October 6, 2021
29. Lori Raphael, Brooklyn Chamber of Commerce; oral testimony at the public hearing on October 6, 2021
30. Cristiano Rossi, local business owner; oral testimony at the public hearing on October 6, 2021
31. Paul Samulski; North Brooklyn Chamber of Commerce; oral testimony at the public hearing on October 6, 2021
32. Allyson Stone, resident; oral testimony at the public hearing on October 6, 2021
33. Joseph Sutkowi, Waterfront Alliance; oral testimony at the public hearing on October 6, 2021
34. Bernarda Tavares, resident; oral testimony at the public hearing on October 6, 2021.
35. William Thomas; Open New York; oral testimony at the public hearing on October 6, 2021
36. Joel Towers, New School Tishman Environment and Design Center; oral testimony at the public hearing on October 6, 2021
37. Alex Vallejo, local business owner; oral testimony at the public hearing on October 6, 2021

C. COMMENTS AND RESPONSES ON THE DRAFT EIS

1. Project Description

Comment 1.1: I urge the City Planning Commission to approve the full River Ring project. The cuts that the community board conditioned its support on would jeopardize the other benefits River Ring offers. But more importantly, New York City needs all of these

homes, even the market rate ones. However, the parking requirement should be eliminated. If the rezoning allows zero parking now, it will be easier to change later if there is too much parking (Cherepko, Ng, Thomas, Grinnan, Meehan).

Response 1.1: **Comment noted. As discussed in Chapter 1, “Project Description,” of the EIS, the Applicant is requesting a zoning special permit, pursuant to ZR 74-533 to reduce the minimum required off-street parking spaces for market-rate residential units in a Transit Zone from 40% to 20%.**

Comment 1.2: *Too often, the priorities of open space and affordability are pitted against each other in private developments. [The Applicant] has demonstrated a commitment to both with this project prioritizing affordability for those New Yorkers most in need of affordable housing. The development proposal dedicates 25% of the total units to affordable housing, with 40% of those units targeted for very low-income New Yorkers making 40% of the area median income (Ganser).*

Response 1.2: **Comment noted. Pursuant to Option 1 of the Mandatory Inclusionary Housing program, 25% of residential units would be permanently affordable to households earning an average of 60% Area Median Income (AMI). Of those permanently affordable units, 40% would be affordable to households earning 40% AMI.**

Comment 1.3: *River Ring should also shift their affordable housing ratio to include more units affordable at 40% AMI and fewer at 60% AMI. 40% AMI is equivalent to the median income for Black and brown households in Williamsburg. These are the households most in need of affordable housing opportunities (Gorrill).*

Response 1.3: **Comment noted. Refer to Response 1.2.**

Comment 1.4: *The City and the Applicant should direct the proceeds of the roadbed sale as either a surface easement or tax lot to fund Bushwick Inlet Park (Adams).*

Response 1.4: **Comment noted. The decision on how to direct any revenue generated from the disposition of the demapped street bed and appurtenant development rights will be made by the City.**

Comment 1.5: *The cost avoidance of constructing a larger parking garage can be put towards constructing additional affordable housing. To memorialize the additional affordable housing, the ZR 74-533 special permit should be conditioned on developer obligation to increase permanently affordable housing from the MIH requirement of 25 percent of the residential floor area by an additional 76,690 sq. ft (Adams).*

Response 1.5: **Comment noted. As described in the EIS, the Proposed Actions include a Zoning Text Amendment to designate the Project Area as a Mandatory Inclusionary Housing Area, and is proposing to establish MIH Option 1 in the proposed C6-2 zoning district, which would require that 25 percent of the housing must be affordable, on average, to households making 60 percent of the AMI. The Applicant has expressed a commitment to work with the City to provide additional affordable housing in and above MIH requirements and/or at lower AMIs and with larger units than required by MIH.**

Comment 1.6: *I think the Commission should support a larger number of affordable units, especially at lower AMIs, but not at the expense of the building size, given the neighborhood context, the proposed rezoning is more than reasonable (Meehan).*

Response 1.6: **Comment noted. Refer to Response 1.5.**

Comment 1.7: *I'm speaking in support of the CB One recommendations. I feel like the city has enough leverage to get more for its citizens, then what might amount to 105 actually affordable apartments. I don't know if you've looked at rents of below market housing, but a two bedroom apartment might be \$7,000 or \$6,000 - rents that I don't know many people who could afford, and that's the below market figure on a lot of these (McDowell).*

Response 1.7: **As described in Chapter 1, "Project Description," the Proposed Actions would result in the development of permanently affordable DUs under the MIH program, pursuant to MIH Option 1. Under MIH Option 1, 25% of the total DUs would be permanently affordable to households earning an average of 60% Area Median Income (AMI). Based on 2021 data from the NYC Department of Housing Preservation and Development (HPD), a two-bedroom unit for households earning 60% AMI currently costs approximately \$1,437 per month. Refer to Table 3-8 in Chapter 3, "Socioeconomic Conditions".**

Comment 1.8: *The Applicant has not disclosed the intended bedroom distribution within the affordable or market-rate units at the Proposed Development. Right-sizing the bedroom distribution within the affordable housing floor area is more important than maximizing the number of MIH units. There is no indication that the Applicant would provide an adequate distribution of family-sized apartments. For this project, it is important to mandate that the developer provide affordable housing pursuant to ZR Section 23-96(c)(1)(ii), with at least 50 percent of the units containing two or three bedrooms and at least 75 percent configured with one or more bedrooms (Adams).*

Response 1.8: **Comment noted. The Applicant will comply with applicable regulations regarding unit sizes and will work with the City to recognize the need for family-sized apartments.**

Comment 1.9: *To confirm that appropriate community facility use would be realized, Bulk Waiver Sections Z06-1, Z06-2 and C06-4, as part of special permit ULURP 220064 ZSK, should be further modified with a notation that restricts community facility floor area to Use Group (UG) 3A schools (restricted to child care centers), noncommercial art galleries, and/or UG 4A clubs, community centers, non-commercial recreation centers, philanthropic or non-profit institutions without sleeping accommodations. Additionally, at least one quarter of the floor area set-aside for commercial office, community facility, and/or retail space, should be reserved for occupancy by any combination of arts/cultural entities, childcare, innovation and maker uses, and non-profit organizations — including recreational facilities (Adams).*

Response 1.9: **Comment noted. As described in the ULURP application, the Applicant and the YMCA are planning for a 50,000 gsf state of the art YMCA facility at the River Ring site. In the event that the YMCA ultimately does not take possession of this space, the Applicant has committed to finding an alternative community facility use in consultation with the local council member at such time, with a focus on community**

facility uses that will be compatible with the project and benefit the surrounding community. The floor area cannot be restricted to community facility space through the approval process.

Comment 1.10: We appreciate that the Applicant has met with Riverkeeper staff on multiple occasions to discuss the Project, and we acknowledge the potential community benefits it could provide, such as a new YMCA space, a “tidal classroom,” and human powered boating opportunities (Riverkeeper).

Response 1.10: Comment noted.

Comment 1.11: Hurricanes Sandy and Ida have raised questions about resilience along New York City’s shorelines in the face of coming sea level rise and storm surges. These issues must be settled by the City before moving forward to approve the filling in of tidal waters to construct breakwaters on a parcel-by-parcel basis. The New York City Council must determine how it intends to regulate and protect new development along our shorelines and in our floodplains prior to Project approval (Riverkeeper).

Response 1.11: Citywide policy regarding resiliency and shoreline protections is outside the scope of CEQR review for the Proposed Actions. As part of the Proposed Development, the Applicant team is proposing breakwaters that would likely improve resiliency for both the Proposed Development and adjacent properties (which has been demonstrated by wave run-up studies performed by the Applicant team). The breakwaters typically improve resiliency by reducing storm-generated wave heights. As described in Chapter 2, “Land Use, Zoning, and Public Policy,” of the EIS, these measures would be fully consistent with Policy 6 of the New York City Waterfront Revitalization Program and would be designed in accordance with the November 2018 New York City Waterfront Revitalization Program Climate Change Adaptation Guidance, Guidance on Policy 6.2.

Comment 1.12: In the case of the proposed Project there are yet no plans to protect surrounding shoreline areas on the East River, though such plans surely will be necessary. It is yet to be seen how this plan will fit with those that are forthcoming. The precedent should not be set to initiate a land reclamation free-for-all. Resiliency should not be driven by the needs of one property. Rather, the New York City Council must take action to set detailed guidelines for shoreline and tidal floodplain development for developers to follow (Riverkeeper).

Response 1.12: Comment noted. See Response 1.15 above. As described in Chapter 1, “Project Description,” of the EIS, the Proposed Actions consist of partially removing fill placed in an 1830s land reclamation, reshaping the shoreline to improve resiliency, and restoring tidal wetland habitats along the shoreline. The Proposed Actions would result in a net increase of tidal wetland and open water areas of 55,742 SF and a net increase in water volume by 2,575 CY as described in the Joint Permit Application for the Proposed Development, which is included as Appendix E to the EIS.

2. Land Use, Zoning, and Public Policy

Comment 2.1: I concur that a C6-2 (R8 residential equivalent) would be an appropriate modification to the zoning map. However, to justify a C6-2 MIH district at this site, the developer should commit to providing additional affordable units based on a rent roll consistent with MIH Option 1 (Adams).

Response 2.1: Comment noted. See Response to Comment 1.5.

Comment 2.2: To meet the threshold of public benefit necessary for approval of C6-2 MIH zoning, any residential FAR increment above R7A MIH should require provision of affordable housing floor area at a rate in lieu of the standard MIH Option 1 with permanent affordability. The developer should be required to memorialize the additional 1.9 FAR with more than 25 percent permanently affordable floor area and average rent not exceeding 60 percent AMI. The City Council should obtain written commitments from River Street Partners, LLC to file a legally binding mechanism that commits and increased percentage of permanently affordable housing floor area or reduction of AMI below 60 percent (Adams).

Response 2.2: Comment noted. See Response to Comment 1.5

Comment 2.3: For MIH lotteries, DCP needs to modify the ZR to allow exceptions to the 30 percent of income limit so that those who are rent-burdened and paying equal or greater rent than that of the lottery unit would be eligible to live in new and quality affordable housing (Adams).

Response 2.3: Comment noted.

3. Socioeconomic Conditions

No comments.

4. Community Facilities and Services

No comments.

5. Open Space

Comment 5.1: North Brooklyn has one of [the] lowest rates of open space per capita in the city, making the development of parks a critical priority. Even though there is no requirement for the developer to do so, Two Trees has committed to build an ambitious park that will make possible a string of waterfront open spaces from the Brooklyn Navy Yard to Newtown Creek – unthinkable just ten years ago. What’s more, it will be fully public and paid for and maintained by private dollars, costing the city nothing (Ganser).

Response 5.1: Comment noted. As described in Chapter 1, “Project Description,” of the EIS, the Proposed Development would include 2.9 acres (126,308 sf) of publicly accessible open space. Under the requested C6-2 zoning district and ZR 62-12, developments are required to provide waterfront public access area to the public.

Comment 5.2: River Ring’s waterfront park design includes two features no private developer has attempted to build before. One is an extensive habitat restoration zone that includes tidal wetlands shallows planted with sub-aquatic vegetation and structures to support the restoration of our estuaries keystone species, oyster and other aquatic life. The second feature is a natural edge design that includes a beach, a protective breakwater, and rerouted combined sewer overflow. Taken together, these innovations will allow for human powered boating and someday perhaps even swimming. We are here to speak in support of the River Ring project (Malinowski, Horowitz).

Response 5.2: Comment noted.

6. Shadows

No comments.

7. Historic and Cultural Resources

No comments.

8. Urban Design and Visual Resource

No comments.

9. Natural Resources

Comment 9.1: The proposed Project is located on the East River and within the 100-year floodplain. The Applicant has prepared a detailed plan intended to mitigate tidal inundation and storm surge for a small segment of New York City’s 520-mile coastline. The Applicant asserts that construction of “in water resiliency infrastructure [...] will protect the shoreline and upland properties from storms, flooding and sea level rise.” To the extent that the on-shore aspect of the Project depends on in-water landfill to protect it from sea level rise and storm surge, we ask whether such a development is prudent in the first place. As we have seen after Hurricanes Sandy and Ida, even where structures survive flooding, the disruptions to residents can last for months and years. The plans to fill in the East River and reshape the shoreline are drastic measures, to say the least, and a sign of what is to come. Such planning cannot be left to shoreline developers on a parcel-by-parcel basis (Riverkeeper).

Response 9.1: Comment noted. See responses to Comments 1.11, 1.12 and G.21, above. While the Proposed Development Site is located within the limits of the 100-year flood, the Applicant has incorporated measures to improve resiliency during and following storm surge and sea level rise. Resiliency measures include the proposed breakwaters, soft shoreline, created salt marsh, reduce wave run up, building raised above design flood elevation, and protected utility services as described in Appendix E. The resiliency measures comply with the Building Code requirements.

Comment 9.2: If the Applicant is approved to create subtidal, tidal wetland, and freshwater wetland habitats, as a condition of its approval, it should be required to develop and implement maintenance plans to guarantee their long-term success. The Applicant should be required to develop bonded, long-term monitoring and maintenance plans that include the removal of invasive species and replanting of native vegetation that fails to establish.

To enable informed review of the proposed Project, the Applicant should be required to develop a long-term monitoring and maintenance plan that includes the removal of invasive species and replanting of native vegetation that fails to establish. In addition, the Applicant should provide specific design criteria for proposed freshwater wetlands (Riverkeeper).

Response 9.2: Proper maintenance and upkeep of all plantings reflected in the WPAA shall be required by the Maintenance and Operations Agreement to be jointly executed by the NYC Department of Parks and Recreation and the Applicant. The Proposed Development does not include freshwater wetlands; and all references have been removed from the FEIS.

Comment 9.3: New York City has lost more than 85% of its coastal wetlands and well over 90% of its freshwater marshes to development and other in-filling over the past century. Tidal and freshwater wetlands creation, even on a small scale, likely will benefit the estuary. If the Project does move forward, the long-term success of the created wetlands is crucial (Riverkeeper).

Response 9.3: Comment noted.

Comment 9.4: Created tidal and freshwater wetlands and buffers must be properly designed and managed to protect these important ecological and water quality resources. As proposed in the DEIS, however, the creation of tidal and freshwater wetlands and buffers, without a plan for long-term maintenance and climate adaptation, is inadequate to achieve the desired water quality and ecological functions (Riverkeeper).

Response 9.4: Proper maintenance and upkeep of all plantings reflected in the WPAA shall be required by the Maintenance and Operations Agreement to be jointly executed by the NYC Department of Parks and Recreation and the Applicant. Note that the Proposed Development does not include freshwater wetlands.

Comment 9.5: The description of the proposed tidal wetlands is inadequate to ensure sustainability of wetland functions, and a maintenance plan must be developed and secured by bond prior to project approval. Without a maintenance plan in place prior to project approval, the proposed tidal wetland installation is likely to fail. The Applicant

*proposes to create 19,044 square feet of tidal wetlands in the form of salt marsh and tidal pools at the Project site in the East River. "About 19,044 SF of salt marsh and tide pools would be created along the cove between the beach and the boat ramp. About 4,650 SF of the salt marsh and tide pools would be covered by a metal grate boardwalk at MHW [mean high water] (4,657 SF at MHHW [Mean Higher High Water]). The tide pools and channels are located under the boardwalk to minimize the impact of shading on the salt marsh planted areas." "Salt marshes will be planted with smooth cordgrass (*Spartina alterniflora*), the principal vascular plant of salt marshes . . . In the high marsh between Mean High Water and Mean Higher High Water, salt meadow cordgrass (*Spartina patens*), black grass (*Juncus gerardii*), and spike grass (*Distichlis spicata*) will dominate." What form of *Spartina* will be planted: seeds, containerized plugs, bare-root plugs, or another form? Studies have demonstrated that "active planting does not necessarily lead to successful establishment of marshes." Seedling survival is sensitive to erosion and requires a long disturbance-free period for successful establishment of *Spartina* (Riverkeeper).*

Response 9.5: Proper maintenance and upkeep of all plantings reflected in the WPAA shall be required by the Maintenance and Operations Agreement to be jointly executed by the NYC Department of Parks and Recreation and the Applicant. As described in Appendix E to the EIS, the salt marsh designers intend to specify the planting of 2-inch plugs for all salt marsh vegetation. The boundaries of the salt marsh will be designed to dissipate energy to prevent erosion both during and after plant establishment. These measures, in addition to attention to light regime, substrate, grading, and herbivory protection have been demonstrated to lead to successful salt marsh restoration throughout the Hudson River estuary. The project's salt marsh design methodology was established and studied in the 1990s by the Natural Resources Group at NYC Parks after an oil spill in the Arthur Kill. Since then, the methodology has been utilized throughout the Hudson River Estuary, including successful marsh restorations at Brooklyn Bridge Park (Brooklyn), Randalls Island, Bush Terminal Park (Brooklyn), Hunters Point (Queens), and John Street Park (Brooklyn), among many others.

Comment 9.6: Wetlands are often created as compensatory mitigation for development projects that impact natural wetlands. Such artificial wetlands are often unsuccessful. Creation of the proposed tidal salt marsh would present challenges in establishing and sustaining ecological functions equal to those of a natural salt marsh. The Applicant claims the Project "would result in a significant net benefit to the tidal wetland and adjacent areas by increasing the volume and footprint of tidal wetlands (and significantly increasing littoral and intertidal zones), and by creating and enhancing habitats that improve the overall ecological value of the tidal wetlands and adjacent areas at the site. However, the DEIS fails to acknowledge the potential such wetlands may ultimately fail (Riverkeeper).

Response 9.6: Comment noted. The Natural Resources chapter of the EIS was prepared in accordance with the methodologies and guidance of the *CEQR Technical Manual*. In addition, the Joint Permit Application (Appendix E to the EIS) details the full scope of the proposed natural areas and habitats..

Comment 9.7: Although the DEIS proposes planting native species in the tidal wetland, there is no discussion of long-term monitoring for successful establishment of those species. Due

to the limited success of many created wetlands, the National Research Council recommends that “there should be effective legal and financial assurances for long-term site sustainability and monitoring.” A typical self-monitoring period is three to five years, but some wetland vegetation may not mature for many years afterward. Other disturbances occurring after monitoring periods may require repairs to ensure successful functioning of created wetlands (Riverkeeper).

Response 9.7: **Proper maintenance and upkeep of all plantings reflected in the WPAA shall be required by the Maintenance and Operations Agreement to be jointly executed by the NYC Department of Parks and Recreation and the Applicant.**

Comment 9.8: *The potential impacts of sea level rise on the success of the proposed tidal wetlands warrant a thorough review in the DEIS, pursuant to the climate change regulation promulgated in 2018 See 6 NYCRR 618.9(b)(5)(iii)(i) (requiring analysis of “associated impacts due to the effects of climate change such as sea level rise and flooding”). How will climate change impact the wetlands, and how long could they be expected to last as designed, given the rising sea level? Will they be capable of “migrating” to higher elevations on their own? Has the Project accounted for the New York City Department of Parks and Recreation recommendation to add “approximately 6 inches in elevation throughout the site with the same slope [] above the target elevations to allow sufficient space for plant communities to transition under sea-level rise”? If and when the wetlands become endangered, what actions will be taken to protect and restore them (Riverkeeper)?*

Response 9.8: **The Natural Resources chapter of the EIS was prepared in accordance with the methodologies and guidance of the 2020 CEQR Technical Manual. NYC Parks recommendation is most feasible at expansive sites. For this highly programmed site, the salt marsh designers are addressing sea level rise by designing the salt marsh with elevations in the upper reaches of their typical range, allowing them to persist for the coming two or three decades. Over time, low marsh will migrate into high marsh zones. Detritus will not be removed from the salt marsh zone, allowing for peat build-up and gradual rise of the marsh. If these measures do not prove to sufficiently mitigate sea level rise later this century, the salt marsh zone will be one of many natural and restored marshes throughout the Hudson River Estuary that future regulators and managers will need to address through the addition of supplemental sediments.**

Comment 9.9: *Attempting to create a sustainable wetland in a compromised habitat will always be extremely difficult, but especially so when considering this and other development's additional contribution to sewage effluent in the waterways and the impact of large volumes of combined sewer overflows and MS4 (municipal separate storm sewer system) discharges. The ecological impact from these outflows as well as the constant introduction of raw and treated sewage and various chemicals including endocrine disruptors throughout New York City's waters represent one of the most significant problems in the estuary that needs to be addressed on a larger scale if we are serious about restoring habitat and wildlife in the harbor and estuary. We recognize that one development project cannot wholly solve these problems, yet we believe useful measures can be taken to reduce this pollution now (Riverkeeper).*

Response 9.9: **Comment noted. Large scale protection and restoration of habitat and wildlife in New York City’s harbor and estuary is outside the scope of CEQR review for the Proposed Actions.**

*Comment 9.10: The description of the proposed freshwater wetlands is inadequate to ensure sustainability of wetland functions, and design criteria and a maintenance plan should be developed prior to project approval. The Applicant proposes to create an indeterminate amount of freshwater wetlands upland of the river shoreline. According to the applicant “freshwater wetlands within the larger upland zones will manage stormwater and provide additional habitat value. . . . Freshwater wetlands within the larger upland zone will be planted with emergent and floodplain native species such as pickerelweed (*Pontederia cordata*), blueflag iris (*Iris versicolor*), soft rush (*Juncus effuses*), and multiple sedges.” However, as with the proposed plantings for the created tidal salt marsh, the DEIS provides no long-term monitoring and maintenance plans to ensure that freshwater wetland vegetation and their functions will be reproduced and sustainable (Riverkeeper).*

Response 9.10: **The Proposed Development does not include freshwater wetlands. The FEIS chapters have been updated to remove any reference to freshwater wetlands.**

Comment 9.11: Wetland functions are not easily created. Hydrological functions are one of the biggest influences of constructed wetlands and “the difficulty of restoring wetland hydrology increases as the degree of wetland degradation increases.” Wetland vegetation also is important to the function of water quality, and hydrology affects the way in which seeds disperse and germinate. Many seeds cannot germinate in standing water and therefore flow is essential. Vegetation, in turn, influences flow rates and thus reciprocally affects hydrology. Water quality is a function that “can be mitigated but rarely duplicated” because hydrology and chemical composition are difficult to replicate (Riverkeeper).

Response 9.11: **Comment noted. As described in Chapter 9, “Natural Resources” and the Joint Permit Application in Appendix E of the EIS, the salt marsh is directly connected to the East River and will flush with each tide cycle.**

Comment 9.12: The DEIS proposes no specific siting of the wetland pockets in upland areas. “Site selection for wetland conservation and mitigation should be conducted on a watershed scale in order to maintain wetland diversity, connectivity, and appropriate proportions of upland and wetland systems needed to enhance the long-term stability of the wetland.” However, the DEIS provides no information on specific site selection, design criteria (type of impermeable liners—clay, geotextile, etc.), or soils (native soils, hydric soils from donor wetlands, etc.). Further, invasive plant species threaten wetland biodiversity. These species have high rates of seed production and germination, and consume much of the nutrients in wetlands soils and water (Riverkeeper).

Response 9.12: **The intent is to create coastal habitat that mimics the hydrologic and soil moisture regime found in natural settings. Soil moisture will be on a continuum. Specified soils will be sand-dominated and low nutrient to provide a competitive advantage to native species over invasive, exotic weeds. The planting plan will include obligate, facultative wet, and facultative wetland species in low areas and**

facultative, facultative upland, and upland species in high areas. Plant establishment will be determined in part by the soil moisture regime and plant communities may shift seasonally dependent on rainfall patterns. Proper maintenance and upkeep of all plantings reflected in the WPAA shall be required by the Maintenance and Operations Agreement to be jointly executed by the NYC Department of Parks and Recreation and the Applicant. Refer to Section G, “The Future With the Proposed Actions (With-Action Condition)” found in Chapter 9, “Natural Resources”.

Comment 9.13: *The description of the proposed tidal and freshwater wetland buffers is inadequate to ensure sustainability of wetland functions. The DEIS proposes that the tidal wetland adjacent area (“TWAA” or “buffer”) “would remain as is, barren fill area interspersed with non-native and invasive plant species.” The reason that invasive plant species have established in the TWAA is that invasive species are more tolerant of environmental stressors than are the native plant species. Unless those stressors are managed to be reduced or eliminated, invasives will continue to dominate native species composition, degrading natural habitat and water quality functions of the buffers and, ultimately, the wetlands themselves. A barren fill area dominated by invasive upland vegetation cannot be considered a high-functioning buffer sufficient to protect the tidal wetland. Additionally, because the Applicant proposes that “freshwater wetlands within the larger upland zones will manage stormwater and provide additional habitat value,” the stress on those wetlands from receiving contaminated stormwater runoff will be further compounded by degraded buffers unless the water quality functions of the buffers are incorporated in their design and maintained (Riverkeeper).*

Response 9.13: **Comment noted. The Proposed Development does not include freshwater wetlands. Please see response to comment 9.12 above. The buffer transition zones are the hardest to establish and most susceptible to weed invasions. The design will address this partially by removing existing invasive species and densely planting hardy, native species. The management plan will address this through weed removal and re-planting of native species that have proven to be successful on the site.**

Comment 9.14: *The Nature Conservancy recommends that project sponsors “monitor buffers during and after construction to ensure they are maintained throughout all phases of development, including identification and treatment of invasive plant species.” For this reason, the applicant should propose remedial and monitoring plans to remove invasive species from the proposed tidal and freshwater wetland buffer areas and implement long-term protective measures to eliminate further encroachment of invasive plant species (Riverkeeper).*

Response 9.14: **Proper maintenance and upkeep of all plantings reflected in the WPAA shall be required by the Maintenance and Operations Agreement to be jointly executed by the NYC Department of Parks and Recreation and the Applicant. Adaptive management in buffer zones will focus on invasive species removal and re-planting of native species that prove to grow most robustly under similar conditions at the site. The design will include multiple, hardy, native species in buffer zones. Through monitoring of the site, the most successfully established species will be specified for any replanting areas.**

10. Hazardous Materials

No comments.

11. Water and Sewer Infrastructure

Comment 11.1: The required Builders Pavement Plan (BPP) for the proposed development provides an opportunity to install DEP rain gardens along the development site's North First, North Third, and River streets frontages. The ZR requirement to plant street trees provides shade on excessively hot days, helps combat the urban heat island effect, and provides other aesthetic, air quality, and enhanced stormwater retention benefits. The Applicant should consult DEP, the New York City Department of Transportation (DOT), and the New York City Department of Parks and Recreation (NYC Parks) regarding the integration of rain gardens with street trees as part of the BPP (Adams).

Response 11.1: Comment noted. The Applicant will reach out to DEP and DPR regarding DEP Gardens.

Comment 11.2: As the Project is likely to exacerbate the combined sewer overflows in the immediate area, the impact of additional raw sewage and polluted stormwater discharges to the East River must be acknowledged and addressed in the environmental impact statement (Riverkeeper).

Response 11.2: The EIS includes an analysis of the Proposed Actions' potential effects on the City's water and sewer infrastructure, in accordance with CEQR Technical Manual guidance. As detailed in Chapter 11 of the EIS, stormwater runoff from the Applicant's Proposed Development Site would be treated on-site using treatment methods per DEP-approved Best Management Practices (BMPs) and discharged via private outfalls into the East River after being treated, unlike under existing conditions, where stormwater runoff from the Proposed Development Site is untreated. As stormwater runoff from the Proposed Development Site would be discharged via private outfalls, it would not increase CSOs.

In addition, a new CSO regulator and CSO outfall would be located at the end of North 3rd Street in conjunction with the Proposed Development. A new 24-inch branch intercepting sewer would run adjacent to the new 66-inch combined sewer and tie into the existing interceptor in the intersection of North 3rd Street and Kent Avenue. The new combined sewer facilities in the vicinity of the Proposed Development Site will be designed to accommodate the sanitary flows generated by the Proposed Development.

Comment 11.3: Like most heavily populated areas of NYC, and as identified in the DEIS, the neighborhood of Williamsburg is served by a combined wastewater system, in which polluted stormwater runoff from sidewalks, lots, and streets mixes with raw sewage from homes and businesses. Under dry conditions, that mixture is transferred by a series of conveyances to the Newtown Creek Wastewater Treatment Plant. However, during precipitation events, the sewer system is often overrun, resulting in combined sewer overflows, which discharge the untreated, polluted mixture directly to the East

River. New York City Dep't of Env'tl. Protection, Combined Sewer Overflows, <https://www1.nyc.gov/site/dep/water/combined-sewer-overflows.page> (last accessed October 17, 2021). It is unclear in the DEIS precisely which CSO outfall subcatchment basin the project would be connected to, though it seems closest to NC-008. In 2018, the outfall serving the area overflowed into the East River 40 times, discharging a total of 25 million gallons of raw sewage and polluted stormwater to the East River. As little as 0.34 inches of rain can trigger such a discharge (Riverkeeper).

Response 11.3: See Response 11.2 above.

Comment 11.4: The Project would increase the sanitary sewage flow to NC-008 (or another similar outfall) and exacerbate its raw sewage overflow problem. Even if the total volume of the discharges would be roughly the same as the proposed construction under the "no action condition," the sewage would be far more concentrated in the proposed Project scenario, with an additional 257,815 gallons per day of sanitary sewage. The EIS should accurately determine not just the total wastewater generation, but also the incremental sanitary and stormwater volumes and what appropriate mitigation measures, or combination of measures, are required to prevent or limit additional CSO-related pollutant discharges to the East River (Riverkeeper).

Response 11.4: The analysis in the EIS breaks down and discloses wastewater (sanitary) and stormwater generation separately, in accordance with *CEQR Technical Manual* methodology. As discussed in Chapter 11, "Water and Sewer Infrastructure," under the No-Action condition, the Proposed Development Site would be redeveloped pursuant to existing zoning, and both sanitary and stormwater flows from the developed site would drain to the DEP combined sewer system. Under the With-Action condition, two private stormwater outfalls to the East River would be constructed in conjunction with the Proposed Development, all stormwater runoff from the Proposed Development Site would be captured, and would not drain into the DEP combined sewer system. As shown in Table 11-11 of the EIS, compared to the No-Action condition, the stormwater discharge in the With-Action condition would have a negative increment of 0.41 mgd, and the sanitary flow would result in a positive increment of 0.26 mgd compared to No-Action conditions. Therefore, the impacts to the DEP sewer system under the With-Action condition would have a net decrease of 0.15 mgd compared to the No-Action condition. In addition to a lower total volume of flows to the DEP combined sewer system, the With-Action condition would eliminate the approximately 0.27 mgd of untreated stormwater that currently discharges into the East River, and instead would capture and treat the runoff per NYSDEC standards prior to discharge into the East River. As such, as discussed in the EIS, the Proposed Development would eliminate the contributory storm drainage area to the combined sewer system. Reducing the volume to combined sewers has many environmental benefits, including less burden on the infrastructure, less contribution to CSO events, and better water quality.

Comment 11.5: The Project would also move an existing sewer outfall from the end of Metropolitan Avenue one block northward to the end of North 3rd Street. What impact, if any, would this have on the use and enjoyment of Charlotte Beach in Marsha P. Johnson State Park (between North 7th and North 8th Streets), where recreators often come into contact with the water? (Riverkeeper)

Response 11.5: As discussed in Chapter 9, “Natural Resources,” NYSDEC classifies the Lower East River (segment of the river from the Battery to Hells Gate) as a Class I saline surface water. The best usages of Class I waters are secondary contact recreation and fishing. As noted in the response to Comment 11.4 above, stormwater runoff from the Applicant’s Proposed Development Site would be treated on-site using treatment methods per DEP-approved Best Management Practices (BMPs) and discharged via private outfalls into the East River after being treated, unlike under existing conditions, where stormwater runoff from the Proposed Development Site is untreated. As such, the Proposed Actions is not expected to affect the use or enjoyment of surrounding waterfront open spaces.

12. Transportation

Comment 12.1: The MTA had previously intended to have enough train cars to run the L line at the full CBTC capacity of 22 trains per hour and was to order the additional subway cars which were supposed to be put into service by 2017. However, according to the DEIS, only 20 trains were operating during morning peak hours in 2017, based on that year’s schedule. A 25-percent increase in G line service between 3:00 PM and 9:00 PM was also intended to alleviate persistent peak-hour overcrowding. The DEIS assumes that 22 trains would be in operation by the time River Ring would be occupied in 2027. It is imperative that the MTA redouble its efforts to maximize operational capacity as this and other residential developments come online in this decade (Adams).

Response 12.1: Comment noted. The projections of future subway line haul capacity were based on data provided by New York City Transit (NYCT) on the number of peak direction trains per hour they expect to be operating by the 2027 analysis year. Refer to Chapter 12, “Transportation”.

13. Air Quality

No comments.

14. Greenhouse Gas Emissions and Climate Change

Comment 14.1: The proposed park is not just a park; it is a forward thinking climate resiliency model, with breakwaters to slow down wave action, reducing the impact of storm surges and protecting the neighborhood. The project sets an important precedent for future waterfront development in New York City. What’s more, the park’s resiliency features will allow the natural habitat of the East River at this site to be restored. This will promote and sustain oysters, fish, birds and other wildlife (Ganser, Horowitz).

Response 14.1: Comment noted. The Proposed Development would incorporate flood mitigation measures that would protect against rising sea levels. The Applicant believes that the Proposed Development would improve flood resiliency, with the incorporation of two breakwaters and groin as part of the proposed waterfront open space as described in Chapter 2, “Land Use, Zoning, and Public Policy,” of the EIS. The

breakwaters and groin would help reduce the energy of crashing waves on the shoreline, making flood waves break away from the shoreline of the Development Site. This would likely reduce wave heights inside the protected area along the shoreline and reduce the potential for shoreline erosion, while also providing a partially enclosed, protected aquatic habitat. These proposed features would be expected to protect the public waterfront open space and upland residential buildings comprising the Proposed Development. As such, the Proposed Development would be consistent with New York City policies regarding adaptation to climate change.

Comment 14.2: The greatest threat that New York City faces is of climate change, it is an existential challenge to the city. And so figuring out how to address extreme wave actions, storm surges, the kinds of energy that those storms bring, and the risk that they present to our communities is a critical aspect of waterfront development. And there are far too few projects that take as engaged and progressive of view as this one does. It is a lot easier in New York City to build a hard seawall than it is do a nature based solution, and those seawalls simply push the problem off to neighboring projects when they don't themselves fail in the process of managing storm surge. Furthermore, the project, in my opinion, really advances natural habitat restoration a critical component of the health of the East river and the entire estuary, and it opens to a more engaged environmental education, the kind of community knowledge necessary in a democratic society to push for change. The last thing I'll say in my remaining a few moments is that by working with as visionary an architect as Bjarke Ingels, I will say that the projects that they did in Copenhagen in the early days of that harbor's regeneration really led to its revitalization and an awareness of its benefit, and I think the moves that this project makes have a very similar potential to be transformative for the waterfront (Towers).

Response 14.2: Comment noted. Refer to Response 14.1.

Comment 14.3: Waterfront development of such tower height would be expected to incorporate deeply-driven piles. Site work to such depth might reach a level where integration of a geothermal energy system could be economically feasible. Therefore, River Street Partners, LLC should try to accommodate CB 1's request to incorporate geothermal energy into the development. sustainability plan for River Ring. A project of such density and scale should strive to reduce reliance on fossil fuels (Adams).

Response 14.3: Comment noted. As noted in Chapter 14, "Greenhouse Gas Emissions and Climate Change," the Applicant may explore other potential clean power sources, such as co-generation units for example, as plans for the Proposed Development advance. Fuel selection or the implementation of any other clean power for the Projected Development Site is unknown.

Comment 14.4: The project's expansive extent of an open space system along a waterfront location provides an opportunity to capture sustained winds along the East River. The linear nature of the project site could provide multiple sites to incorporate wind turbines. Specifically, the narrow section of the development site along the existing NYPA "dirty peak" power plant, would allow wind turbines to be spaced along the shoreline (Adams).

Response 14.4: Comment noted. Refer to Response 14.3.

15. Noise

No comments.

16. Public Health

No comments.

17. Neighborhood Character

No comments.

18. Construction

No comments.

19. Mitigation

No comments.

20. Alternatives

No comments.

21. Unavoidable Adverse Impacts

No comments.

22. Growth Inducing Aspects of the Proposed Project

No comments.

23. Irreversible and Irretrievable Commitments of Resources

No comments.

D. General²

Comment G.1: *I support this project fully, and urge CPC to allow it to continue forward at its originally proposed size. New York City is in a dire housing shortage and needs as many new homes as we can get--especially in wealthy areas that are well-served by transit, such as the proposed River Ring site. This is an ideal space to build as much new housing as we can! I'm also very excited about the possibilities of the new park that's proposed as part of the development. (Miller, Thomas, Grinnan, Raphael)*

Response G.1: **Comment noted.**

Comment G.2: *Through various public hearings, it is increasingly clear that there is strong, diverse community support for the affordable housing included in this project, as well as the Park, the new Y and the job creation that will be generated. I urge you to approve the proposal with workable conditions that ensure that site can actually be developed with the community benefits that are being proposed. (Kawochka, Charter, J. De Jesus, Puljols, Tavares, Grinnan, Vallejo, Khemiri, Chan, Grochowski, Stone, Dalal, Rossi, Carta)*

Response G.2: **Comment noted.**

Comment G.3: *In many rezoning applications located in rich Brooklyn neighborhoods in particular, we've hindered our ability to take even small steps towards solving this affordability crisis in the way we choose to cut the scale of new, modern housing. We've, admirably, asked for more affordability, but often in exchange for lower density and at the cost of more units and thus also the ability to house more families. River Ring should receive approval for an at least R8 level of zoning. Two Trees' efforts to create new public park spaces at Domino Park in this part of Brooklyn have been a runaway success. The benefits of a new, fully-connected public waterfront park space that River Ring offers are obvious and it would not be in the interest the community if any of these unique benefits were watered down as a result of a change in density to ostensibly protect incumbent homeowners' water views, or to serve their individual notions of contextual appropriateness. I hear the community's concerns on neighborhood infrastructure, but the project does appear to consider these in good faith, and while we need to push for better and more resilient infrastructure to welcome new New Yorkers in the future, we cannot use the comfortably housed to leverage that as an issue to potentially hold new homes hostage. I encourage the Commission to support this application while maximizing the number of new homes it will create (Datta).*

Response G.3: **Comment noted.**

² The comments in this section express general views concerning the project or are otherwise unrelated to specific impact analyses set forth in the EIS.

Comment G.4: *I urge the CPC to approve this project and reject the demand from CB1 to reduce the size of the project by 1/3. I also urge CPC to reject a suggestion from Brooklyn BP Eric Adam's that a shorter height could be offered in lieu of fewer and/or deeper affordable housing units. The height should remain as was outlined in the original proposal. I also urge the CPC to heed demands from local Williamsburg organizations seeking community benefits at River Ring. A new YMCA and waterfront public park will offer significant improvements to local residents. But River Ring must also commit to providing living wage, permanent jobs Williamsburg residents, particularly on the Southside (Gorrill, Grinnan, Dalal).*

Response G.4: **Comment noted.**

Comment G.5: *River Ring will provide 500 permanent jobs and more than 2000 construction jobs on a site that currently supports zero employment. The permanent jobs include YMCA employees, building service workers, maintenance, retail, and nonprofit employees. [The Applicant] has made an early commitment to creating prevailing wage building service jobs at this site, we are in full support of this project. These jobs are typically filled by local members of the community, and because of this commitment, will pay family sustaining wages which help bring working families into the middle class. The percentage of affordable apartments are needed for working people in Brooklyn. This affordable housing and commitment to good prevailing wage jobs will give opportunity for upward mobility security and dignity to working class families. 32BJ supports responsible developers that invest in the communities where they build, we know that this development will continue to uphold the industry standard and provide opportunities for working families to thrive (Ramirez).*

Response G.5: **Comment noted. As discussed in Chapter 1, "Project Description, of the EIS, it is anticipated that approval of the Proposed Actions would result in 514 employees at the Applicant's Proposed Development Site.**

Comment G.6: *Two Trees, as one of the developers to give us what the Community wants, has been a great partner. They listen to us when we talk about affordable housing. I also am very happy to see that we will get a kind of a neighborhood gym in the YMCA, and we'll finally get to swim in a pool that's longer than 13 yards. We've socially re-engineered the community but, given what we've got, let's support this program to get our housing, our children's program, and access to the waterfront (Mazur).*

Response G.6: **Comment noted.**

Comment G.7: *I support the River Ring project [because] they deliver massive public infrastructures and economic benefits, without public tax dollars. It's a direct interaction with the natural East River habitat. It also includes more than 250 affordable housing [units], it also protects property from flooding, it provides more than 500 well-paying permanent jobs, and it also will be applying to be a part of the Department of Environmental Protections District Water Reuse pilot Program (Chavez).*

Response G.7: **Comment noted. Refer to Response G.5.**

Comment G.8: *A significant number of elderly households have negligible income and are at risk for displacement. As the Federal government has moved away from funding affordable housing for seniors, too few such rental apartments are being built, leaving*

tremendous demand for age-based affordable housing. As a result, many elderly households are experiencing increased and unsustainable rent burdens. The Applicant should conduct significant outreach to older residents of Greenpoint and Williamsburg, as part of its marketing strategy (Adams).

Response G.8: Comment noted.

Comment G.9: CD 1 is served by several organizations with a proven record of marketing affordable housing units and promoting lottery eligibility such as Churches United for Fair Housing (CUFFH), Los Sures/Southside United HDFC, the North Brooklyn Development Corporation, SNA, and the United Jewish Organization (UJO). River Street Partners, LLC could retain one or more of these entities as affordable housing administrator(s) and/or marketing agent(s) for the project to qualify CD 1 residents for the River Ring affordable housing lottery. Such efforts should be undertaken in consultation with the Office of the Brooklyn Borough President, CB 1, and local elected officials (Adams).

Response G.9: Comment noted. The Applicant is also committed to utilizing local affordable housing non-profits to serve as administering agents for the affordable housing lottery and in promoting lottery readiness.

Comment G.10: I would like to see this project, because we're losing so many families in this neighborhood. We need to see apartments that are affordable for families and children. We need this building to invite families in (Foster, Stone).

Response G.10: Comment noted.

Comment G.11: Our history with Two Trees goes back well over a decade, and during that period of time, they have proven to be a respectful and trustworthy local business that has always incorporated genuine broad-based community engagement in their planning processes. This project is no different, taking a large vacant industrial waterfront lot and replacing it with an impressive development that would include a significant number of affordable housing units, acres of public office space, a new improved location for our local Y, and along the way, offering over 2000 well-paying construction and other related jobs is a no brainer for our organization to support (Samulski).

Response G.11: Comment noted.

Comment G.12: The waterfront alliance is committed to sustainability and to mitigating effects of climate change across the region's hundreds of miles of waterfront, and to that end, we support the River ring proposal. The two trees project team is currently undergoing our waterfront edge design guidelines or WEDGE verification process which we oversee. To obtain WEDGE verification, much like a LEED certification, coastal developments must meet design standards for climate change resiliency. They have to provide access and benefits to the public and must be designed to maximize and protect ecological integrity. The Waterfront Alliance believes this is the right project at the right time for the city's waterfront, and we urge the City Planning Commission to support the land use actions necessary to make River Ring possible (Sutkowi).

Response G.12: Comment noted.

Comment G.13: *The development looks to add over 260 much-needed affordable housing units to the Community as well as workforce development and employment opportunities. This project will not satisfy all of the affordable housing needs of the Community and, yes, we will always want more affordable housing, and will continue to fight for the same. I ask the City Planning Commission to side with the vast majority of community members that are in support of this project, and that are looking forward to the affordable housing and employment opportunities that this development will bring (Peguero).*

Response G.13: **Comment noted.**

Comment G.14: *I support the River Ring project and the 530 secure bicycles spaces the project would provide (Gioino, Meehan).*

Response G.14: **Comment noted.**

Comment G.15: *A significant reduction in off-street parking should be premised on a corresponding increase in bicycle parking requirements (per the ZR, one bicycle for every two units). To reduce parking of the market-rate units, developers should provide significantly more than the required number of bicycle spaces. The requested parking reduction from 40 percent of the market rate units pursuant to ZR 74-533 to 26.7 percent should be satisfied with the additional stipulation that in building bike parking be provided at a rate of five spaces for every six units in lieu of the standard one space per two units (Adams).*

Response G.15: **Comment noted. The Proposed Development includes 538 bicycle parking spaces in accordance with zoning requirements. The Applicant will seek to provide additional bicycle parking on the site if feasible.**

Comment G.16: *According to ZR Section 36-46(a)(1), a car-sharing entity is permitted to occupy up to five parking spaces, though no more than 20 percent of all spaces in group parking facilities. River Ring is expected to add more than 1,000 households to the area who would be less likely to own cars. A significant number of Williamsburg residents also lack access to automobiles. A limited number of the 210 spaces in the River Ring garage should be set aside for car-share vehicles through dialogue with car-sharing companies (Adams).*

Response G.16: **Comment noted. The Applicant will seek to incorporate car sharing into the parking area where practical.**

Comment G.17: *To promote a sustainable alternative to traditional automobiles, adapters/chargers for electric vehicles should be accessible to no less than 10 percent of all parking spaces (Adams).*

Response G.17: **Comment noted. The Applicant will seek to incorporate electrical charging stations to the parking area where practical.**

Comment G.18: *The Applicant should clarify their intent to partner with local employment organizations to fill building service positions and confirm that these workers would be paid prevailing wages with full benefits (Adams).*

Response G.18: **Comment noted. The Applicant will retain local contractors and MWBEs to meet or exceed local requirements.**

Comment G.19: The River Ring site is in proximity to a major bike route, the Brooklyn Greenway, and its publicly accessible open space has the potential to serve as a stopover, as well as a destination for those living directly upland but seeking to commute by bicycle. Borough President Adams believes that WAP requirements for the open space are deficient for such a represented public amenity. He believes that River Street Partners, LLC should greatly exceed the ZR requirement by providing many more bicycle parking fixtures. Based on a review of the proposed WAP, there appears to be an opportunity to include 39 extra bike fixtures. They could be added as follows: adding eight fixtures just west of the terminus of North Third Street, south of the right-of-way; another six along the south side of the North Third Street right of way between the tables and chairs to the west of the corner retail space; 16 bike racks along the River Street right of way between North First and North Third streets, spaced between the retail stores and residential entry, and between the retail store and the prolongation of Metropolitan Avenue; three fixtures along North First Street between the corner retail and office lobby, and six more near Grand Ferry Park on the seaward side of the pathway to the south of the first group of benches. (Adams)

Response G.19: **Comment noted. The plan for the Proposed Development’s public space includes double bike racks.**

Comment G.20: The City should honor its commitments and include full funding for Bushwick Inlet Park in its 10-year capital plan to achieve a complete and operational park (Adams).

Response G.20: **Comment noted.**

Comment G.21: New York City currently has no citywide resilience plan for development along shorelines and in its floodplains. As we were shown during Hurricanes Sandy and Ida, construction of new buildings in areas subject to flooding puts people in harm’s way and subjects the city to billions of dollars’ worth of property and infrastructure damages. Where extreme weather events were previously expected once per century, they are now becoming routine (Riverkeeper).

Response G.21: **Comment noted. Citywide policy regarding resiliency and shoreline protections is outside the scope of CEQR review for the Proposed Actions. New York City has an adopted LWRP which has recently been amended to include the November 2018 Climate Change Adaptation Guidance that focuses on Policy 6.2: “Integrate consideration of the latest New York City projections of climate change and sea level rise (as published by the New York City Panel on Climate Change, or any successor thereof) into the planning and design of projects in the city’s Coastal Zone.” As noted in the Guidance: “[t]his policy requires all projects, except for maintenance and in-kind replacement of existing facilities, to identify potential vulnerabilities to and consequences of sea level rise and coastal flooding over their lifespan and to identify and incorporate design techniques to address these risks.” The Proposed Actions do follow this guidance. Refer to Chapter 2, “Land Use, Zoning, and Public Policy.”**

Comment G.22: With regards to oysters, will mesh wraps be utilized on the pier pilings? If so, material utilized in the creation of the mesh should not include any form of plastic (polypropylene). If wraps are used, going forward we suggest the use of sturdy natural twines for the netting such as hemp manila), cotton and/or wool to reduce microplastic pollution as the mesh degrades over time (Riverkeeper).

Response G.22: The design of all in-water restoration wherein cages, bags, mesh or other similar media are needed for containment, will be designed entirely in natural materials such as cecil, manila, or bamboo, or, where long term survivability is needed, in EConcrete, steel or stone. Specifically, oyster cages will be fabricated with the standard steel cages and natural mesh as is provided in the Estuary on Pier 26 or Gansevoort on Manhattan’s west side, and natural fiber wraps on the piles. Reef balls will be EConcrete.

Comment G.23: The long-term ideal would be for oysters to regularly establish on permanent structures and build reefs on the wraps and textured surfaces, providing them a head start. Will sand be deposited on the substrate? How will subsidence be prevented for oyster castles or gabions on soft sediments? It would be conceivable to install platforms beneath newly deployed oyster habitats. These specifics must be addressed in the environmental impact statement for informed review (Riverkeeper).

Response G.23: Both subsidence and sedimentation will be considered in the oyster gabion design. If the geotechnical assessment determines that subsidence will occur, structural support will be added to ensure successful restoration.

Field investigations of the Proposed Development Site highlight a very hard-packed shoreline that is mostly devoid of soft sediments where the reefs will be installed. Hand sampling for sediment characterization was not possible, and the bearing capacity in the proposed area is high. Furthermore, the excavated shoreline and recreation of waterfront and the wetlands areas will have an engineered fill (sand and stone) that promotes wetlands survivability. The existing hard pack historic fill does not support improved ecology.

Comment G.24: Many constructed freshwater wetlands are improperly maintained and become dominated by invasives, which reduce biodiversity and functional capability. More nutrient-rich wetland soils provide better filtering and water quality benefits. However, many constructed wetlands are depleted of nutrients such as nitrogen, phosphorus, potassium, calcium and magnesium. Without the correct organic content of hydric soils, wetlands will not function properly (Riverkeeper).

Response G.24: Comment noted. The Proposed Development does not include freshwater wetlands.

Comment G.25: Currently, NYC Ferry operates an East River route between Hunter’s Point South and Wall Street that picks up passengers along several stops before alighting in Midtown or Lower Manhattan. While the proposed development would bring more than 1,000 new households to the Williamsburg waterfront, the vast extent of the Domino site has yet to be developed; 420 Kent has many apartments to be occupied; development is underway to the north of Bushwick Inlet, and anticipated south of Schaefer Landing. Over time, ridership in this area would overwhelm the capacity of the East River route. Therefore, a next step for the evolution of the ferry system would be for EDC, or a

successor agency, to consider running point to point service between the Northside Piers and Pier 11 and East 34th Street during peak AM and PM weekday hours (Adams).

Response G.25: Comment noted.

Comment G.26: Further improvements should be made to enhance local bus service. Specifically, the Q59, which is presently operating at 12-minute intervals, should be extended from Williamsburg Plaza to the southwest corner of Broadway and Marcy Avenue. Such a change would shift ridership to the east end of the station where there is more capacity to move between the street and the train platform. The MTA should modify the Q59 to achieve best utilization of existing access to the Marcy Avenue platform (Adams).

Response G.26: Comment noted. As discussed in Chapter 12, "Transportation," the Proposed Actions are expected to result in a net increase of three trips by transit bus in the weekday AM peak hour and a net decrease of 17 trips in the PM peak hour when compared to the No-Action condition. Therefore, significant adverse impacts to transit bus service are not expected to occur under the Proposed Actions, and a detailed analysis of bus conditions is not warranted based on CEQR Technical Manual guidance.

Comment G.27: As sites develop along Williamsburg's East River waterfront, it is expected that the MTA would modify its intervals of these bus routes. As the time comes, rather than providing more buses for the entire route, with buses significantly under capacity east of Lorimer Street, the MTA should also provide frequent Q59 shuttle service. With a shorter route, each additional bus added to the line could be utilized more efficiently and cost-effectively. The shuttle could have terminuses at Lorimer or Union streets (Metropolitan Avenue) and at Marcy Avenue (Broadway). The route could even be extended south to Division Avenue close to Schaefer Landing, the Domino, 420 Kent, and the pending site initially presented as Rose Plaza on the Water. The MTA should further modify the Q59 to add more service through such a shorter route with an extension to Division Avenue to serve southside waterfront developments along with the River Ring site (Adams).

Response G.27: Comment noted.

Comment G.28: The B39 could provide more utility if the MTA extended the bus route to Lower or Midtown Manhattan from its Lower East Side terminus and along the Brooklyn waterfront as an extension from its Williamsburg Plaza terminus, As part of considering such a route, the MTA should work [with] DOT to pursue a dedicated Williamsburg Bridge bus lane for at minimum, peak commuting hours to achieve a commute option that would provide predictable service and have the ability to maximize the number of potential passengers served (Adams).

Response G.28: Comment noted.

Comment G.29: The MTA should coordinate with DOT to install bus shelters on Kent and Wythe Avenues (Adams).

Response G.29: Comment noted.

Comment G.30: *In terms of capacity, as more waterfront development becomes occupied, it is important to understand how the MTA may optimize the operational potential for these lines. The agency should continuously monitor service to determine if additional enhancements might be warranted in response to the ongoing population increase. The MTA should continue semi-annual full-line impact reviews to identify any need for increased frequency and/or additional train cars (Adams).*

Response G.30: **Comment noted.**

Comment G.31: *At Metropolitan Avenue station, the closest G stop to the River Ring and pending Domino development, access to the platform is concentrated at its northern section, which results in riders crowding this area to board the train before it leaves. To remedy this condition, the MTA initially added one train per hour during the weekday hours of 3:00 PM to 9:00 PM. The MTA should also consider extending the existing trains by at least two cars in the future, and ultimately lengthen the G to eight cars to address passenger capacity and platform crowding — even if doing so would result in added maintenance and operations costs (Adams).*

Response G.31: **Comment noted.**