River Ring

DRAFT
SCOPE OF WORK FOR AN ENVIRONMENTAL IMPACT STATEMENT

CEQR No. 21DCP157K

March 22, 2021

A. INTRODUCTION

This document is the Draft Scope of Work ("Draft Scope") which outlines the technical areas to be analyzed in the preparation of the Draft Environmental Impact Statement (DEIS) for the River Ring project in the Williamsburg neighborhood of Brooklyn Community District 1. The New York City Department of City Planning (DCP), acting on behalf of the New York City Planning Commission (CPC), as lead agency for City Environmental Quality Review (CEQR), has determined that the project will require the preparation of an EIS.

The Applicant, River Street Partners LLC, is requesting discretionary actions to facilitate a new mixed-use development with waterfront open space on a zoning lot to be comprised of Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20, and 21; Block 2376, Lot 50; and portions of Metropolitan Avenue and North 1st Street (collectively known as the "Proposed Development Site"). The Proposed Development Site comprises approximately 395,890 sf of lot area and is bounded to the North by North 3rd Street, to the east by River Street and property owned by New York Power Authority (NYPA), to the south partially by North 1st Street and partially by Grand Ferry Park, and to the west by the US Pierhead Line in the East River (see **Figure 1**). The Proposed Development Site is currently vacant. As shown in **Figure 1**, the Project Area (a.k.a. proposed rezoning area) also includes two non-Applicant owned blocks to the east of the Proposed Development Site (Blocks 2356 and 2362).

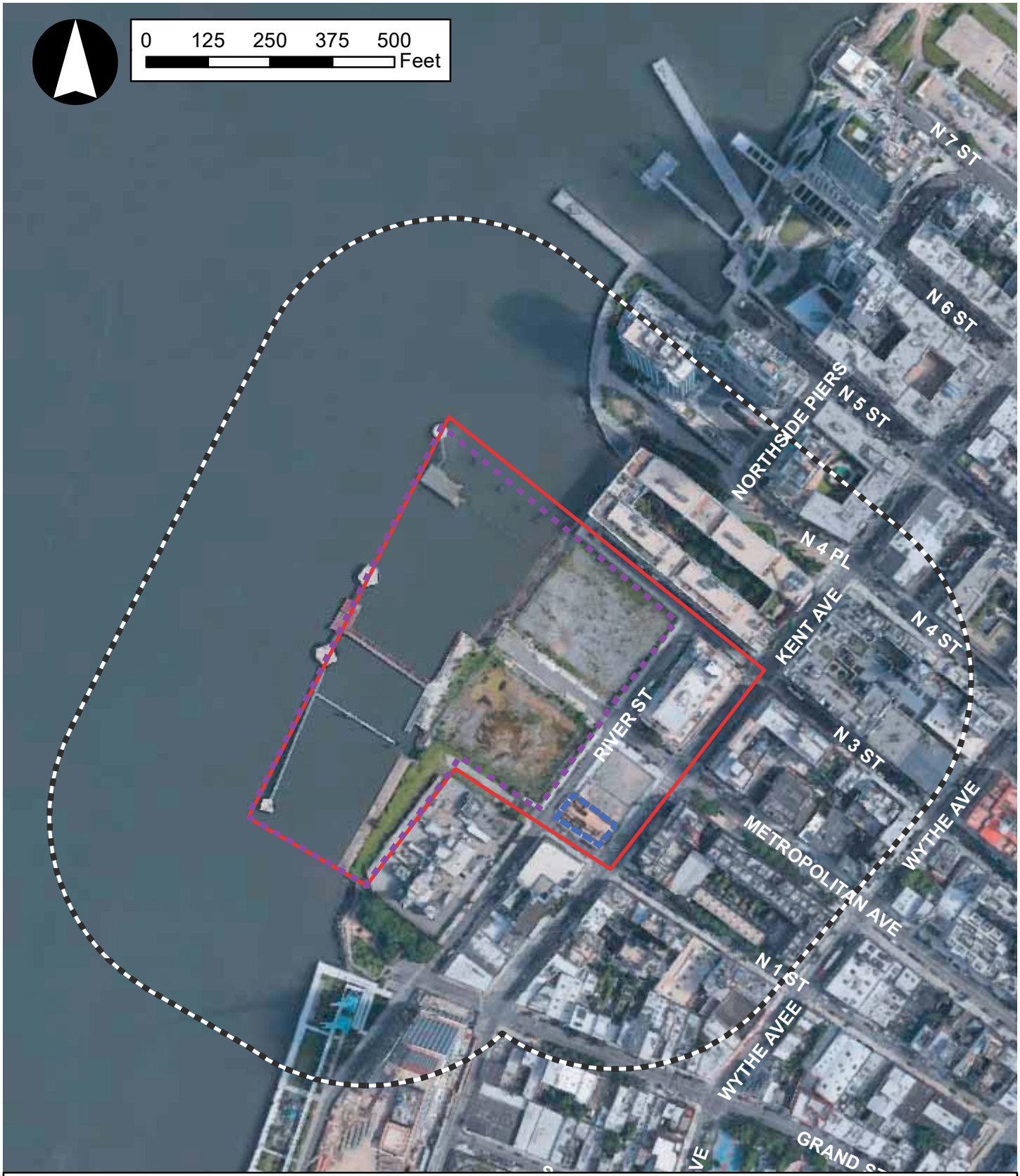
The Proposed Actions would facilitate new construction on the Applicant's Proposed Development Site that would contain approximately 1,250 units[1], of which 313 units (25%) would be affordable, 50,000 gsf of community facility space (a community center), 83,000 gsf of commercial space (including 60,000 gsf of office and 23,000 gsf of local retail), and approximately 250 accessory parking spaces, as well as approximately 3.1 acres of new public open space (plus 2.32 acres of accessible in-river space and 0.86 acres of intertidal area). The Proposed Development would be comprised of two mixed-use towers, with all components expected to be complete and operational by 2027.

As a reasonable-worst case development scenario (RWCDS), in addition to the Applicant's Proposed Development described above, the proposed zoning map changes are assumed to facilitate the

[1] Although the Applicant plans to develop 1,050 rental DUs on the Proposed Development Site, for conservative analysis purposes, the RWCDS will assume a total of 1,250 rental DUs, as discussed in Section D below.

Figure 1a
Project Location

Figure 1b
Project Location - Aerial View



redevelopment of a separate Projected Development Site (Block 2362, Lot 1) with an additional 1.0 FAR of community facility uses (approximately 6,741 gsf) compared to No-Action conditions.

Compared to No-Action conditions, the combined RWCDS for analysis purposes would result in an incremental (net) increase of approximately 1,250 DUs, including 313 affordable units, 56,741 gsf of community facility space, 5,500 gsf of office, and 3.1 acres of publicly accessible open space, no change in local retail space, and a net decrease of approximately 102,100 gsf of last-mile distribution facility (Use Group (UG) 16D), 94,750 gsf of warehouse uses, 68,000 gsf of light manufacturing maker space uses, 60,100 gsf of destination retail, and a net decrease of 349 parking spaces.

This document provides a description of the Proposed Actions and associated RWCDS, including a detailed description of the Applicant's Proposed Development, and includes task categories for all technical areas to be analyzed in the DEIS.

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

Required Approvals

The Proposed Actions would encompass several discretionary actions that are subject to review under the City Environmental Quality Review (CEQR) process. The anticipated discretionary actions include:

- City Map Change to demap, discontinue, close and, as necessary, dispose of segments of Metropolitan Avenue and North 1st Street to the west of River Street;
- Landfill of approximately 4,468 sf to create open area as part of the waterfront public space;
- Zoning Map Amendment to rezone the Project Area from an M3-1 district to C6-2 and M1-4 districts;
- Zoning Text Amendment to a) establish the portion of the Project Area to the west of River Street as an MIH area; b) allow, as part of a Large Scale General Development ("LSGD"), structures located in the seaward portion of the zoning lot comprising the Proposed Development Site that are accessible and enjoyable by the public, as well as allow such structures, as necessary , to generate floor area, provided, provided that the total distribution of floor area is limited to the floor area generated by existing piers and platforms within the seaward portion of the zoning lot;
- Zoning Authorizations to a) modify requirements for location, area and minimum dimensions of waterfront public access areas and visual corridors pursuant to 62-822(a); b) modify requirements within waterfront public access areas pursuant to 62-822(b); and c) allow for a phased development of waterfront public access areas pursuant to 62-822(c);
- Zoning Certification pursuant to 62-811 with respect to compliance with waterfront public access and visual corridor requirements, as modified by the Zoning Authorizations;
- Zoning Special Permit for a LSGD to modify certain bulk regulations pursuant to 74-743, allow for structures located in the seaward portion of the zoning lot comprising the Proposed Development Site that are accessible and enjoyable by the public, and allow such structures, as necessary, to generate floor area; and
- Zoning Special Permit pursuant to 74-532 to reduce the parking requirements for accessory group parking facilities in a Transit Zone.

In addition, a Joint Permit Application from the NYS Department of Environmental Conservation (NYSDEC) and the US Army Corps of Engineers (USACE) is being sought in conjunction with the publicly accessible open space proposed along the waterfront. The Applicant may also seek additional actions related to financing for the affordable housing component of the Proposed Development.

City Environmental Quality Review (CEQR) and Scoping

The Proposed Actions are classified as a Type 1 Action, as defined under NYC Executive Order 91 of 1977 §6-15 (2) and are subject to environmental review in accordance with CEQR guidance. An Environmental Assessment Statement (EAS) and Positive Declaration were issued on March 22, 2021 by DCP, as lead agency. DCP has determined that the Proposed Actions may result in significant adverse environmental impacts and directed that a DEIS be prepared.

This Draft Scope of Work (Draft Scope) for the preparation of a DEIS contains a description of the Proposed Actions and the tasks that would be undertaken to analyze the potential environmental impacts of the Proposed Actions and associated RWCDS. The issuance of the Draft Scope marks the beginning of the public comment period. The scoping process allows the public a voice in framing the scope of the DEIS. The scoping document sets forth the analyses and methodologies that will be utilized to prepare the DEIS. During the public comment period, those interested in reviewing the Draft Scope may do so and give their comments to the lead agency. The public, interested agencies, and elected officials, are invited to comment on the Draft Scope, either in writing or orally, at the public scoping meeting.

In accordance with SEQRA and CEQR, this Draft Scope of Work has been distributed for public review. A public scoping meeting has been scheduled for Monday, April 26, 2021 at 2 pm, and the period for submitting written comments will remain open until Thursday, May 6, 2021. In support of the City's efforts to contain the spread of COVID-19, DCP will hold the public scoping meeting remotely. Instructions on how to view and participate, as well as materials relating to the meeting, will be available at the DCP Scoping Documents webpage (https://www1.nyc.gov/site/planning/applicants/scopingdocuments.page) and NYC Engage website (https://www1.nyc.gov/site/nycengage/index.page) in advance of the meeting.

Comments received during the Scoping Meeting and written comments received up to ten days after the meeting will be considered and incorporated, as appropriate, into the Final Scope of Work (Final Scope). The Final Scope will incorporate all relevant comments made on the Draft Scope and revise the extent or methodologies of the studies, as appropriate, in response to comments made during the CEQR scoping process. The DEIS will be prepared in accordance with the resulting Final 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 City Planning Commission (CPC) hearing on the land use applications to afford all interested parties the opportunity to submit oral and written comments. At the close of the public review period, a Final EIS (FEIS) will be prepared. Comments made on the DEIS will be responded to and incorporated into the FEIS, as appropriate. The FEIS will then be used by the relevant City agencies to evaluate CEQR findings, which address project impacts and proposed mitigation measures, and to decide whether to approve the requested discretionary actions, with or without modifications. The rationale for this decision is then set forth in a document called a Statement of Findings.

C. PROJECT DESCRIPTION

Project Area Conditions and History

The Project Area (a.k.a. proposed rezoning area) is bounded to the north by North 3rd Street, to the east by Kent Avenue and property owned by the New York Power Authority (NYPA), to the south partially by North 1st Street and partially by Grand Ferry Park, and to the west by the US Pierhead Line in the East River (see **Figure 1a**). The Project Area comprises portions of three waterfront blocks and two inland blocks with a total lot area of approximately 443,770 sf. This includes the upland lot portion of the Applicant-controlled Proposed Development Site, which has a lot area of approximately 137,201 sf, the seaward lot portion of the Proposed Development Site, which has a lot area of approximately 235,573 sf and includes 19,582 sf of existing seaward structures, an approximately 23,116 sf area of Metropolitan Avenue and an approximately 6,000 sf area of North 1st Street proposed to be demapped, as well as the two non-Applicant-controlled inland tax blocks, which have a total lot area of 41,880 sf. The Proposed Development Site's total area with the Proposed Actions is 185,899 sf. However, the proposed With-Action lot area would be limited to a maximum of 156,783 sf for zoning calculation purposes. The Project Area is currently zoned M3-1, which allows a maximum floor area ratio (FAR) of 2.0 for industrial and commercial uses; residential and community facility uses are not allowed.

Proposed Development Site

The Proposed Development Site is currently vacant, with the upland portion covered in compacted sand and gravel (see **Figure 1b**). The Proposed Development Site previously contained multiple warehousing and storage buildings that accommodated a variety of industrial uses since the 1830s. Prior to the 1900s the Proposed Development Site was occupied by the Nassau Ferry Company (south), a lumber yard (middle) and a sugar refinery (north). In the 1920s the middle of the site was converted to coal storage, and in the 1940s, it was subsequently converted to fuel storage. By 1947, the ferry terminal in the southern portion of the Proposed Development Site was demolished and was used by Charles Pfizer and Company (predecessor to Pfizer) as molasses storage. A wharf was constructed at the shoreline to replace the ferry docks and to accommodate shipping. Four cellular caissons were constructed in the early 1960s, along with a new pier between North 1st Street and Metropolitan Avenue (fuel service pier) and catwalks connecting the three southern caissons; the northernmost caisson was connected to the North 3rd Street Pier by a catwalk. Between 1966 and 1974, the Proposed Development Site north of North 1st Street was entirely covered by fuel storage tanks that spanned the entire length of the property boundary; two large circular fuel storage tanks occupied a portion of the site south of North 1st Street. During this same period, the Metropolitan Avenue Pier had been demolished; the North 1st Street Pier and the new pier between North 1st Street and Metropolitan Avenue were reduced in width to their current configuration. By 1991, the North 3rd Street Pier was reduced to a finger pier and platform.

Consolidated Edison (ConEd) had owned and operated the Proposed Development Site since 1993, using it primarily as a No. 6 fuel oil storage complex for its North First Street Terminal (NFST), until the site was decommissioned in 2012 and the tanks were demolished between 2009 and 2013. When the site was decommissioned, the bulkhead on the northernmost block was also demolished and replaced with a shallow armored slope protected from erosion by cobbles (cobble slope).

The existing shoreline protection of the Proposed Development Site consists of a 265-foot-long by 25-foot-wide wharf, a 65-foot-long riprap revetment, a 205-foot-long bulkhead, and a 285-foot-long cobble slope. A 230-foot-long pile supported apron walkway is waterward of and parallel to the existing bulkhead. The southern portion of the apron walkway is 12-foot wide; the northern portion is 6-foot wide. A pile-

supported fuel service pier extends from the middle of the apron walkway to a pile-supported fuel service platform, about 200 feet from the bulkhead. The North 1st Street Pier extends about 195 feet and is about 5-feet wide; however, the segment that connected the pier to the shore is no longer present. The North 3rd Street Pier once extended about 245 feet from the former bulkhead, but the deck of the near shore portion no longer exists; only the piles that once supported the deck remain. A pile-supported timber platform (about 38,000 sf) at the end of the former North 3rd Street Pier still exists. About 200 feet waterward of the shoreline are four cellular caissons, ranging in diameter from about 28 to 47 feet. The southern three caissons and the fuel service platform are connected by pile-supported catwalks about 5 feet wide. The North 1st Street Pier terminates at this catwalk. A 20-foot-wide catwalk extends from the former North 3rd Street platform to the northernmost caisson. There is a 60-inch combined sewer pipe in Metropolitan Avenue that carries flow from the east, which discharges to an existing regulator, also located in Metropolitan Avenue. A 24-inch branch interceptor sewer carries flow from the regulator back to Kent Avenue where it continues north to the Newtown Creek treatment plant.

Remainder of Project Area

The Project Area also includes two inland blocks (Blocks 2356 and 2362) which are located directly east of the Applicant-controlled Proposed Development Site (refer to **Figure 1**). Block 2356 is comprised of a single lot (Lot 1), which contains a recently constructed six-story (83-foot-tall) mixed commercial building with approximately 24,000 gsf of office space on the 4th-6th floors, 22,000 gsf of destination retail (Trader Joe's) below grade, 21,000 gsf of ground floor retail, approximately 176 accessory attended parking spaces (34,370 gsf), and 1,600 gsf for roof garden on the third floor. On Block 2362, Lot 3 is a vacant 13,378 sf lot owned by Con Edison. Lot 1 is an approximately 5,862 sf lot that was previously occupied by a 1-story building that was demolished in 2019; subsequent permits have been filed for excavation, bracing and shoring, and the site appears to be undergoing environmental remediation.

Neighborhood Context

The Project Area is located in the Williamsburg neighborhood in Brooklyn Community District 1. Land uses within a 400-foot radius (the "Surrounding Area") of the Project Area include a mix of manufacturing, commercial, and mixed residential and commercial uses, as well as utility uses and open space. The Surrounding Area is primarily characterized by 6- to 7-story multi-family and mixed residential and commercial buildings north of North 1st Street, and 3- to 4-story multi-family buildings and mixed residential and commercial buildings south of North 1st Street. Commercial buildings ranging from 1 to 6 stories are scattered within the Surrounding Area. The New York Power Authority (NYPA) Power Plant at 49 River Street adjoins the southwestern end of the Project Area. To the north of North 3rd Street and south of North 1st Street, between Kent Avenue and the East River, are several waterfront residential and mixed-use buildings ranging in height between 30 and 41 stories. These buildings were a part of the recent 2010 and 2014 rezoning actions described below.

Recent rezonings in areas surrounding the Project Area include: 1) the nearly 200-block 2005 Greenpoint-Williamsburg neighborhood rezoning (C 050111 (A) ZMK; C 040415 MMK; C 040416 MMK; C 040417 MMK and C 040418 MMK) directly to the north and east of the Project Area; and 2) the 2010 New Domino rezoning (C 100185 ZMK) directly to the south of the Project Area, approved in conjunction with a series of land use actions (N 100186 ZRK; C 100187 ZSK; C 100188 ZSK, N 100190 ZAK; N 100191 ZCK; and N 100192 ZCK) which rezoned that site from M3-1 to R8 with a C2-4 commercial overlay for the majority of the waterfront parcel; M3-1 to C6-2 for a section of the waterfront parcel; and M3-1 to R6 with a C2-4 commercial overlay on the upland parcel. In 2014, Domino Sugar was approved to facilitate a 2.95 million-square-foot large-scale general development with waterfront spaces (N 140131 ZRK; C 140132 ZSK; C

140133 ZSK; C 140134 ZSK; C 140135 ZSK; N 140136 ZAK; N 140137 ZAK; N 140138 ZAK; B 140139 ZCK; N 140140 ZCK; and N 140141 ZCK).

The Project Area is located within a Transit Zone. The B32 local bus runs northbound along Kent Avenue to Long Island City, Queens, and southbound along Wythe Avenue to the Williamsburg Bridge Plaza. The North Williamsburg Ferry stop is located two blocks north of the Project Area. The Bedford Avenue (L) Station on North 7th Street is located northeast of the Project Area. Open spaces within the Surrounding Area include Grand Ferry Park, immediately south and adjacent to the Project Area; Domino Park, one-block south of the Project Area; William Sheridan Playground, two blocks southeast of the Project Area on Grand Street; and North 5th Street Pier and Park, two-blocks north of the Project Area along the East River waterfront between North 5th and North 6th streets. South of North 5th Street Pier and Park is the One North Fourth waterfront esplanade, which provides a connection between the North 5th Street Pier and Park and North 3rd Street, and the covered arcade on the west side of the Austin Nichols building that creates a waterfront connection between the end of North 3rd Street and One N4th Place.

Description of the Proposed Actions

City Map Change

A change to the City Map is being proposed to demap, discontinue, close and, as necessary, dispose of segments of Metropolitan Avenue and North 1st Street west of River Street. The portions of Metropolitan Avenue and North 1st Street that would be demapped are currently owned by a combination of the Applicant or the City of New York. The proposed City Map Amendment is intended to pedestrianize and landscape these street segments that would otherwise be unimproved, with limited access to the waterfront. This would also maximize the area of public open space that would be created along the East River. In conjunction with the Proposed Development, the upland portion of the demapped area of Metropolitan Avenue would serve as a public pedestrian corridor that allows vehicle-free access from River Street and terminates at the planned public open space that would be constructed along the East River waterfront, and the demapped portion of North 1st Street would provide a connection for the proposed shore public walkway. The demapped street segments would function as a right-of-way for pedestrian traffic to the waterfront and to the adjacent Proposed Development Site.

Landfill

Landfill of approximately 4,468 sf to create open area as part of the waterfront public space on the Proposed Development Site. The landfill area is on the northern-most portion of the park, just south of the terminus of North 3rd Street. The purpose of the proposed landfill is to enhance the protective nature of the cove and resilient flood protection measures, as well as promote increased healthy ecology along the shoreline.

Zoning Map Amendment

The proposed zoning map amendment would rezone the portion of the Project Area west of River Street (the Proposed Development Site) from M3-1 to C6-2, and the remaining portion to the east of River Street from M3-1 to M1-4. For the Applicant's Proposed Development Site, the proposed rezoning from M3-1 to C6-2 would increase the permitted FAR from 2.0 to 6.5 for commercial uses, while allowing residential uses at an FAR of up to 7.2 (and up to 6.5 FAR for community facility uses). On Blocks 2356 and 2362, which would be rezoned from M3-1 to M1-4, the proposed zoning map amendment would increase the permitted FAR from 2.0 to 6.5 for community facility uses, and maintain the maximum 2.0 FAR for commercial/manufacturing uses. This would allow for additional development density on the Proposed Development Site as well as new uses in the Project Area that are not currently permitted under existing

zoning, and provide a transition/buffer zone between the Proposed Development Site and the mixed-use district mapped to the east. As shown in **Figure 2**, the proposed rezoning area encompasses the entirety of the Project Area.

Zoning Text Amendment

The proposed zoning text amendment would: a) establish the portion of the Project Area west of River Street as an MIH area; and b) allow, as part of a Large Scale General Development ("LSGD"), structures in the seaward portion of the Applicant's zoning lot to be fully accessible and enjoyable by the public, and to generate floor area, provided that the total distribution of floor area is limited to the floor area generated by existing piers and platforms within the seaward portion of the zoning lot.

Large-Scale General Development (LSGD) Special Permit

Zoning special permits for the Applicant's LSGD are being sought to modify certain bulk regulations pursuant to Section 74-743 of the Zoning Resolution, allow for structures located in the seaward portion of the zoning lot comprising the Proposed Development Site that are accessible and enjoyable by the public, and allow such structures, as necessary, to generate floor area.

Waterfront Zoning Certification and Authorizations

Several waterfront zoning authorizations are being sought to: a) modify requirements for location, area and minimum dimensions of waterfront public access areas and visual corridors pursuant to 62-822(a); b) modify design requirements within waterfront public access areas pursuant to 62-822(b); and c) allow for phased development of waterfront public access areas a phasing plan pursuant to 62-822(c). Waterfront zoning certification is also being sought pursuant to Section 62-811, with respect to compliance with waterfront public access and visual corridor requirements, as modified by the Zoning Authorizations discussed above.

Special Permit to Reduce Parking

A Special Permit pursuant to ZR Section 74-532 is being requested to reduce the parking requirements for accessory group parking facilities in a Transit Zone. This would reduce the number of accessory parking spaces provided in the Proposed Development from the number of spaces required by the proposed C6-2 zoning (estimated at approximately 375 for the RWCDS), to 250 spaces.

Other Discretionary Approvals

The Proposed Development would entail in-water construction associated with the proposed waterfront open space, and the Project Area is partially within the East River's littoral zone, an area over which the NYS Department of Environmental Conservation (NYSDEC) and the US Army Corps of Engineers (USACE) have jurisdiction. As such, a Joint Permit Application from NYSDEC and USACE is being sought in conjunction with the publicly accessible open space proposed along the waterfront.

The Applicant may seek additional actions related to financing for the affordable housing component of the Proposed Development.

Purpose and Need for the Proposed Actions

The Proposed Actions align with the City's 2020 Fair Housing Plan: *Where We Live* which encourages the creation and distribution of affordable housing in safe, high opportunity neighborhoods, like Williamsburg, with good access to transportation, open space, job opportunities and schools. The

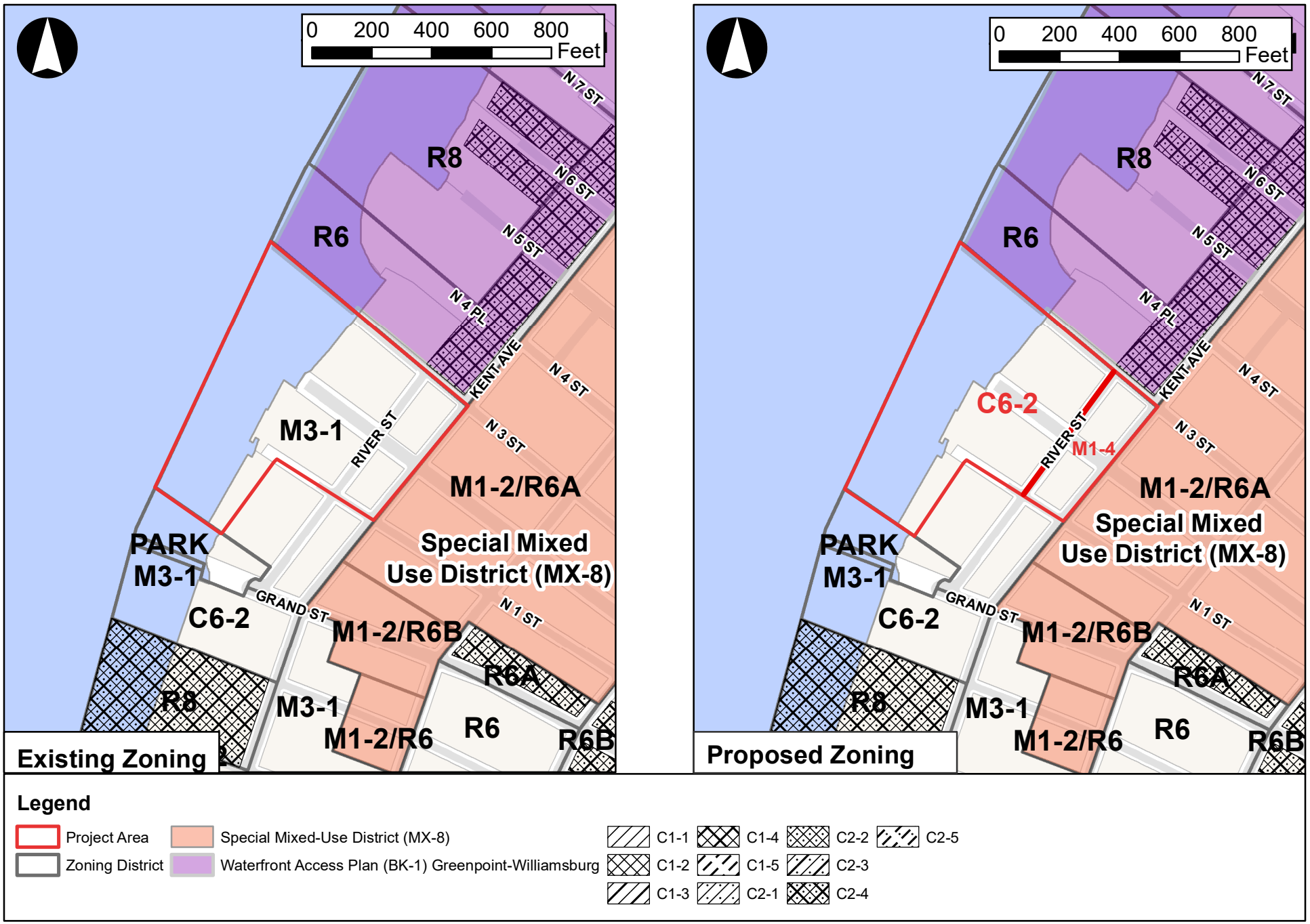


Figure 2
Proposed Zoning Map Change

Proposed Actions are being requested to allow for the redevelopment of the Applicant's vacant waterfront site in the Williamsburg neighborhood of Brooklyn. While the Project Area and much of the surrounding area was previously used for manufacturing purposes, there is no longer a concentration of industrial activity in the area. However, a strong demand for affordable and market-rate housing exists. The Proposed Actions would create an opportunity for the development of two new mixed-use buildings with residential (including market rate and affordable units), local retail, office, and community facility uses, as well as new public open space, on the Applicant's property. The Proposed Actions would allow the Applicant to maximize use of its property while providing a contiguous swath of public open space along the East River, both to the north and south of the Proposed Development Site, as well as accessible in-river space and an intertidal area.

The Proposed Actions, which would rezone the Proposed Development Site from M3-1 to C6-2 and rezone the two blocks to the east from M3-1 to M1-4, would also eliminate the possibility of future heavy industrial uses in a neighborhood with an increasingly residential and mixed-use character, and provide a transition/buffer zone between the Proposed Development Site and the mixed-use district mapped to the east.

The proposed city map change, which would de-map Metropolitan Avenue and a portion of North 1st Street west of River Street, as well as the proposed landfill action, would facilitate the construction of a unified public waterfront open space across portions of the three existing blocks comprising the Proposed Development Site and provide a connection for the proposed shore public walkway.

The proposed zoning map amendment would rezone the Applicant-controlled Proposed Development Site from M3-1 to C6-2, and the proposed text amendment would create a Mandatory Inclusionary Housing designated area on the Applicant's property. The proposed zoning district at the Proposed Development Site would allow for the development of residential, community facility, and commercial uses. The proposed zoning text amendment, which would designate the portion of the Project Area west of River Street as an MIH Area, would require the Applicant to construct affordable DUs on the Proposed Development Site. Therefore, the Proposed Actions would create new affordable housing in the proposed rezoning area, helping to address affordable housing goals set forth by the City in Housing New York: A Five-Borough, Ten-Year Plan.

The proposed special permit pursuant to ZR 74-532 would allow for a reduction in the number of accessory parking spaces provided as part of the Proposed Development, from the number of parking spaces that would be required under the proposed zoning (estimated at approximately 375 for the RWCDS) to 250 spaces. This is intended to maximize functional space on the site while providing a level of parking that aligns with the site's location in a Transit Zone and the availability of other modes of transportation nearby. Due to the volume of new open water being created through the proposed plan, the available area for sub-grade construction is limited to the upland-most portion of the Proposed Development Site. The high water table and flood zone characteristics of the site create additional serious constraints to the amount of reasonably feasible below grade excavation that can be performed.

The proposed LSGD special permits would facilitate a project that the Applicant believes is superior in terms of function and design to what can be achieved as-of-right under the proposed zoning, by permitting the proposed towers to be located with modifications of underlying height and setback regulations in a manner that shifts bulk away from the proposed public open space, and allowing the allocation of floor area to the upland lot. In order to create the amount of proposed open space, the Applicant has reduced the ground floor footprint of the buildings to approximately 35% of the buildable lot area. Therefore, the remaining buildable area is accommodated through the proposed height of the buildings' towers. All of the street frontages maintain a 15-foot wide sidewalk at a minimum. Along River

Street both buildings incrementally set back until they reach a minimum of 15 feet from the property line. Finally, the proposed waterfront zoning authorization would modify certain locational and design requirements in order to create a waterfront design that promotes public use and enjoyment of the waterfront, provide in-water access and accessible in-river space; in total 6.28 acres of new waterfront park. The waterfront public space would be accessible to the public and offer water-based recreation, enhance views to the water from upland streets and other public space, and allow for phased development on the Applicant's Proposed Development Site.

Description of Applicant's Proposed Development

The Applicant's Proposed Development would consist of two mixed-use towers with mixed income residential, commercial, and community facility uses. In total, the Proposed Development would contain approximately 1.336 million gsf, comprised of approximately 1.12 million gsf of residential space[2] (approximately 1,250 dwelling units, of which 313 units (25%) would be affordable),[3] 50,000 gsf of community facility space, 83,000 gsf of commercial space (including 60,000 gsf of office and 23,000 gsf of local retail), and approximately 83,000 gsf of below-grade parking (approximately 250 accessory attended parking spaces). Although plans are still in the preliminary stages, the Applicant intends to house a community center within the community facility space.

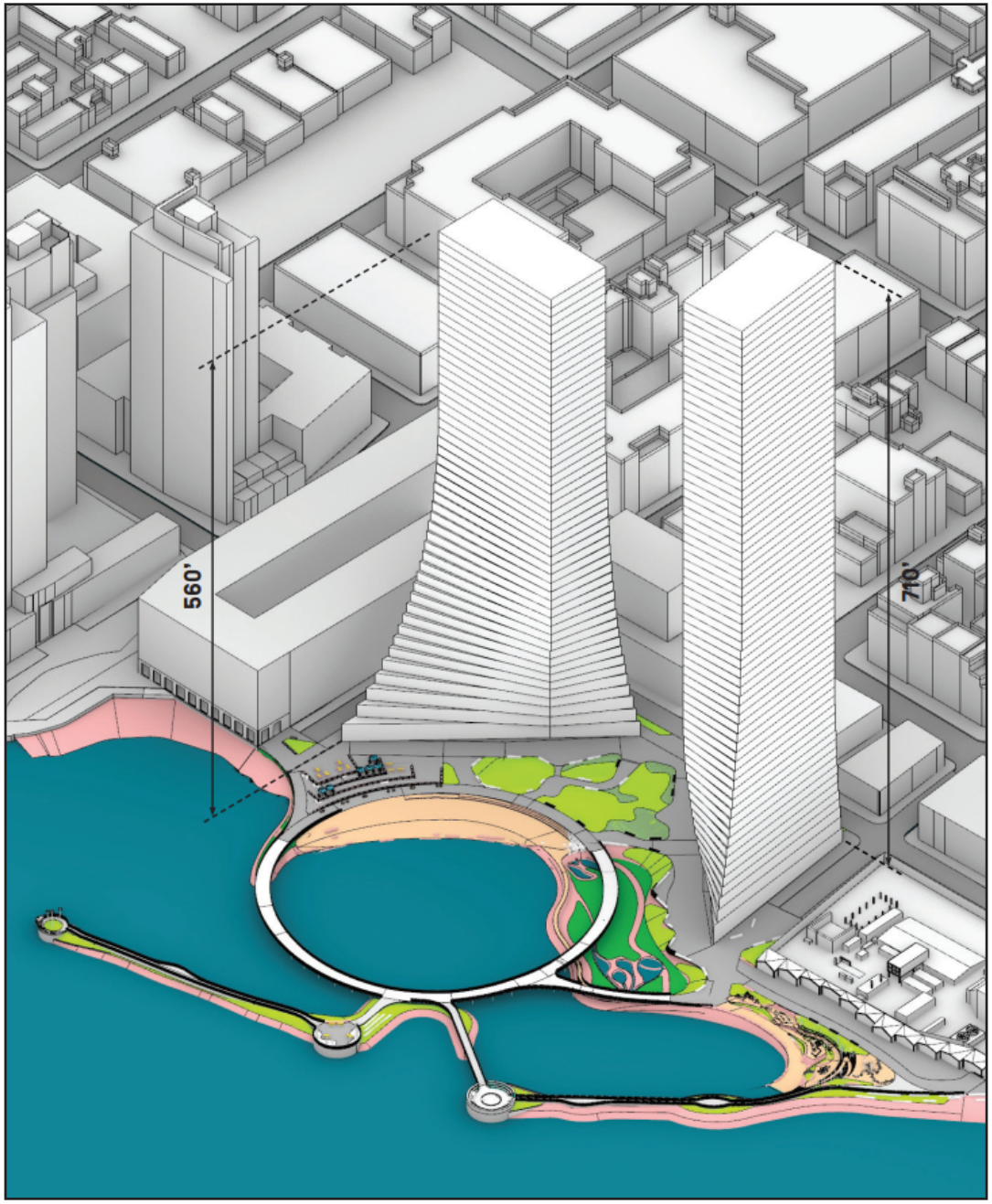
The North Tower would comprise 49 stories and rise to a height of approximately 560 feet. The South Tower would comprise 64 stories and rise to a height of approximately 710 feet (see illustrative massing and illustrative building sections in **Figures 3** and **4**). As shown in the preliminary ground floor plan in **Figure 5**, the North Tower's residential lobby would be located at the corner of North 3rd and River streets; the community facility use would be accessible from North 3rd Street; and local retail uses would front on both North 3rd and River streets, as well as onto the proposed open space. The South Tower's residential lobby would be located at the corner of North 1st and River streets; the office component would be accessible from North 1st Street; and local retail uses would run along both North 1st and River streets, as well as around the proposed open space. The Proposed Development's accessory parking garage would be accessible from the South Tower via an entrance/exit on North 1st Street.

Additionally, the Proposed Actions would allow for the construction of state-of-the-art in water resiliency infrastructure that will protect the shoreline and upland properties from storms, flooding and sea level rise resulting from global Climate Change. Approximately 135,073 sf (3.1 acres) of new public open space (plus 2.32 acres of accessible in-river space and 0.86 acres of intertidal area) would be created, expanding the open space network along the East River waterfront to facilitate a continuous public waterfront experience spanning from Bushwick Inlet Park to the north to Grand Ferry Park and Domino Park to the south. The new waterfront public space would also include 37,370 sf of intertidal area, and 101,090 sf of accessible in-river space; in total 6.28 acres of new waterfront park. The waterfront public space would be accessible to the public and offer water-based recreation (e.g., kayak launch), educational programming and a variety of other opportunities for enjoyment of the waterfront by the community at large.

As shown in the illustrative waterfront open space plan in **Figure 6**, active and passive recreation facilities to be provided in the public open space include a public beach on the new cove, stepped seating area facing the beach with granite block seating, a ramped boat launch for non-motorized watercraft (e.g., kayaks, paddleboards), a nature play area, landscaped plantings, and community kiosks. Man-made

[2] Residential gsf includes approximately 70,000 sf of amenity space as a combined total for both towers.

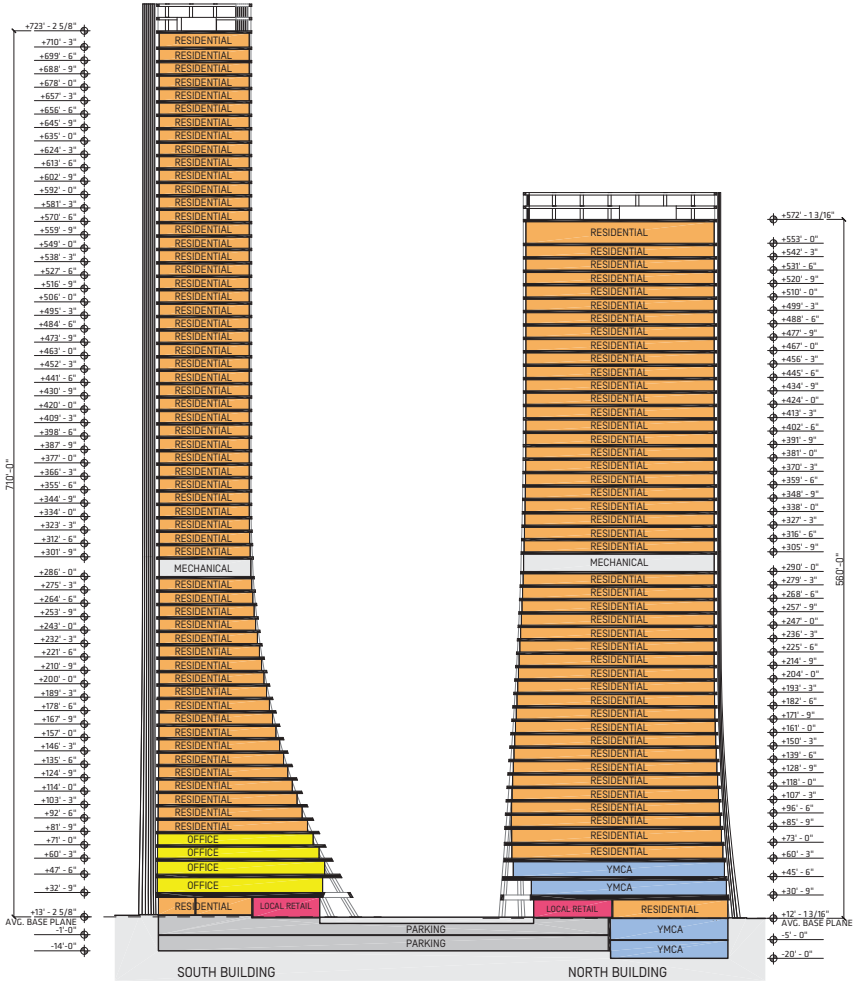
[3] It should also be noted that although the Applicant plans to develop approximately 1,050 residential units, 1,250 units are being assumed in the RWCDS for conservative analysis purposes,



Source: BIG Architects

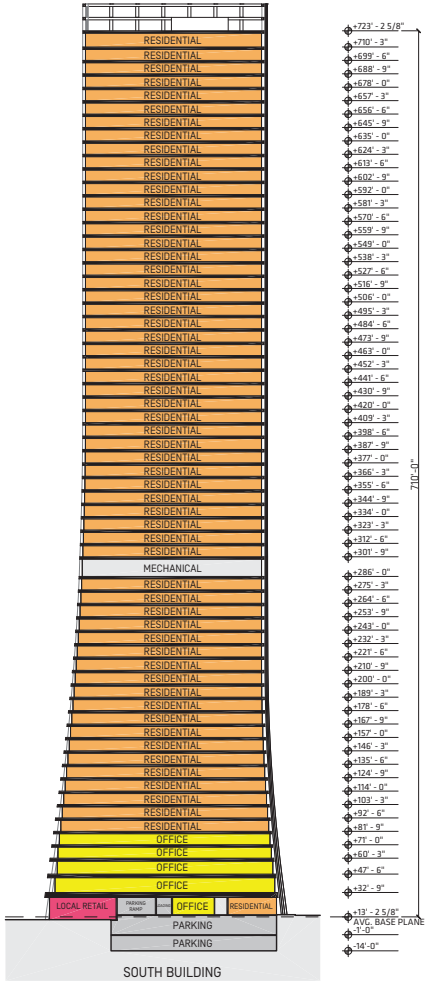
Figure 3
Proposed Development - Illustrative Massing

FOR ILLUSTRATIVE PURPOSES ONLY



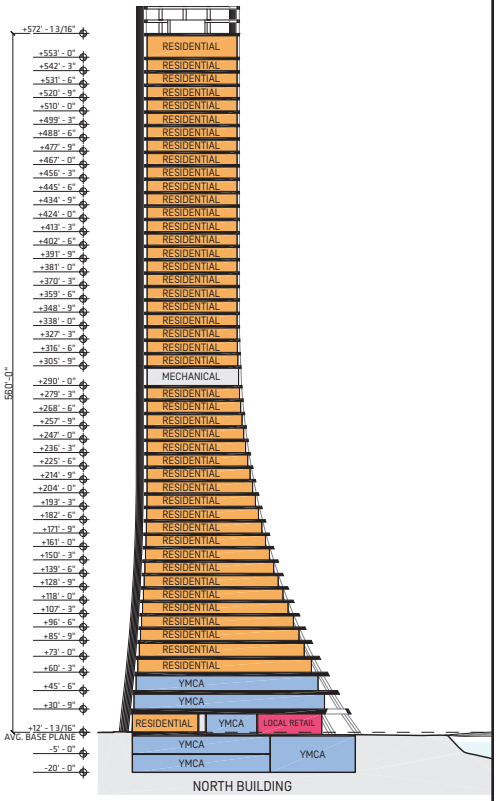
SECTION A-A

Section Looking West (South Tower to the left and North Tower to the right)



SECTION B-B

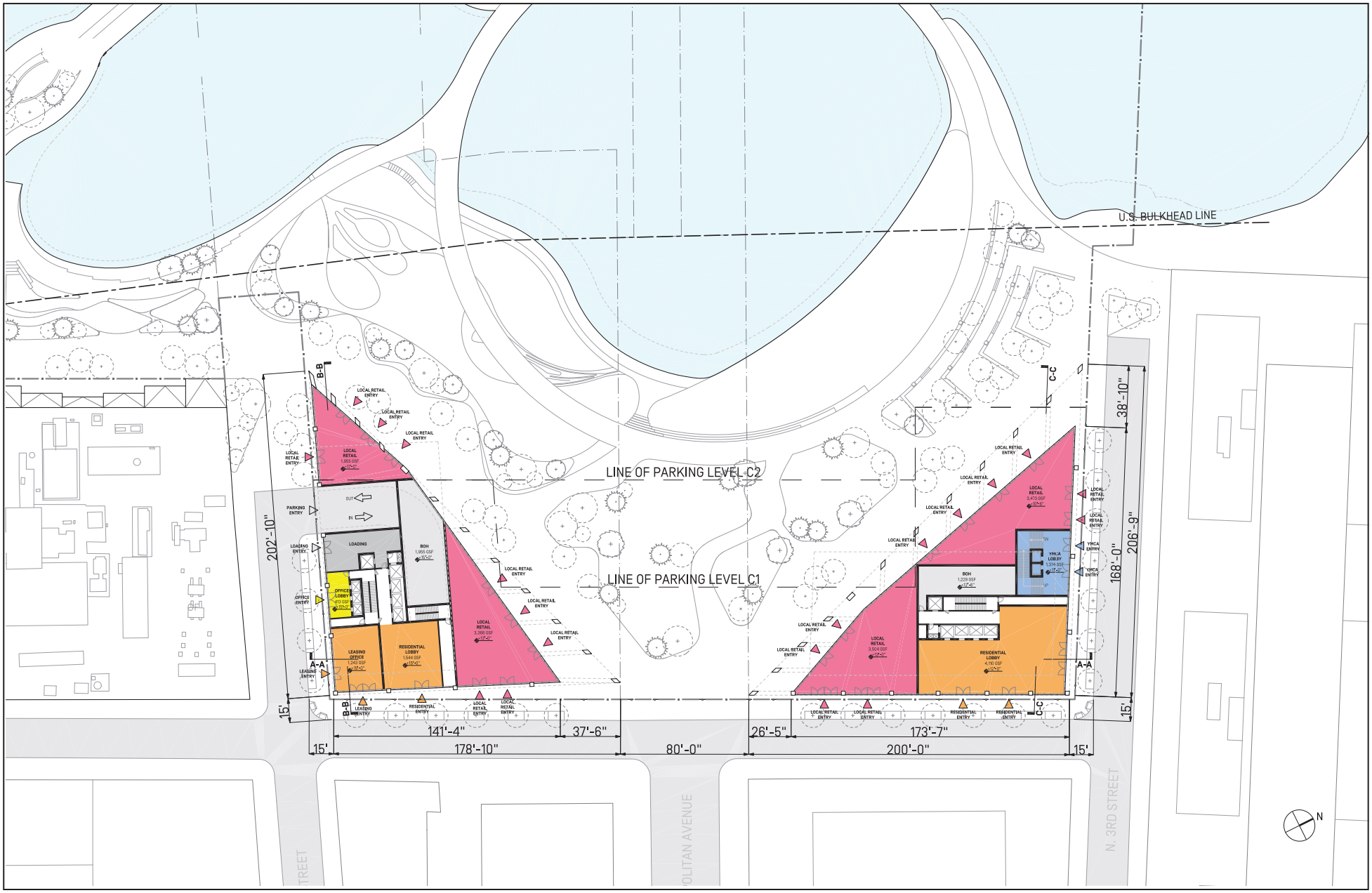
South Tower - Section Looking North



SECTION C-C

North Tower - Section Looking South

Source: BIG Architects



Source: BIG Architects

River Ring

Figure 5
Proposed Development - Preliminary Ground Floor Plan

Source: James Corner Field Operations

Figure 6

Proposed Development - Illustrative Waterfront Open Space Plan

freshwater wetlands would also be created upland of the shoreline. In accordance with waterfront zoning requirements, an approximately 900-foot-long shore public walkway would be provided along the East River; a portion of the shore public walkway would extend over a portion of the new salt marsh and tide pools being created along the south end of the cove.

D. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW

The Proposed Actions would change the regulatory controls governing land use and development within the Project Area. The 2020 *CEQR Technical Manual* will serve as the general guide on the methodologies and impact criteria for evaluating the Proposed Actions' potential effects on the various environmental areas of analysis.

Analysis Year

The Applicant's Proposed Development would be constructed over a period of approximately 50 months, with expected completion and full occupancy by 2027. As the Applicant-owned Proposed Development Site is currently vacant, there would be minimal startup time subsequent to approval of the Proposed Actions. Assuming the Proposed Actions would be approved in early 2022, it is conservatively estimated that up to 18 months following project approval would be utilized for finalizing building design and DOB permitting, and construction mobilization. As such, it is anticipated that demolition of select existing seaward structures would commence in the third quarter of 2023 and will begin the construction process of the marine infrastructure and waterfront park, which is anticipated to occur over a 24-month period. Construction on the first tower (the North Tower), as well as the excavation and foundation for both towers, is planned to begin in the fourth quarter of 2023 and would last for approximately 24 months, and construction of the second tower (the South Tower) is estimated to commence in the fourth quarter of 2025 and last for approximately 23 months. The South Tower would not have an excavation/ foundation stage, as the excavation and foundation for the entire upland development would take place during construction of the North Tower. The Proposed Development is expected to be completed by the third quarter of 2027. Accordingly, this environmental review will use 2027 as the Analysis Year for analysis of future conditions consistent with *CEQR Technical Manual* guidance.

In addition to the Proposed Development, an additional Projected Development Site has been identified in the Project Area (Block 2362, Lot 1). However, as described below, no formal redevelopment plans exist for the Projected Development Site; nonetheless, the site meets the CEQR soft site criteria and is included for RWCDS analysis purposes. Construction of the Projected Development Site is anticipated to take less than 18 months, and it is assumed to be completed by the analysis year of 2027.

As the Proposed Development and Projected Development Site would be operational in 2027, their environmental setting is not the current environment, but the future environment. Therefore, for the purposes of determining potential impacts, the technical analyses and consideration of alternatives assess current conditions and forecast these conditions to the expected 2027 Build Year. Each chapter of the EIS will provide (a) a description of the "Existing Condition;" (b) an assessment of future conditions without the Proposed Actions ("No-Action" condition); and (c) an assessment of future conditions with the Proposed Actions ("With-Action" condition).

Reasonable Worst-Case Development Scenario (RWCDS)

In order to assess the possible effects of the Proposed Actions, a reasonable worst-case development scenario (RWCDS) was established for both the future without the Proposed Actions (No-Action) and the future with the Proposed Actions (With-Action) for an analysis year, or Build Year, of 2027. The incremental difference between the No-Action and With-Action conditions will serve as the basis of the impact category analyses.

Identification of Development Sites

According to the *CEQR Technical Manual*, the following factors, commonly referred to as "soft site criteria," are generally considered when evaluating whether some amount of development would likely be constructed by the build year as a result of the Proposed Actions:

- The uses and bulk allowed: Lots located in areas where changes in use would be permitted and/or contain buildings built to substantially less than the maximum allowable floor area ratio (FAR) under the existing zoning are considered "soft" enough such that there would likely be sufficient incentive to develop in the future, depending on other factors specific to the area (e.g., the amount and type of recent as-of-right development in the area, recent real estate trends, site specific conditions that make development difficult, and issues relating to site control or site assemblage that may affect redevelopment potential); and

- Size of the development site: Lots must be large enough to be considered "soft." Generally, lots with a small lot size are not considered likely to be redeveloped, even if currently built to substantially less than the maximum allowable FAR. A small lot is often defined for this purpose as 5,000 square feet or less, but the lot size criteria is dependent on neighborhood specific trends, and common development sizes in the study area should be examined prior to establishing these criteria.

Chapter 2, Section 410 of the *CEQR Technical Manual* also indicates that if sites meet both of these criteria, the likelihood of development should be further determined by considering the following:

- the amount and type of recent as-of-right development in the area;
- recent real estate trends in the area;
- recent and expected future changes in residential population and employment in the study area;
- government policies or plans, such as a building on a site being identified for a landmark designation, that may affect the development potential of a site or sites;
- site specific conditions that make development difficult; and
- issues relating to site control or site assemblage that may affect redevelopment potential.

Chapter 2, Section 410 of the *CEQR Technical Manual* also specifies that some uses and types of buildings that meet these soft site criteria are typically excluded from development scenarios because they are unlikely to be redeveloped as a result of the proposed actions. These "Excluded Sites" include:

- Full block and newly constructed buildings with utility uses, as these uses are often difficult to relocate;
- Long-standing institutional uses with no known development plans; or

- Residential buildings with six (6) or more units constructed before 1974. These buildings are likely to be rent-stabilized and difficult to demolish due to tenant re-location requirements.

Definition of Projected and Potential Development Sites

To produce a reasonable, conservative estimate of future growth, identified development sites are typically divided into two categories: projected development sites and potential developments. Projected development sites are considered more likely to be developed within the analysis period for the Proposed Actions (i.e., by 2027), while potential sites are considered less likely to be developed over the same period.

APPLICANT-OWNED PROPOSED DEVELOPMENT SITE (BLOCK 2355, LOTS 1 AND 20; BLOCK 2361, LOTS 1, 20, AND 21; BLOCK 2376, LOT 50)

As this site, which is currently vacant, is the subject of the Proposed Actions in order to facilitate the Applicant's plans for its redevelopment, it is a known Development Site for CEQR analysis purposes (a.k.a. Applicant's "Proposed Development Site").

REMAINDER OF PROJECT AREA

Block 2356; Lot 1 (200 Kent Avenue) – This 22,640 sf lot is currently occupied by a recently constructed six-story (83-foot-tall) mixed commercial building with approximately 24,000 gsf of office space on the 4th-6th floors, 22,000 gsf of destination retail (Trader Joe's) below grade, 21,000 gsf of ground floor retail, 22,000 gsf of accessory attended parking spaces, and 1,600 gsf for roof garden on the third floor. The development on this lot maximizes the 2.0 allowable commercial/manufacturing FAR under both the existing M3-1 and proposed M1-4 zoning. As this site was only recently developed it meets the *CEQR Technical Manual* "Excluded Sites" criteria of newly constructed buildings. Therefore, no new development would be expected to occur on this lot as a result of the Proposed Actions.

Block 2362; Lot 1 (230 Kent Avenue) – This 5,862 sf lot was previously occupied by a 1-story building that had full lot coverage. Demolition permits were filed in February 2019. Subsequent permits have been filed for excavation, bracing and shoring, but no New Building permits are on file at DOB. As this is a site where construction is currently actively occurring, it is expected to be redeveloped irrespective of the Proposed Actions. Moreover, the proposed M1-4 district would not increase the maximum allowable FAR for commercial or manufacturing uses compared to the existing M3-1 designation. However, as the proposed rezoning from M3-1 to M1-4 would broaden allowable uses to include community facilities and increase the maximum allowable FAR for mixed-use buildings that include community facility uses, this lot is conservatively being assumed as a soft-site (a.k.a., Projected Development Site) for RWCDS purposes.

Block 2362; Lot 3 (218 River Street) – A vacant 13,378 sf lot owned by Con Edison. As this site is owned by a utility company, with no known development plans, it meets the *CEQR Technical Manual* "Excluded Sites" criteria of a full block with utility uses, and is therefore unlikely to be redeveloped as a result of the Proposed Actions. Therefore, no new development is expected to occur on this lot as a result of the Proposed Actions.

The Future Without the Proposed Actions (No-Action Condition)

PROPOSED DEVELOPMENT SITE

Under the No-Action scenario, the Applicant's Proposed Development Site would be developed on an as-of-right basis pursuant to the existing M3-1 zoning district. There would be no mapping action to de-map a segment of Metropolitan Avenue or a portion of North 1st Street, and they would remain as mapped

City streets that would be opened to traffic and would have public sidewalks. As such, the Proposed Development Site under the No-Action condition would comprise a lot area for zoning analysis purposes of approximately 156,601 sf (137,019 sf of upland lot and 19,582 sf of seaward piers).

In the No-Action scenario, the Applicant would construct two buildings, with a combined total floor area of approximately 621,500 gsf (312,050 zsf), including approximately 54,500 gsf of office uses, 83,100 gsf of retail uses (60,100 gsf of destination retail and 23,000 gsf of local retail), approximately 68,000 gsf of light manufacturing maker space, an approximately 102,100 gsf last-mile distribution facility (UG 16D), and 94,750 gsf of warehouse uses, as well as 579 accessory parking spaces (202,550 gsf) and 16,500 sf of mechanical space. The No-Action development would have a combined FAR of approximately 2.0.

The northern building of the No-Action development would consist of approximately 315,500 gsf, comprising six floors above grade (and one cellar level, below 23 feet), with a height of approximately 100 feet to the building roof line (140 feet to top of mechanical bulkhead). Destination retail uses would occupy the cellar level of the northern building. The ground floor would be occupied by accessory parking (19,100 gsf), local retail (14,000 gsf), an office lobby (1,000 gsf), last-mile distribution loading space (20,000 gsf), and destination retail lobby (3,000 gsf). The second floor would be occupied with accessory parking (57,100 gsf). The third floor would include accessory parking (30,600 gsf), mechanical space (16,500), and last-mile distribution facility space (10,000 sf). The fourth and fifth floors would be occupied by last-mile distribution facility space (57,100 gsf and 15,000 gsf, respectively). Finally, the sixth floor would include 15,000 gsf of office space.

The southern building would consist of approximately 306,000 gsf, comprising eight floors above grade (and one cellar below 23 feet), with a height of approximately 110 feet to the building roof line (approximately 150 feet to top of mechanical bulkhead). Accessory parking would be located on the cellar level (41,000 gsf), a portion of the ground floor (30,000 gsf), and a portion of the second floor (24,750 gsf). The ground floor would also include local retail space (9,000 gsf), an office lobby (1,000 gsf), a lobby for light manufacturing maker space (1,750 gsf), and warehouse lobby (12,000 gsf). In addition to accessory parking, the second floor would include 29,000 gsf of warehouse space. The third floor would include 53,750 gsf of warehouse space, and the fourth and fifth floors would include 53,750 gsf and 12,500 gsf of light manufacturing maker space, respectively. The sixth through eighth floors would each include 12,500 gsf of office space per floor.

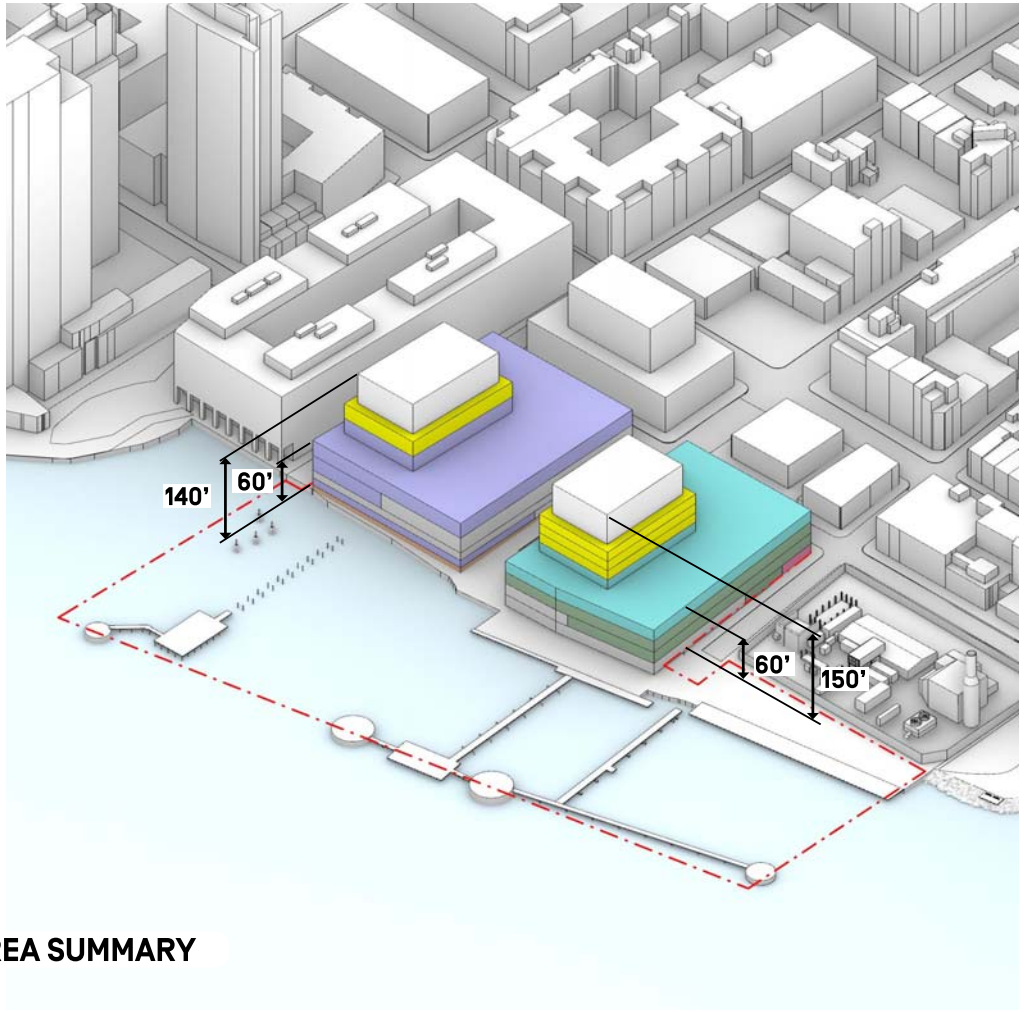
An illustrative massing and ground floor plan for both No-Action buildings on the Applicant's Proposed Development Site are provided in **Figures 7** and **8**, respectively.

The Proposed Development Site would provide a total of 579 (self-park) accessory parking spaces, which would meet the minimum requirement that the site provide 1 space per 300 sf of office/retail space, 1 space per 1,000 sf of light manufacturing maker space, 1 space per 2,000 sf of last-mile distribution facility space (UG 16D), and 1 space per 2,000 sf of warehouse space. As the No-Action development would be comprised predominantly of UG 16 and 17 (more than 75% of the zoning floor area), the Proposed Development Site would be exempt from waterfront public access area and visual corridor requirements, and the waterfront area on the Proposed Development Site would continue to be inaccessible to the public.

The development of two new buildings with a last mile delivery facility, light manufacturing maker space, last-mile distribution facility, warehouse space, destination and local retail, commercial office, and accessory parking, would be permitted as-of-right by the M3-1 zoning which allows commercial and manufacturing (UG 6-14, 16-18) at a maximum FAR of 2.0. This type of development would be consistent with recent developments in the area, including the 25 Kent development (which includes 78,000 sf of

PROPOSED USE	AREA (GSF)	AREA (ZFA)*
OFFICE	54,500	49,050
LOCAL RETAIL	23,000	21,850
DESTINATION RETAIL	60,100	2,700
WAREHOUSE	94,750	85,300
LAST MILE DISTRIBUTION	102,100	91,900
MAKER SPACE	68,000	61,250
MECHANICAL SPACE	16,500	-
PARKING PROVIDED PARKING SPACES: 579 (350 SF/PARKING SPACE)	202,550	-
TOTAL PROPOSED	**621,500**	**312,050**

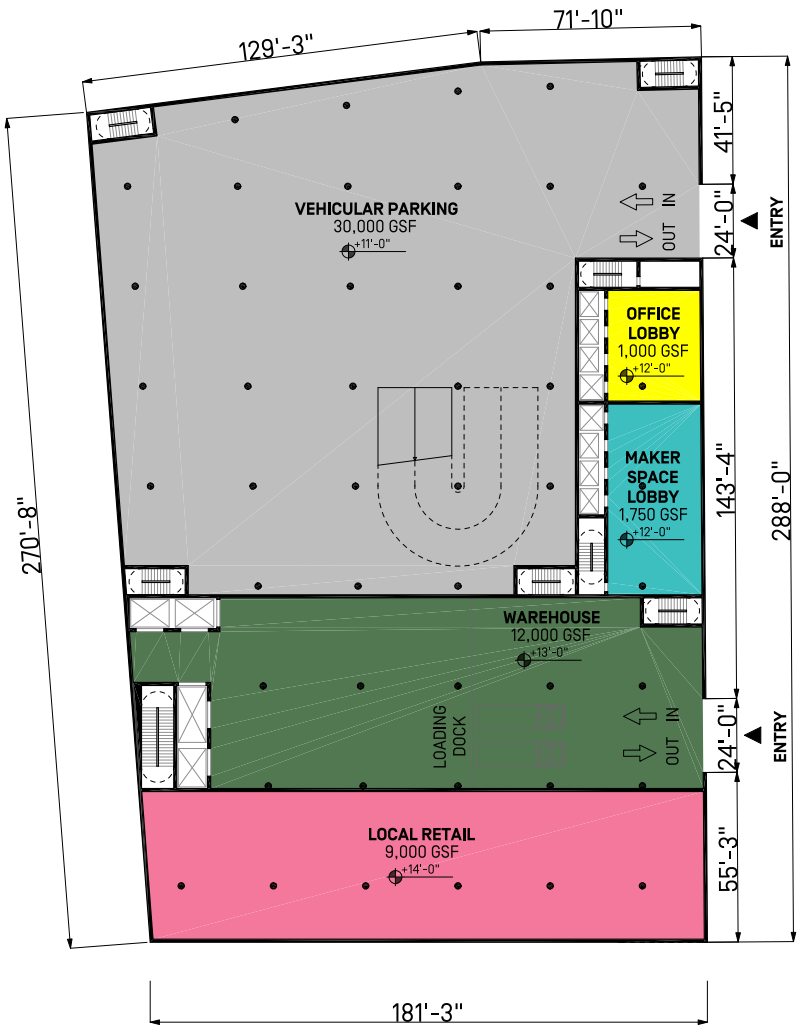
*Subgrade floor area is not floor area for the purposes of calculating total zoning floor area.



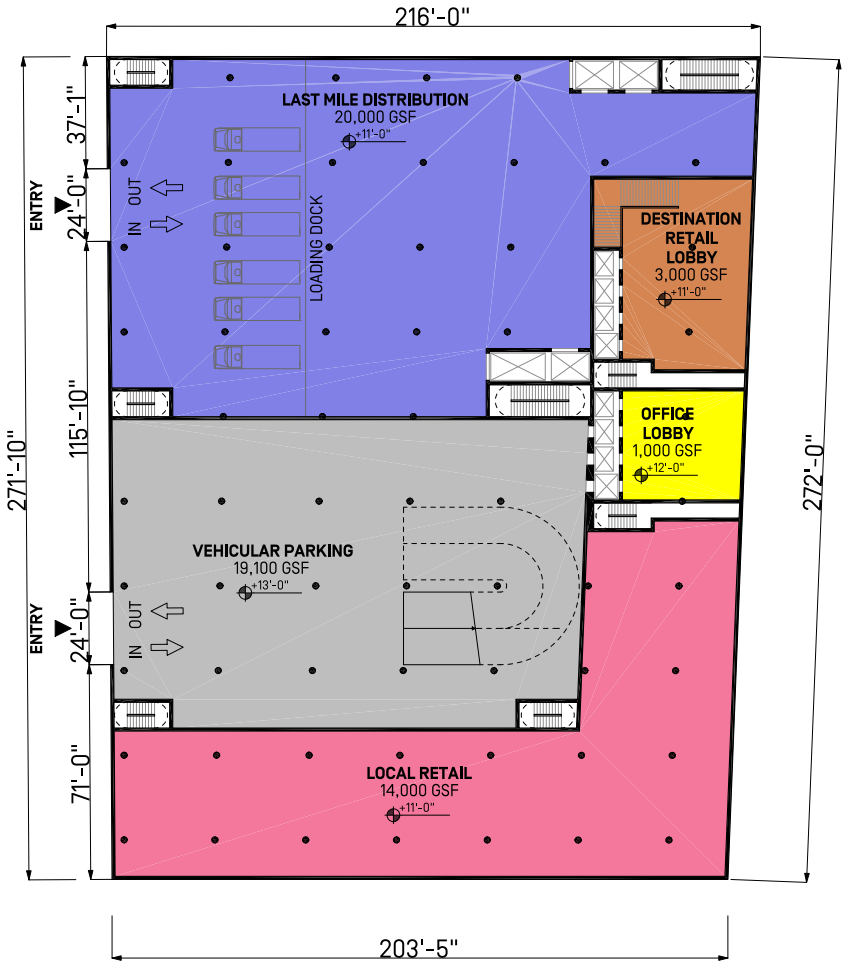
BUILDING AREA SUMMARY

Source: BIG Architects

Figure 7
No-Action RWCDS for Proposed Development Site - Illustrative Massing



SOUTH BUILDING: GROUND LEVEL PLAN



NORTH BUILDING: GROUND LEVEL PLAN

Source: BIG Architects

light manufacturing, 500,000 sf of office, retail and parking) and 200 Kent Avenue, a six-story commercial building which is nearing completion on the east side of River Street across from the Proposed Development Site that includes office, light manufacturing and below grade destination retail. The No-Action development would also be consistent with the growing demand for warehousing and light manufacturing/maker spaces, particularly in Brooklyn, such as at the Brooklyn Navy Yard, Brooklyn Army Terminal, Industry City, and the Greenpoint Manufacturing and Design Center. Additionally, the 80-foot width of Metropolitan Avenue and proximity to the BQE make this site well-suited for these proposed uses under the No-Action Scenario.

The No-Action development on the Proposed Development Site would also be consistent with the growing trend in demand for e-commerce distribution and warehousing space. A last-mile delivery facility allows shipping entities, such as e-commerce companies (e.g., Amazon) or private shipping companies (e.g., FedEx), to sort large, regional shipments into smaller, area-specific shipments. This allows large trucks to deliver goods to the last-mile delivery facility and smaller trucks or vans to cover the "last mile" from the delivery facility to the ultimate consumer. With such a facility on the Proposed Development Site, trucks could receive goods at area airports and larger warehouses in the metropolitan region and transport those goods to the delivery facility, where they would be sorted by neighborhood and loaded onto vans. From the delivery facility, each van would be able to deliver goods to the nearby area, resulting in more efficient delivery routes, reduced carbon emissions, and fewer large trucks on local residential streets.

Development of new heavy manufacturing uses on the Proposed Development Site is unlikely, particularly for new construction, based on citywide land use and economic trends. The building volume and massing for the No-Action scenario described above would be permitted by the M3-1 bulk zoning regulations, as modified by waterfront zoning regulations, and would reflect an arrangement of the permitted mass that the Applicant believes is feasible under market conditions. Moreover, the No-Action development would be constructed entirely on the upland portion of the Proposed Development Site, and would not entail any in-water construction, street demapping, or relocation of existing infrastructure. Specifically, the No-Action development described above for the Applicant's Proposed Development Site does not account for any floor area generated by the demapping of portions of Metropolitan Avenue and North 1st Street, which would not occur in absence of the Proposed Actions. The No-Action development described above would require standard/typical non-discretionary agency permits, including DOB (building permit), DOT (sidewalk, curb-cut etc.), DEP (water/sewer connection), as well as DEC (site is adjacent to the tidal wetland). The DEC permit would not include any in-water construction or disturbance to the tidal wetland.

While the Applicant believes the Proposed Development would be more appropriate for the area and more compatible with ongoing development trends and housing demands along the waterfront, the No-Action scenario would be feasible, given the site's location and current market conditions, and represents a reasonable as-of-right baseline for environmental review analysis.

PROJECTED DEVELOPMENT SITE

For the non-Applicant-owned Projected Development Site, it is assumed that the site would develop the largest as-of-right building permitted under the existing zoning (2.0 FAR), and the mix of uses assumed is based on recent market trends in the area as well as the type of uses allowed by the existing M3-1 zoning.

As such, for CEQR analysis purposes, the non-Applicant-owned Projected Development Site (Block 2362, Lot 1) is assumed to be developed in the No-Action with the maximum allowable 2.0 FAR of commercial/ manufacturing uses, resulting in approximately 13,482 gsf (11,724 zsf). It is assumed that this No-Action development would consist of two stories (approximately 30 feet high), with approximately 6,741 gsf of

commercial space (assumed as local retail) and 6,741 gsf of light industrial space (assumed as warehouse). Twenty accessory parking spaces would be provided in accordance with zoning requirements.

The Future With the Proposed Actions (With-Action Condition)

PROPOSED DEVELOPMENT SITE

Under the With-Action scenario, the Proposed Development Site would be redeveloped as outlined above. As described above, and summarized in **Table 1** below, the Proposed Development Site would be redeveloped with a total of 1,336,000 gsf, including 1,120,000 gsf of residential floor area (including approximately 70,000 gsf of amenity space), 83,000 gsf of commercial floor area (including office and retail), 50,000 gsf of community facility floor area (community center), and 83,000 gsf of below-grade parking approximately 250 accessory attended parking spaces). Although the Applicant plans to develop 1,050 rental DUs on the Proposed Development Site in the With-Action condition, for conservative analysis purposes, the RWCDS will assume a total of 1,250 rental DUs, of which 313 DUs (25%) would be affordable units and 937 would be market-rate units.[4]

The Proposed Development would be comprised of two towers, the North Tower would comprise 49 stories and rise to a height of approximately 560 feet. The South Tower would comprise 64 stories and rise to a height of approximately 710 feet. In addition, approximately 135,073 gsf (3.1 acres) of new waterfront public space (plus 2.32 acres of accessible in-river space and 0.86 acres of intertidal area) would be created on the Proposed Development Site under the With-Action scenario.

The Applicant is proposing to demap approximately 23,000 sf of Metropolitan Avenue and approximately 6,000 sf of North 1st Street between River Street and the US Bulkhead line. Under the density regulations of the proposed C6-2 zoning district for the Applicant's Proposed Development Site, this demapping would generate approximately 208,000 sf of development rights (zoning floor area, or ZFA). There are two base scenarios that address the extent of utilization of these air rights. The main difference between the two scenarios is that one would rely upon the proposed zoning text amendment to generate floor area from the relocated piers, while the other would not. For purposes of the RWCDS, however, both scenarios are the same, since the LSGD ZFA will be capped at the same amount (1,158,838 sf).

The Applicant's Proposed Development would be limited in height, density, and bulk by the LSGD special permits granted by CPC. Any development larger than this would require further discretionary actions. Therefore, the Applicant's Proposed Development would be considered the most reasonable and conservative With-Action scenario.

PROJECTED DEVELOPMENT SITE

On the non-Applicant-owned Projected Development Site, the With-Action RWCDS assumes that the Proposed Actions would facilitate development of an additional 1.0 FAR of community facility uses above the No-Action development. This assumption is based on the amount and type of recent as-of-right development in the area, recent real estate trends in the area, as well as the type of uses allowed by the proposed M1-4 zoning. Although the proposed zoning allows up to 6.5 FAR of community facility uses, development of more than the 1.0 FAR assumed for RWCDS purposes would be unlikely, given the site's relatively small footprint, current market conditions, and recent development trends in the area. As such, the With-Action development on the Projected Development Site is assumed to be comprised of a 3-story

[4] Pursuant to *CEQR Technical Manual* guidance, a smaller unit size is being assumed for analysis purposes. Based on data for residential buildings in Brooklyn CD 1 that were constructed since 2005 and have more than 50 units, the average unit size in the area is estimated at approximately 852 sf/DU. The RWCDS for the With-Action condition assumes 840 gsf/DU (excluding amenity space), which is consistent with average unit size for comparable developments in the community.

(approximately 45-foot high) mixed-use building with approximately 20,223 gsf (17,586 zsf), with approximately 6,741 gsf of commercial space (local retail), 6,741 gsf of light industrial space (warehouse), and approximately 6,741 gsf of community facility space. For RWCDS purposes, the community facility space will be assumed as medical office. In accordance with M1-4 zoning regulations, no parking spaces are assumed to be provided on this site in the With-Action scenario.

Increment for Analysis

Table 1 below provides a comparison of the RWCDS No-Action and With-Action scenarios identified for analysis purposes, for the Proposed Development Site and Projected Development Site combined. As shown, the Proposed Actions would result in an incremental (net) increase of approximately 1,250 DUs, including 313 affordable units, 56,741 gsf of community facility space, 5,500 gsf of office, and 3.1 acres of publicly accessible open space, no change in local retail space, and a net decrease of approximately 102,100 gsf of last-mile distribution facility (UG 16D), 94,750 gsf of warehouse uses, 68,000 gsf of light manufacturing maker space uses, 60,100 gsf of destination retail, and a net decrease of 349 parking spaces. **Table 1** also provides an estimate of the number of residents and workers generated by the Proposed Actions. As shown in **Table 1**, the RWCDS for the Proposed Actions is estimated to result in a net increase of approximately 2,925 residents and a net decrease of 204 workers within the Project Area, as compared to the No-Action conditions.

TABLE 1
Comparison of No-Action and With-Action Development Scenarios for Project Area (RWCDS)

Use		**No-Action Scenario [GSF][1]**	**With-Action Scenario [GSF]**	**Increment**
Residential	Affordable	--	*313 DUs*	***+ 313 DUs***
	Market-Rate (Rental)	--	*937 DUs*	***+ 937 DUs***
	Total Residential Units	--	1,250 DUs (1,120,000 gsf)	**+ 1,250 DUs (+ 1,120,000 gsf)**
Community Facility[2]		--	56,741	**+ 56,741 gsf**
Local Retail		29,741	29,741	**--**
Destination Retail		60,100	--	**- 60,100 gsf**
Office		54,500	60,000	**+ 5,500 gsf**
Last-Mile Delivery Facility		102,100	--	**- 102,100 gsf**
Light Manufacturing / Maker Space		68,000	-	**- 68,000 gsf**
Warehouse		101,491	6,741	**- 94,750 gsf**
Parking Spaces[3]		599	250 spaces	**- 349 spaces**
Publicly Accessible Open Space		--	3.1 acres (135,073 sf)	**+ 3.1 acres +(135,073 sf)**
Population/Employment[4]		**No-Action Scenario**	**With-Action Scenario**	**Increment**
Residents		0	2,925 residents	**+ 2,925 residents**
Workers		760 workers	556 workers	**- 204 workers**

Notes:

[1] No-Action gsf listed in this table excludes approximately 16,500 sf of mechanical space in the north building on the Proposed Development Site.

[2] With-Action community facility space includes a 50,000 gsf community center on the Proposed Development Site and 6,741 gsf of medical office assumed on the Projected Development Site.

[3] No-Action parking spaces include 579 spaces on the Proposed Development Site and 20 spaces on the Projected Development Site. In the With-Action, all 250 spaces would be located on the Proposed Development Site.

[4] Based on 2.34 persons per DU (2013-2017 ACS average household size for North Side-South Side Neighborhood Tabulation Area). Estimate of workers based on standard rates used in prior EIS documents, and are as follows: three employees per 1,000 sf of retail, one employee per 25 DU, three employees per 1000 sf of community facility uses, 1 employee per 250 sf of office uses, 1 employee per 1,000 sf of last-mile delivery center, and 1 employee per 50 parking spaces.

Construction Phasing for Proposed Development

Construction of the Proposed Development is anticipated to occur over a period of approximately 50 months, with expected completion and full occupancy by 2027. Assuming the Proposed Actions would be approved in early 2022, it is conservatively estimated that up to 18 months following project approval would be utilized for finalizing building design and DOB permitting, and construction mobilization. As such, demolition of select existing seaward structures on the Applicant's Proposed Development Site is expected to commence in the third quarter of 2023 and will begin the construction process of the marine infrastructure and waterfront park, which is anticipated to occur over a 24-month period. Construction on the first tower (the North Tower), as well as the excavation and foundation for both towers, is planned to begin in the fourth quarter of 2023 and would last for approximately 24 months, and construction of the second tower (the South Tower) is estimated to commence in the fourth quarter of 2025 and last for approximately 23 months. The South Tower would not have an excavation/foundation stage, as the excavation and foundation for the entire upland development would take place during construction of the North Tower. The Proposed Development is expected to be completed by the third quarter of 2027. As such, the environmental review will use a 2027 analysis year.

E. PROPOSED SCOPE OF WORK FOR THE EIS

Because the RWCDS would affect various areas of environmental concern and was found to have the potential for significant adverse impacts, pursuant to the EAS and Positive Declaration, an Environmental Impact Statement (EIS) will be prepared for the Proposed Actions that will analyze all technical areas of concern.

The EIS will be prepared in conformance with all applicable laws and regulations, including SEQRA (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules of Procedure for CEQR, found at Title 62, Chapter 5 of the Rules of the City of New York. The EIS will follow the guidance of the 2020 *CEQR Technical Manual*, and will contain:

- A description of the development resulting from the Proposed Actions and its environmental setting;
- A statement of the environmental impacts of the Proposed Actions, including short- and long-term effects and typical associated environmental effects;
- An identification of any adverse environmental effects that cannot be avoided if the Proposed Actions are implemented;
- A discussion of reasonable alternatives to the Proposed Actions;
- An identification of irreversible and irretrievable commitments of resources that would be involved in the Proposed Actions should they be implemented; and
- A description of mitigation measures proposed to eliminate or minimize any significant adverse environmental impacts.

Based on the conclusions of the EAS, in accordance with the *CEQR Technical Manual*, there is no potential for significant adverse impacts to historic archaeological resources, solid waste and sanitation services, or energy due to the Proposed Actions, and, as a result, analysis for those environmental areas would not be required in the EIS. All other CEQR technical areas warrant assessment and would therefore be included in the EIS. The specific technical areas to be included in the EIS, as well as their respective tasks and methodologies, are described below.

Task 1: Project Description

The first chapter of the EIS introduces the reader to the discretionary actions required to facilitate the Proposed Development, and sets the context in which to assess impacts. This chapter contains a description of the Proposed Actions, Proposed Development, Project Area including background and/or history; a statement of the purpose and need for the Proposed Actions; key planning considerations that have shaped the current proposal; and discussion of the approvals required, procedures to be followed, and the role of the EIS in the process. In addition, the Project Description chapter will present the planning background and rationale for the actions being proposed and summarize the RWCDS for analysis in the EIS. Any need for environmental requirements—e.g., (E) designations—as part of the proposed rezoning action will be described.

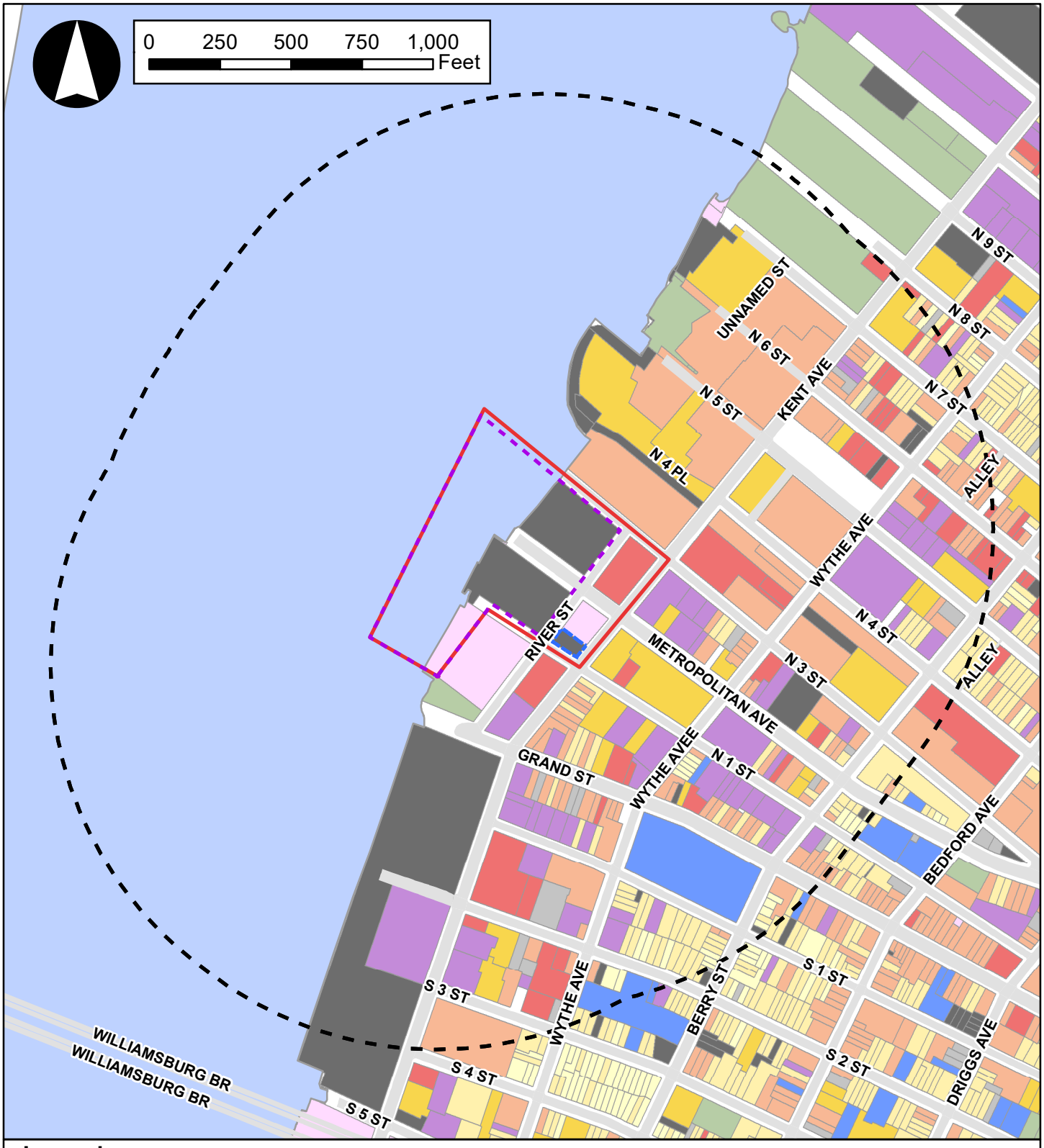
This chapter provides a baseline for understanding the Proposed Development and its potential for impacts, and gives the public and decision-makers a base from which to evaluate the Proposed Actions against the future condition absent the requested actions. The section on approval procedures will explain the ULURP process, its timing, and hearings before the Community Board, the Borough President's office, the CPC, and the New York City Council. The role of the EIS as a full-disclosure document to aid in decision-making will be identified and its relationship to ULURP and the public hearings described.

Task 2: Land Use, Zoning, and Public Policy

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 in the area, and determines whether a proposed project is compatible with those conditions and consistent with these policies. In addition to considering the Proposed Actions' 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 primary land use study area will consist of the Project Area, where the potential effects of the Proposed Actions would be directly experienced. The secondary land use study area would include the neighboring areas within an approximate ¼-mile radius from the Project Area, as shown in **Figure 9**, which could experience indirect impacts. The analysis will include the following subtasks:

- Provide a brief development history of the Project Area (primary study area) and its surroundings (secondary study area).
- Provide a description of land use, zoning, and public policy in the study areas discussed above. Recent trends in the area will be noted. Other public policies that apply to the study areas will also be described, including the Williamsburg Waterfront 197-a Plan. In addition, as the Project Area falls within the boundaries of the City's Coastal Zone, an assessment of the Proposed Actions' consistency with the City's Waterfront Revitalization Program (WRP) will be prepared.
- Based on field surveys and prior studies, identify, describe, and graphically portray predominant land use patterns for the balance of the study area. Describe recent land use trends in the study areas and identify major factors influencing land use trends.
- Describe and map existing zoning and recent zoning actions in the study areas.
- Prepare a list of future development projects in the study areas that are expected to be constructed by the 2027 analysis year and may influence future land use trends. Also, identify pending zoning actions or other public policy actions that could affect land use patterns and trends in the study areas. Based on these planned projects and initiatives, assess future land use and zoning conditions without the Proposed Actions (No-Action condition).

Figure 9
Land Use Map



Legend

- Applicant's Proposed Development Site
- Projected Development Site
- Project Area
- 1/4-mile Radius

Land Use

- One & Two Family Buildings
- Multi-Family Walkup Buildings
- Multi-Family Elevator Buildings
- Mixed Commercial/Residential Buildings
- Commecial/Office Buildings
- Industrial/Manufacturing
- Transportation/Utility
- Public Facilites & Institutions
- Open Space
- Parking Facilities
- Vacant Land
- All Others or No Data

- Describe the Proposed Actions and provide an assessment of the impacts of the resultant RWCDS on land use and land use trends, zoning, and public policy. Consider the effects of the Proposed Actions 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.

Task 3: Socioeconomic Conditions

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. 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. This chapter will assess the Proposed Actions' potential effects on the socioeconomic character of the study area.

The five principal issues of concern with respect to socioeconomic conditions are whether a proposed action would result in significant adverse impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on specific industries. As detailed below, the RWCDS, which would introduce 1,250 new residential units, warrants an assessment of socioeconomic conditions with respect to indirect residential displacement only. The other four issues of concern are either not applicable to the RWCDS, or the development facilitated by the Proposed Action would not meet the threshold for a preliminary assessment.

Direct displacement of fewer than 500 residents or of fewer than 100 employees would not typically be expected to alter the socioeconomic characteristics of a neighborhood, according to the *CEQR Technical Manual*. As both the Proposed Development Site and Projected Development Site comprising the RWCDS are currently vacant, the Proposed Actions would not result in direct business or residential displacement, and therefore analyses of socioeconomic effects of direct business and residential displacement are not warranted. In addition, as the Proposed Actions would not affect conditions within a specific industry, an analysis of adverse effects on specific industries is not warranted, and no significant adverse impacts would result. Lastly, as the RWCDS would introduce less than 200,000 sf of non-residential uses, an assessment of indirect business displacement is not warranted, and no significant adverse impacts would result.

The assessment of indirect residential displacement will begin with a preliminary assessment to determine whether a detailed analysis is necessary. A detailed analysis will be conducted if the preliminary assessment cannot definitively rule out the potential for significant adverse impacts. In accordance with *CEQR Technical Manual* guidance, the detailed assessment will be framed in the context of existing conditions and evaluations of the future No-Action and With-Action conditions in 2027, including any population changes anticipated to take place by the analysis year of the Proposed Actions.

Indirect Residential Displacement

Indirect residential displacement is the involuntary displacement of residents that results from a change in socioeconomic conditions created by a proposed action. Indirect residential displacement could occur if a proposed project either introduces a trend or accelerates a trend of changing socioeconomic conditions that may potentially displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change, according to the *CEQR Technical Manual*. To assess this potential impact, the *CEQR Technical Manual* seeks to answer a series of threshold questions in terms of

whether the project substantially alters the demographic character of an area through population change or introduction of higher-income housing.

The 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 study area. The description of study area characteristics will include population estimates, housing tenure and vacancy status, median value and rent, estimates of the number of housing units not subject to rent protection, and median household income. The preliminary assessment will carry out the following step-by-step evaluation, pursuant to *CEQR Technical Manual* guidance, to determine whether the RWCDS would add substantial new population with higher incomes as compared with the income of the study area population and evaluate whether the study area has experienced a readily observable trend toward increasing rents.

The preliminary analysis would include the following steps, as described in Section 322.1 of the *CEQR Technical Manual*:

- Step 1: Determine if the Proposed Actions would add substantial new population with different income, as compared with the income of the study area population. If the expected average income 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 income of the new population would exceed the average incomes of the study area populations, then Step 2 of the analysis will be conducted.
- Step 2: Determine if the Proposed Actions' population is large enough to affect real estate market conditions in the study area. If the population increase may potentially affect real estate market conditions, then Step 3 will be conducted.
- Step 3: Determine whether the study area has already experienced a readily observable trend toward increasing rents and the likely effect of the action on such trends and whether the study area potentially contains a population at risk of indirect displacement resulting from rent increases due to changes in the real estate market caused by the new population.

A detailed analysis, if warranted, 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 Actions on prevailing socioeconomic trends and, thus, impacts on the identified populations at risk.

Task 4: Community Facilities and Services

The Proposed Actions would not displace any existing community facilities or services, nor would they affect the physical operations of or access to and from any police or fire stations. As such, the Proposed Actions would not result in any direct effects on community facilities.

As the indirect community facilities impact analysis is a density-related analysis, the analysis will focus on development anticipated within the Project Area. As noted above, the RWCDS would add 1,250 new residential units to the area, of which 313 units are expected to be affordable. According to Table 6-1 of the *CEQR Technical Manual,* this level of development in Brooklyn would trigger a detailed analysis of elementary and intermediate schools, libraries, and early childhood programs. While the RWCDS would not trigger detailed analyses of potential impacts on police/fire stations and health care services, for

informational purposes, a description of existing police, fire, and health care facilities serving the Project Area will be provided in the EIS.

Public Schools

- The primary study area for the analysis of elementary and intermediate schools should be the school districts' "sub-district" in which the project is located, pursuant to CEQR guidance. As the Project Area is located wholly within New York City Community School District (CSD) 14, Sub-district 3, the elementary and intermediate school analyses will be conducted for schools in that sub-district.
- Public elementary and intermediate schools serving CSD 14, Sub-district 3 will be identified and located. Existing capacity, enrollment, and utilization data for all public elementary and intermediate schools within the affected sub-district will be provided for the current (or most recent) school year, noting any specific shortages of school capacity.
- Conditions that would exist in the No-Action condition for the sub-district (for elementary and intermediate school analyses) will be identified, taking into consideration projected changes in future enrollments, including those associated with other developments in the affected sub-district, using the SCA's *Projected New Housing Starts* as per *CEQR Technical Manual* guidance. Plans to alter school capacity either through administrative actions on the part of the New York City Department of Education (DOE), or as a result of the construction of new school space prior to the 2027 analysis year, will also be identified or incorporated into the analyses. Planned new capacity projects from the DOE's *2020-2024 Five Year Capital Plan* will not be included in the quantitative analysis unless the projects have commenced site preparation and/or construction. They may, however, be included in a qualitative discussion.
- Future conditions with the Proposed Actions will be analyzed, adding students likely to be generated by the RWCDS to the projections for the future No-Action condition. Impacts will be assessed based on the difference between the future With-Action projections and the future No-Action projections (at the sub-district level) for enrollment, capacity, and utilization in 2027.
- A determination of whether the Proposed Actions would result in significant adverse impacts to elementary and/or intermediate schools will be made. A significant adverse impact may result, warranting consideration of mitigation, if the Proposed Actions would result in both of the following: (1) a collective utilization rate of the elementary and/or intermediate schools in the sub-district study area that is equal to or greater than 100 percent in the With-Action condition; and (2) an increase of five percent or more in the collective utilization rate between the No-Action and With-Action conditions, pursuant to CEQR.

Libraries

- Local public library branches within the borough of Brooklyn that serve the area within approximately ¾-mile of the Project Area, which is the distance that one might be expected to travel for such services, will be identified and presented on a map.
- Existing libraries within the study area and their respective information services and user populations will be described. Information regarding services provided by branches within the study area will include holdings and other relevant existing conditions. Details on library operations will be based on publicly available information and/or consultation with Brooklyn Public Library officials. If applicable, holdings per resident may be estimated to provide a quantitative gauge of available resources in the applicable branch libraries in order to form a baseline for the analysis.

- For No-Action conditions, projections of population change in the area and information on any planned changes in library services or facilities will be described, and the effects of these changes on library services will be assessed. Using the information gathered for existing conditions, holdings per resident in the No-Action condition will be estimated.
- The effects of the addition of the population resulting from the Proposed Actions on the library's ability to provide information services to its users will be assessed. Holdings per resident in the With-Action condition will be estimated and compared to the No-Action holdings estimate.
- If the Proposed Actions would increase a branch library's ¾-mile study area population by five percent or more over No-Action levels, and it is determined, in consultation with the Brooklyn Public Library, that this increase would impair the delivery of library services in the study area, a significant adverse impact may occur, warranting consideration of mitigation, in accordance with the *CEQR Technical Manual*.

Early Childhood Programs

- Existing publicly funded early childhood programs within approximately two miles of the Project Area will be identified. Each facility will be described in terms of its location, number of slots (capacity), enrollment, and utilization in consultation with the Department of Education's (DOE) Division of Early Childhood Education.
- For No-Action conditions, information will be obtained for any changes planned for early childhood programs or facilities in the area, including the closing or expansion of existing facilities and the establishment of new facilities. Any expected increase in the population of children under age six within the eligibility income limitations will be discussed as potential additional demand, and the potential effect of any population increases on demand for child care services in the study area will be assessed. The available capacity or resulting deficiency in slots and the utilization rate for the study area will be calculated for the No-Action condition.
- The potential effects of the additional eligible children resulting from the Proposed Actions will be assessed by comparing the estimated net demand over capacity to a net demand over capacity in the No-Action analysis. Although the RWCDS is expected to add 313 affordable units (25 percent of total units), in accordance with CEQR guidance, the early childhood programs analysis will assume that 20 percent of the total housing units (250 units) would be targeted for households with incomes of 80% AMI or below (which is used as a proxy for eligibility for early childhood programs).
- A determination of whether the Proposed Actions would result in significant adverse impacts to early childhood programs will be made. A significant adverse impact may result, warranting consideration of mitigation, if the Proposed Actions would result in both of the following: (1) a collective utilization rate of the early childhood programs in the study area that is greater than 100 percent in the With-Action condition; and (2) an increase of five percent or more in the collective utilization rate of the early childhood programs in the study area between the No-Action and With-Action conditions, in accordance with the *CEQR Technical Manual*.

Task 5: Open Space

If a project may add population to an area, demand for existing open space facilities would typically increase. Indirect effects may occur when the population generated by the Proposed Actions would be sufficiently large to noticeably diminish the ability of an area's open space to serve the future population. For the majority of projects, an assessment is conducted if the Proposed Actions would generate more than 200 residents or 500 employees, or a similar number of other uses. However, the need for an open

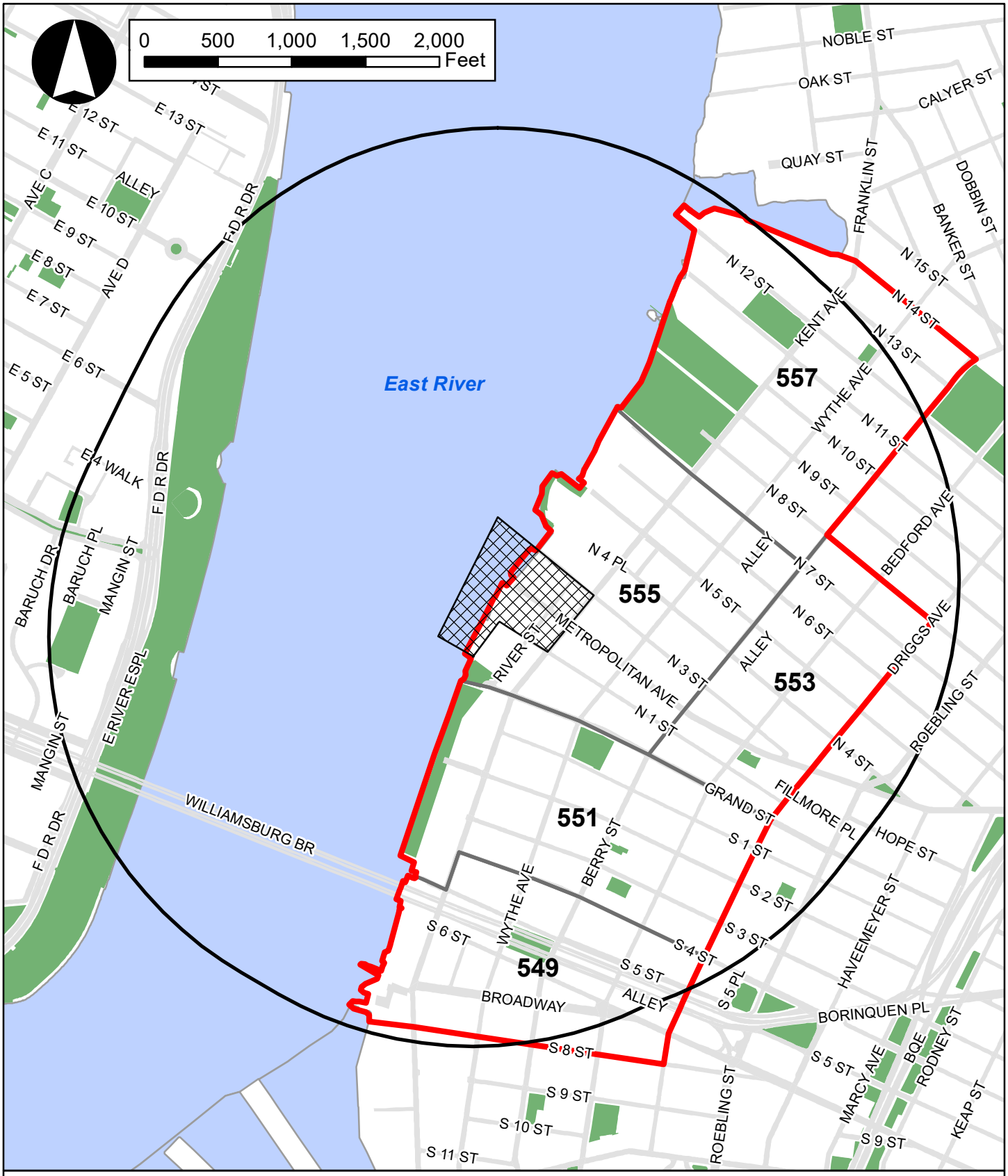
space assessment may vary in certain areas of the City that are considered either underserved or well-served by open space; if a project is located in an underserved area, an open space assessment should be conducted if that project would generate more than 50 residents or 125 workers. The Project Area falls partially within an area identified as well-served in the *CEQR Technical Manual,* and the RWCDS for the Proposed Actions is expected to introduce approximately 2,925 residents and a net reduction of 204 workers to the area, compared to No-Action conditions. Therefore, an assessment of nonresidential open space is warranted and will be provided in the DEIS.

The open space analysis will consider open space resources within a residential (half-mile radius) study area. The study area will generally comprise those census tracts that have 50 percent or more of their area located within the half-mile radius of the Project Area, as recommended in the *CEQR Technical Manual*. The resultant open space study area is shown in **Figure 10**.

The detailed open space analysis in the DEIS will include the following subtasks:

- Characteristics of the two open space user groups (residents and workers/daytime users) will be determined. To determine the number of residents in the study area, 2014-2018 American Community Survey (ACS) five-year estimates from the U.S. Census will be compiled for census tracts comprising the residential open space study area. As the study area may include a workforce and daytime population that may also use open spaces, the number of employees and daytime workers in the study area will also be calculated, based on U.S. Census Bureau LEHD Origin-Destination Employment Statistics (LODES).
- Existing open spaces within the half-mile open space study area will be inventoried and mapped. The condition and usage of existing facilities will be described based on the inventory and field visits. Acreages of these facilities will be determined, and the total study area acreages will be calculated. The percentage of passive and active open space will also be calculated.
- Based on the inventory of facilities and study area populations, total, passive, and active open space ratios will be calculated for the residential population and compared to City guidance to assess adequacy. Open space ratios are expressed as the amount of passive open space acreage per 1,000 residential population.
- Expected changes in future levels of open space supply and demand in the 2027 analysis year will be assessed, based on other planned development projects within the open space study area. Any new open space or recreational facilities that are anticipated to be operational by the analysis year will also be accounted for. The open space ratios will be calculated for future No-Action conditions and compared with the exiting ratios to determine the change in future levels of adequacy.
- Effects on open space supply and demand resulting from the increased residential population associated with the RWCDS will be assessed. New publicly accessible open space facilities included in the Proposed Development, such as the approximately 3.1 acres of proposed waterfront open space, would also be taken into account in the quantitative analysis of With-Action conditions. The assessment of the Proposed Actions' impacts will be based on a comparison of the open space ratios for the future No-Action versus future With-Action conditions. In addition to the quantitative analysis, a qualitative analysis will be performed to determine if the changes resulting from the Proposed Actions constitute a substantial change (positive or negative) or an adverse effect to open space conditions. The qualitative analysis will assess whether or not the study area is sufficiently served by passive open space, given the capacity, condition, and distribution of open space, and the profile of the study area population.

Figure 10
Open Space Study Area



Legend

Project Area | 1/2-Mile Radius | Open Space Study Area | 555 2010 Census Tracts

Task 6: Shadows

A shadows analysis assesses whether new structures resulting from a proposed action would cast shadows on sunlight sensitive publicly accessible resources or other resources of concern, such as natural resources, and to assess the significance of their impact. This chapter will examine the Proposed Development's potential for significant and adverse shadow impacts pursuant to *CEQR Technical Manual* criteria. Generally, the potential for shadow impacts exists if an action would result in new structures or additions to buildings resulting in structures over 50 feet in height that could cast shadows on important natural features, publicly accessible open space, or on historic features that are dependent on sunlight. New construction or building additions resulting in incremental height changes of less than 50 feet can also potentially result in shadow impacts if they are located adjacent to, or across the street from, a sunlight-sensitive resource. As discussed in the EAS for the Proposed Actions, although the RWCDS assumes that the Projected Development Site would experience an additional 1.0 FAR of development as a result of the Proposed Actions, which would allow for one additional floor compared to No-Action conditions, the resultant increase in height on the Projected Development Site would be well below the 50-foot CEQR threshold.

As the Proposed Actions would facilitate the construction of two new towers on the Applicant's Proposed Development Site with heights of approximately 560 and 710 feet, respectively, and the Project Area is located adjacent to Grand Ferry Park and the East River, and in the vicinity of Domino Park, the Proposed Actions have the potential to result in new shadows on nearby sunlight-sensitive resources. Therefore, a shadows assessment is warranted to determine the extent, duration, and effects of any potential incremental new shadows on any sunlight-sensitive resources in the vicinity of the Proposed Development Site, including Grand Ferry Park to the south, North 5th Street Pier and Park, and John V. Lindsay East River Park, among others. The East River, an important natural landscape, will also be included in the shadows analysis.

The Projected Development Site is not located adjacent to an existing sunlight-sensitive resource, and therefore a shadows analysis is not warranted for the Projected Development Site. As such, the shadows analysis in the EIS will focus exclusively on the Applicant's Proposed Development. The shadows assessment will follow the methodology described in the *CEQR Technical Manual*, and will include the following:

- A preliminary shadows screening assessment will be prepared to ascertain whether shadows from the Proposed Development may potentially reach any sunlight-sensitive resources at any time of year:
    - A Tier 1 Screening Assessment will be conducted to determine the longest shadow study area, which is defined as 4.3 times the height of a structure (the longest shadow that would occur on December 21, the winter solstice), pursuant to the *CEQR Technical Manual*. A base map that illustrates the location of the Proposed Development in relation to the sunlight-sensitive resources will be developed.
    - A Tier 2 Screening Assessment will be conducted if any portion of a sunlight-sensitive resource lies within the longest shadow study area. The Tier 2 assessment will determine the triangular area that cannot be shaded by the developments, which in New York City is the area that lies between -108 and +108 degrees from true north.
    - If any portion of a sunlight-sensitive resource is within the area that could be potentially shaded by the developments, a Tier 3 Screening Assessment will be conducted. The Tier 3 Screening Assessment will determine if shadows resulting from the Proposed Project can reach a sunlight-sensitive resource through the use of three-dimensional computer

modeling software with the capacity to accurately calculate shadow patterns. The model will include a three-dimensional representation of the sunlight-sensitive resource(s), a three-dimensional representation of the Proposed Development, and a three-dimensional representation of the topographical information within the area to determine the extent and duration of new shadows that would be cast on sunlight-sensitive resources as a result of the Proposed Development.

- If the screening analysis does not rule out the possibility that action-generated shadows would reach any sunlight-sensitive resources, a detailed analysis of potential shadow impacts on publicly-accessible open spaces or sunlight-sensitive historic resources resulting from development will be provided in the DEIS. The detailed shadow analysis will establish a baseline condition (No-Action), which will be compared to the future condition resulting from the Proposed Development (With-Action) to illustrate the shadows cast by existing or future buildings and distinguish the additional (incremental) shadow cast by the Proposed Development. The detailed analysis will include the following tasks:
    - The analysis will be documented with graphics comparing shadows resulting from the No-Action condition with shadows resulting from the Proposed Development, with incremental shadow highlighted in a contrasting color.
    - A summary table listing the entry and exit times and total duration of incremental shadow on each applicable representative day for each affected resource will be provided.
    - The significance of any shadow impacts on sunlight-sensitive resources will be assessed based on CEQR criteria.
    - If potential significant adverse impacts are identified, the amount of remaining sunlight on those sensitive resources, as well as the types of vegetation and or recreational activities involved, will be considered.

Task 7: Historic Resources (Architectural)

According to the *CEQR Technical Manual*, a historic and cultural resources assessment is required if a project would have the potential to affect either archaeological or architectural resources. As determined in the EAS for the Proposed Actions, the Proposed Actions do not warrant an assessment of archaeological resources.

Although, as stated in the EAS, the Project Area does not encompass any designated historic architectural resources, it is located across North 3rd Street from the S/NR-listed and LPC-eligible Austin Nichols & Co. Warehouse at 184 Kent Avenue, and is within 400 feet of the S/NR-eligible Grand Street Historic District and the Warehouse at 67-73 Metropolitan Avenue. Therefore, an assessment of historic architectural resources will be included in the EIS. Impacts on architectural resources are considered on the affected site and in the area surrounding it. The architectural resources study area is therefore defined as the Project Area, plus a 400-foot radius, as per the guidance provided in the *CEQR Technical Manual*. In consultation with LPC and consistent with the guidance of the *CEQR Technical Manual*, designated and/or eligible architectural resources in the study area will be identified and mapped. The EIS will assess the potential impacts of the Proposed Actions on any identified architectural resources, including visual and contextual changes as well as any direct physical impacts. Potential impacts will be evaluated through a comparison of the future No-Action condition and future With-Action condition, and a determination made as to whether any change would alter or eliminate the significant characteristics of the resource that make it important.

Task 8: Urban Design and Visual Resources

Urban design is the totality of components that may affect a pedestrian's experience of public space. An assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. When an action would potentially obstruct view corridors, compete with icons in the skyline, or would result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings, a more detailed analysis of urban design and visual resources would be appropriate. As the Proposed Actions would allow higher density within the Project Area, a preliminary assessment of urban design and visual resources will be provided in the EIS.

The urban design study area will be the same as that used for the land use analysis (delineated by a 400-foot radius from the Project Area boundary). For visual resources, the view corridors within the study area from which such resources are publicly viewable will be identified. The preliminary assessment will consist of the following:

- Based on field visits, the urban design and visual resources of the directly affected area and adjacent study area will be described using text, photographs, and other graphic material, as necessary, to identify critical features, use, bulk, form, and scale.
- In coordination with Task 2, "Land Use. Zoning. And Public Policy," the changes expected in the urban design and visual character of the study area due to known development projects in the future No-Action condition will be described.
- Potential changes that could occur in the urban design character of the study area as a result of the Proposed Actions will be described. For the Proposed Development Site, the analysis will focus on the Proposed Development's massing, as well as elements such as streetwall height, setback, building envelope, and massing/bulk relationship to the proposed public open space. Photographs and/or other graphic material will be utilized, where applicable, to assess the potential effects on urban design and visual resources, including view of/to resources of visual or historic significance and a three-dimensional representation of the future With-Action condition streetscape. A similar assessment will be provided for the Projected Development Site.
- As the Proposed Development Site is located along a west- and northwest-facing waterfront, and the Proposed Development comprises two towers, in accordance with *CEQR Technical Manual* guidance, potential wind conditions related to the Proposed Development's proposed site plan and building massing will be described.

If warranted based on the preliminary assessment, a detailed urban design and visual resources analysis would be prepared in accordance with *CEQR Technical Manual* guidance. Examples of projects that may require a detailed analysis are those that would make substantial alterations to the streetscape of a neighborhood by noticeably changing the scale of buildings, potentially obstruct view corridors, or compete with icons in the skyline, as described in the *CEQR Technical Manual*. The detailed analysis would describe the Proposed Development Site and the urban design and visual resources of the surrounding area. The analysis would describe the potential changes that could occur to urban design and visual resources in the future with the Proposed Actions, in comparison to the future without the Proposed Actions, focusing on the changes that could negatively affect a pedestrian's experience of the area.

Task 9: Natural Resources

The *CEQR Technical Manual* states that a natural resources assessment should be prepared if (1) there is the presence of a natural resource on or near the site of the project; and (2) a proposed project has the potential to cause disturbance of that resource. The *CEQR Technical Manual* defines natural resources as (1) the City's biodiversity (plants, wildlife, and other organisms); (2) any aquatic or terrestrial areas capable of providing suitable habitat to sustain the life processes of plants, wildlife, and other organisms; and (3) any areas capable of functioning in support of the ecological systems that maintain the City's environmental stability.

The East River supports a diverse marine community. The Proposed Development Site lies on the East River waterfront and the Proposed Development would entail in-water work associated with the proposed waterfront park. In addition, endangered or threatened species may be associated with not only the marine environment but also elsewhere within the area surrounding the Proposed Development Site. Therefore, the EIS will provide an assessment of potential impacts on natural resources, which would characterize terrestrial plants and wildlife, water and sediment quality, and aquatic biota including essential fish habitat. Potential impacts will be considered, including stormwater discharge, sediment disturbance, and habitat disturbance. Beneficial impacts to wildlife will also be cited, namely the potential to create improved habitat for birds and aquatic life. Any required permits will also be discussed. The natural resources assessment will include the following sub-tasks:

- Characterize water quality conditions in terms of hydrodynamics and water quality characteristics including: river currents, tidal range, water quality classification, overall pollutant loads, and chemical and biological conditions. Data will be drawn from a literature review of site-specific studies such as the New York City Department of Environmental Protection (NYCDEP) Harbor Survey, New York-New Jersey Harbor Estuary Program, and the East River Long Term Control Plan, as well as web site specific data and trend and projection data. Other possible sources of information include the New York State Department of Environmental Conservation (NYSDEC), the Environmental Protection Agency (EPA), and the National Oceanic and Atmospheric Administration (NOAA).
- Characterize existing natural resources of the East River within the vicinity of the Proposed Development Site by conducting site reconnaissance and gathering existing information on terrestrial, wetland, and aquatic resources. Data will be drawn from the US Fish and Wildlife Service (USFWS), the National Marine Fisheries Service (NMFS), the NYSDEC, and Google Earth. Wetlands will be identified based on NYSDEC tidal wetland maps and cross-referenced with the National Wetlands Inventory in consultation with the USFWS. Terrestrial resources will be characterized based on a field visit and a review of aerial photography.
- Identify rare or endangered plant or animal species and essential fish habitat using published literature. The primary sources for this data are the New York Natural Heritage Program (NYNHP) and the USFWS, which maintain records on the potential presence of these species. The project will be coordinated with the USFWS as required and reviewed for compliance with the Endangered Species Act of 1973.
- Compare anticipated future conditions with and without the Proposed Actions. A projection without the Proposed Actions will account for any potential changes to the study area that may alter natural resources, such as public initiatives to minimize discharges from combined sewer overflows. Future conditions with the Proposed Actions must take into account changes to the shoreline, water coverage, sediment disturbance due to shoreline construction activities, increases in suspended sediment, and development of new outfalls and discharge of stormwater

runoff. The Proposed Actions assessment will include impacts to water quality, sediment quality, fish and bird habitat, rare or endangered species, and terrestrial resources such as tree removal, vegetation disturbance, and landscape restoration. Beneficial impacts will also be described including improvements to shoreline conditions, plant and wildlife habitat, aquatic habitat, and water and sediment quality.

- Conduct floodplain analysis of the Proposed Development Site as necessary. The primary source of information will be the most recent publication of the Flood Insurance Rate Map from the Federal Emergency Management Agency (FEMA).
- Identify mitigation measures to avoid or reduce significant adverse impacts to the East River and adjacent sites if such impacts are probable. Potential impacts due to combined sewer overflow from the Proposed Development Site will be included in this analysis.
- Identify required permits from regulatory programs such as the New York State Tidal Wetlands Regulations, the New York State Protection of Waters Regulations administered by NYSDEC, Section 10 of the Rivers and Harbors Act administered by the United States Army Corps of Engineers (USACE), and Sections 401 and 404 of the Clean Water Act administered by USACE.

Task 10: 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: a) elevated levels of hazardous materials exist on a site and the project would increase pathways to human or environmental exposure; b) a project would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increased; or c) the project would introduce a population to potential human or environmental exposure from off-site sources.

The hazardous materials chapter will examine the potential for significant hazardous materials impacts from the Proposed Actions. As part of the hazardous materials task, a Phase I Environmental Site Assessment (ESA) will be prepared for the Proposed Development Site.[5] The Phase I ESA will consist of a thorough review of any previous reports, historical maps, City directories, and environmental database materials to identify any potential environmental impacts that would lead to a concern for hazardous materials impacts. A visual inspection of the Proposed Development Site will also be conducted as part of the Phase I ESA to assess any potential for hazardous materials impacts. The Hazardous Materials chapter will summarize the findings of the completed Phase I ESA(s) conducted for the Proposed Development Site and will include any necessary recommendations for additional testing or other activities that would be required either prior to or during construction and/or operation of the project. The appropriate remediation measures specific to the future uses of the site, including any New York City Department of Environmental Protection (DEP) recommendations, will be provided in the EIS. If necessary, measures to avoid or reduce potential significant adverse impacts will be identified and discussed in the EIS. Any requirements will be memorialized by a hazardous materials (E) designation placed on upland portions of the applicable block and lot(s) pursuant to Section 11-15 of the New York City Zoning Resolution and the (E) Rules. The EIS would include (E) designation language describing the requirements that would apply.

[5] As stated in the EAS, for the Projected Development Site identified as part of the RWCDS, which would be redeveloped under both No-Action and With-Action conditions, as no new incremental in-ground disturbance would occur as a result of the Proposed Actions, no further hazardous materials assessment is warranted for that site.

Task 11: Water and Sewer Infrastructure

The water and sewer infrastructure assessment determines whether a proposed action may adversely affect the City's water distribution or sewer system and, if so, assess the effects of such actions to determine whether their impact is significant. The *CEQR Technical Manual* outlines thresholds for analysis of an action's water demand and its generation of wastewater and stormwater. As described in the EAS for the Proposed Actions, an analysis of the City's water supply is not warranted as the RWCDS would not result in a demand of more than one million gallons per day (gpd) and the Project Area is not located in an area that experiences low water pressure. However, water demand estimates will be provided in the EIS to inform the wastewater and stormwater conveyance and treatment analysis.

The threshold of preliminary wastewater and stormwater infrastructure analysis for projects outside of Manhattan with combined sewers is 400 DUs or 150,000 sf of commercial development, or involve development on a site that is 5 acres or larger where the amount of impervious surface would increase. As the RWCDS would include more than 400 DUs, an assessment of wastewater and stormwater conveyance systems is required. The water and sewer infrastructure analysis will consider the potential for significant adverse impacts resulting from the Proposed Actions. DEP will be consulted in preparation of this assessment.

Wastewater and Stormwater Infrastructure

- The appropriate study area for the assessment will be established in accordance with the guidance of the *CEQR Technical Manual* and in consultation with DEP. The Proposed Area's directly affected area is primarily located within the service area of the Newtown Creek Wastewater Treatment Plant (WWTP).
- The existing stormwater drainage system and surfaces (pervious or impervious) on the Proposed Development Site[6] will be described, and the amount of stormwater generated on the sites will be estimated using DEP's volume calculation worksheet.
- The existing sewer system serving the Project Area will be described based on records obtained from DEP. The existing flows to the Newtown Creek WWTP, which serves the directly affected area, will be obtained for the latest twelve-month period, and the average dry weather monthly flow will be presented.
- Any changes to the stormwater drainage plan, sewer system, and surface area expected in the future without the Proposed Actions will be described, as warranted.
- Future stormwater generation from the Proposed Development will be assessed to determine the Proposed Development's potential to result in impacts. Changes to the Proposed Development Site's surface area will be described, runoff coefficients and runoff for each surface type/area will be presented, and volume and peak discharge rates from the site will be determined based on the DEP volume calculation worksheet.
- Sanitary sewage generation for the RWCDS will also 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 Newtown Creek WWTP.

A more detailed assessment may be required if increased sanitary or stormwater discharges resulting from the Proposed Actions are predicted to affect the capacity of portions of the existing sewer system,

[6] As noted in the EAS, for the Projected Development Site identified as part of the RWCDS, as it would be redeveloped under both No-Action and With-Action conditions, no changes to the site's surface area composition would occur, and therefore a stormwater assessment is not warranted for the Projected Development Site.

exacerbate combined sewer overflow (CSO) volumes/frequencies, or contribute greater pollutant loadings in stormwater discharged to receiving water bodies. The scope of a more detailed analysis, if necessary, will be developed based on conclusions from the preliminary infrastructure assessment and in coordination with DEP and DCP.

Task 12: Transportation

The objective of a transportation analysis is to determine whether a proposed action may have a potential significant impact on traffic operations and mobility, public transportation facilities and services, pedestrian elements and flow, the safety of all roadway users (pedestrians, bicyclists and motorists), on- and off-street parking, or goods movement. The With-Action condition includes new residential, commercial and community facility development, which would generate new vehicle trips and demand for parking, as well as new subway and bus riders and pedestrian traffic. These new trips have the potential to affect the area's transportation systems.

Travel Demand and Screening Assessment

A detailed travel demand forecast (a Level 1 screening assessment) will be prepared for the Proposed Actions using standard sources, including the *CEQR Technical Manual*, U.S. Census data, previously-approved studies, and other references. The travel demand forecast will provide the numbers of person and vehicle trips by peak hour and mode of travel, including the number of trips by transit and the numbers of pedestrians traversing the area's sidewalks, corner areas, and crosswalks. The results of this forecast will be summarized in a Transportation Planning Factors and Travel Demand Forecast (TPF/TDF) technical memorandum for review and concurrence by the lead agency. Detailed vehicle and pedestrian trip assignments (a Level 2 screening assessment) will be prepared based on the results of the Proposed Actions' travel demand forecast to identify which, if any, intersections and pedestrian elements warrant quantified analysis.

Traffic

As the Proposed Actions' RWCDS would exceed the minimum development density screening thresholds for a transportation analysis specified in Table 16-1 of the *CEQR Technical Manual*, a travel demand forecast will be prepared to determine if the Proposed Actions would generate 50 or more incremental vehicle trips in any peak hour. If the Proposed Actions are found to generate 50 or more incremental vehicle trips per hour, specific intersections to be included for analysis will be identified in consultation with the lead agency based upon the assignment of project-generated traffic and the *CEQR Technical Manual* analysis threshold of 50 additional vehicle trips per hour. Known congested locations will also be considered.

The following outlines the anticipated scope of work for conducting a traffic impact analysis for the Proposed Actions, should it be warranted:

- Conduct a count program for traffic analysis locations that includes a mix of automatic traffic recorder (ATR) machine counts and intersection turning movement counts. If needed, vehicle classification counts and travel time studies (speed runs) will be conducted to provide supporting data for air quality and noise analyses. Turning movement count data will be collected at each analyzed intersection during the weekday AM and PM peak hours, and will be supplemented by a minimum of three weekdays of continuous ATR counts. Vehicle classification count data will be collected during each peak hour at several representative intersections along each of the principal corridors in the study area. The turning movement counts and vehicle classification counts will be conducted concurrently

with the ATR counts. Where applicable, available information from recent studies in the vicinity of the study area will be compiled, including data from such agencies as the New York City Departments of Transportation (DOT) and City Planning (DCP).

- Inventory physical data at each of the analysis intersections, including street widths, number of traffic lanes and lane widths, pavement markings, turn prohibitions, bicycle routes and curbside parking regulations. Signal phasing and timing data for each signalized intersection included in the analysis will be obtained from DOT.
- Determine existing traffic operating characteristics at each analyzed intersection including capacities, volume-to-capacity (v/c) ratios, average vehicle delays, and levels of service (LOS) per lane group, per intersection approach, and per overall intersection. This analysis will be conducted using the 2000 Highway Capacity Manual (HCM) methodology with the latest approved Highway Capacity Software (HCS).
- Based on available sources, U.S. Census data and standard references including the *CEQR Technical Manual*, estimate the demand from other major developments planned in the vicinity of the Development Site by the 2027 analysis year. This will include total peak hour person and vehicular trips, and the distribution of trips by auto, taxi, and other modes. A truck trip generation forecast will also be prepared based on data from the *CEQR Technical Manual* and previous relevant studies. Mitigation measures accepted for all No-Action projects as well as other DOT initiatives will be included in the future No-Action network, as applicable.
- Compute the future 2027 No-Action traffic volumes based on approved background traffic growth rates for the study area (0.5 percent per year) and demand from major development projects expected to be completed in the future without the Proposed Actions. Incorporate any planned changes to the roadway system anticipated by 2027, and determine the No-Action v/c ratios, delays, and levels of services at analyzed intersections.
- Using Census data, standard references including the *CEQR Technical Manual*, and data from previous studies, develop a travel demand forecast for the RWCDS based on the net change in uses compared to the No-Action condition. For each analyzed peak hour, determine the net change in vehicle trips expected to be generated by the Proposed Actions. Assign the net project-generated trips in each analysis period to likely approach and departure routes, and prepare traffic volume networks for the 2027 future with the Proposed Actions condition for each analyzed peak hour.
- Determine the v/c ratios, delays, and LOS at analyzed intersections for the With-Action condition and identify significant adverse traffic impacts in accordance with *CEQR Technical Manual* criteria.
- Identify and evaluate potential traffic mitigation measures, as appropriate, for all significantly impacted locations in the study area in consultation with the lead agency and DOT. Potential traffic mitigation could include both operational and physical measures such as changes to lane striping, curbside parking regulations and traffic signal timing and phasing, roadway widening, and the installation of new traffic signals. Where impacts cannot be fully or partially mitigated, they will be described as unavoidable adverse impacts.

Transit

According to the general thresholds used by the Metropolitan Transportation Authority (MTA) and specified in the *CEQR Technical Manual*, detailed transit analyses are generally not required if a proposed action is projected to result in fewer than 200 peak hour rail or bus transit trips. If a proposed action would result in 50 or more bus trips being assigned to a single bus route (in one direction), or if it would result in an increase of 200 or more trips at a single subway station or on a single subway line, a detailed bus or

subway analysis would be warranted. Transit analyses typically focus on the weekday AM and PM peak hours as it is during these periods that overall demand on the subway and bus systems is greatest.

As the Proposed Actions may generate a net increase of more than 200 additional peak hour subway trips at one or more stations, and 50 or more additional peak hour bus trips on one or more local bus routes, detailed transit analyses may be required based on *CEQR Technical Manual* criteria.

SUBWAY

According to the general thresholds used by the Metropolitan Transportation Authority (MTA) and specified in the *CEQR Technical Manual*, a detailed subway analysis is typically warranted if a proposed action would result in an increase of 200 or more trips at a single subway station or on a single subway line. As the Proposed Actions may generate a net increase of more than 200 additional subway trips in the weekday AM and PM peak hours at one or more stations, a detailed subway analysis may be required. Transit analyses typically focus on the weekday AM and PM commuter peak hours when overall demand on the subway and bus systems is usually highest. The detailed subway analysis, if warranted, would include the following subtasks:

- Identify for analysis those station elements (stairways and entrance control elements) at subway stations expected to be utilized by 200 or more project-generated trips in the weekday AM and PM peak hours.
- Determine existing weekday AM and PM peak hour demand at analyzed subway station elements using new count data or available data from secondary sources, and determine existing v/c ratios and levels of service based on *CEQR Technical Manual* criteria.
- Determine volumes and conditions at analyzed subway station elements in the No-Action condition using approved background growth rates and accounting for any trips expected to be generated by major projects in the vicinity of the study area.
- Add project-generated demand to the No-Action volumes at analyzed subway station elements and determine AM and PM peak hour volumes and conditions in the future with the Proposed Actions.
- Identify potential significant adverse impacts at subway station stairways and fare control elements based on *CEQR Technical Manual* impact criteria.
- Mitigation needs and potential subway station improvements will be identified, as appropriate, in conjunction with the lead agency and New York City Transit (NYCT). Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

BUS

A detailed analysis of bus conditions is generally not required if a proposed action is projected to result in fewer than 50 peak hour trips being assigned to a single bus route (in one direction) based on the general thresholds used by the MTA and specified in the *CEQR Technical Manual*. As the incremental person-trips by bus generated by the Proposed Actions may exceed 50 peak hour trips in one direction on one or more of the routes serving the Project Area, a quantitative analysis of local bus conditions may be required. For that analysis, trips would be assigned to each route based on proximity to the Project Area and current ridership patterns. The analysis would include documenting existing peak hour bus service levels and maximum load point ridership, determining conditions in the future No-Action condition, and assessing the effects of new action-generated peak hour trips. Bus transit mitigation, if warranted, would be identified in consultation with the lead agency and the MTA.

Pedestrians

An incremental increase in pedestrian volumes of less than 200 persons per hour at any pedestrian element (sidewalk, corner area or crosswalk) would not typically be considered a significant impact, since the level of increase would not generally be noticeable and therefore would not require further analysis under *CEQR Technical Manual* criteria. Based on the level of incremental pedestrian demand expected to be generated under With-Action conditions, it is anticipated that incremental demand would exceed the 200-trip analysis threshold at one or more locations in one or more peak hours. A detailed pedestrian analysis will therefore be prepared for the DEIS focusing on those elements that would experience 200 or more new trips in one or more peak hours. Existing peak hour demand at each analysis location will be determined based on new count data or available data from secondary sources and used to determine the existing levels of service (LOS). No-Action and With-Action pedestrian volumes and LOS will be determined based on approved background growth rates, trips expected to be generated by No-Action development in the vicinity of the Project Area, and action-generated demand. The analysis will evaluate the potential for incremental demand from the Proposed Actions to result in significant adverse impacts based on current *CEQR Technical Manual* criteria. Potential measures to mitigate any significant adverse pedestrian impacts will be identified and evaluated, as warranted, in consultation with the lead agency and DOT.

Vehicular and Pedestrian Safety

Under *CEQR Technical Manual* guidance, an evaluation of vehicular and pedestrian safety is needed for locations within traffic and pedestrian study areas that have been identified as high crash locations. These are defined as locations with 48 or more total reportable and non-reportable crashes or where five or more pedestrian/bicyclist injury crashes have occurred in any consecutive 12 months of the most recent three-year period for which data are available.

Data on traffic crashes involving pedestrians and/or cyclists at intersections in the pedestrian study area will be obtained from DOT for the most recent three-year period available. These data will be analyzed to determine if any of the studied locations may be classified as high crash locations and whether vehicle and/or pedestrian trips and any street network changes resulting from the Proposed Actions would adversely affect vehicular and pedestrian safety in the area. If any high crash locations are identified, feasible improvement measures will be explored to alleviate potential safety issues.

Parking

A parking demand forecast for the Proposed Development will be provided to document the ability of the proposed 250 spaces of on-site accessory parking on the Proposed Development Site to accommodate all of the projected demand under the Proposed Actions, and assess the potential for significant adverse impacts to on-street and off-street parking. Parking demand generated by the residential component of the Proposed Development will be forecasted based on auto ownership data for the surrounding area. Parking demand from all other uses will be derived from the forecasts of daily auto trips generated by those uses.

Task 13: Air Quality

CEQR Technical Manual criteria require an air quality assessment for actions that can result in potentially significant air quality impacts. Mobile source impacts could arise when an action increases or causes a redistribution of traffic, creates any other mobile sources of pollutants, or adds new uses near existing mobile sources, as well as from vehicles using parking facilities, parking lots, or garages. Stationary source impacts could occur with actions that create new stationary sources or pollutants such as emission stacks

from HVAC systems that can affect surrounding uses; or when proposed actions add uses near existing or planned future emission stacks, and the new uses might be affected by the emissions from the stacks.

As discussed in the EAS, the Proposed Actions are not expected to result in an increase in vehicle trips higher than the *CEQR Technical Manual* CO screening threshold of 170 trips at any intersection in the study area. A screening analysis would be performed based on vehicular trip increments resulting from the Proposed Actions and, if it is determined that more than 170 trips would be generated at any intersection, a CO impact analysis would be conducted in accordance with *CEQR Technical Manual* guidance. For mobile source PM impact, screening analysis would be performed based on vehicular trip increments resulting from the Proposed Actions. If the screening fails, detailed $PM_{2.5}$ impact analysis will be conducted in accordance with *CEQR Technical Manual* guidance. As the Proposed Development would introduce a new parking facility in proximity to new sensitive use, a mobile source garage analysis will be provided in the EIS.

The stationary source air quality impact analysis will determine the potential effects of emissions from the heating, ventilating, and air conditioning (HVAC) systems on nearby sensitive land uses and other buildings within the Project Area if applicable. This is called "project on project" impacts. Emissions from large/major existing sources within a 1,000-foot radius from the Project Area, including the North 1st Street power generating facility operated by NYPA, and existing industrial/manufacturing zoned uses within a 400-foot study area, will also be assessed to examine the potential for impacts on the two towers on the Proposed Development Site as well as the 3-story building on the Projected Development Site

Mobile Source Parking Garage Analysis

The Proposed Development is expected to include a 250-space accessory parking garage. The parking garage accumulation table from the transportation chapter will serve as the basis for analysis. Mobile source emission factors will be developed using the latest version of the EPA MOVES model (MOVES2014b). An analysis of CO and PM emissions from the garage will be performed using MOVES-generated emission factors and the procedures outlined in the *CEQR Technical Manual* for assessing potential impacts from proposed parking facilities. Cumulative impacts from on-street sources and emissions from parking garages will be calculated.

Stationary Source Analysis

HEATING AND HOT WATER SYSTEM ANALYSIS

The analysis of the heating and hot water systems of the Proposed Development and Projected Development Site will consider impacts following the screening procedures outlined in the 2020 *CEQR Technical Manual* to determine the potential for impacts on existing developments, as well as the potential for HVAC emissions of the proposed shorter tower to impact receptors on the taller building (i.e., project-on-project impacts). Also, screening and detailed analyses will be conducted, as necessary, to estimate the potential impacts of the 3-story building on the Projected Development Site on the two towers comprising the Applicant's Proposed Development.

While screening studies can be usefully employed for the project-on-project impact analysis, the size of the buildings and distance between them will require use of refined modeling to demonstrate the project's compliance with the CEQR significant de minimis impact criteria and National Ambient Air Quality Standards (NAAQS). Because the proposed tall towers on the Proposed Development Site are taller than all existing buildings within 400 feet, no project-on-existing analysis is warranted. However, the 3-story building on the Projected Development Site could affect nearby existing sites, and a project-on-existing analysis is required for this building.

Refined modeling analysis will be performed using the latest version of the EPA AERMOD model and five years of representative meteorological data. Emission rates for project-on-project impact assessment will be developed based on the size of the development and type of heating system proposed, whether it would be boiler(s) or co-generating units. Concentrations of nitrogen dioxide (NO_2), sulfur dioxide (SO_2) and particulate matter ($PM_{2.5}$ and PM_{10}) will be determined at the taller building's sensitive receptors and at surrounding publicly-accessible locations. Receptors will be placed at multiple locations on all facades of the proposed taller building – on every floor and 10 feet in the horizontal direction to identify maximum pollutant concentrations and concentration increments per the guidance provided in the *CEQR Technical Manual*.

Predicted values will be compared to the NAAQS for NO_2, SO_2, and PM_{10}, and the CEQR *de minimis* criteria for $PM_{2.5}$. If required, an air quality (E) designation will be proposed to mandate fuel, system, operational and/or heating and hot water system exhaust stack restrictions that would be required to avoid a significant adverse air quality impact. The DEIS would include (E) designation language describing the requirements that would apply.

NYPA PLANT ANALYSIS

The Project Area is located in the vicinity of the New York Power Authority's (NYPA) North 1st Street power plant, and could be impacted by NYPA emissions from the facility's stack. A detailed air quality analysis would therefore be conducted to determine whether the impacts of these emissions on the Proposed Development and Projected Development Site would be significant and whether any mitigation measures would be warranted.

This analysis will be conducted using the latest EPA AERMOD version (v.19191). The analysis will be conducted based on the City's mandated procedures for estimating worst-case $PM_{2.5}$ emission rates, which is based on hour-by-hour operations of the NYPA plant and an assumption that emissions for the worst operational day (24-hour) of each month would occur every day of that month for the entire year over the full five-year period. These emission estimates would be developed using a computerized data transfer system from raw NYPA heat input operational data for a five-year period. Hourly emission rates will be used in combination with hour-by-hour meteorological data for the most recent five-year period (2015-2019). The estimated $PM_{2.5}$ hourly emission rates for each analysis year will be combined together for the full five-year analysis period and compiled into the format corresponding to hourly emission input data format of EPA's AERMOD model. For the 1-hour NO_2 analysis, the maximum NO_2 permitted emissions rate of 5 pounds per hour, which corresponds to a maximum annual facility output under NYPA's Title V permit restriction, will be used conservatively assuming that it would occur every hour of the year over the five-year analysis period.

Potential impacts of three other criteria pollutants listed in the NYPA permit – PM_{10} (24-hour), CO (8-hour), and SO_2 (1-hour) would also be estimated.

The analysis will be conducted with the effects of wind flow around the buildings (downwash), as per *CEQR Technical Manual* guidance and the City's recommendation for this project. Estimated concentrations will be compared to the applicable standards and CEQR significant impact thresholds.

OTHER LARGE/MAJOR SOURCE ANALYSIS

The *CEQR Technical Manual* requires an analysis of projects that may result in significant adverse impact due to certain types of new uses located near a "large" or "major" stationary emissions source. Major sources are defined as those located at facilities that have a Title V or Prevention of Significant Deterioration air permit, while large sources are defined as those located at facilities that require a State

Facility Permit. To assess the potential effects of these existing sources on the Project Area, a review of existing permitted facilities will be conducted using EPA, NYSDEC, and DEP databases. If any large or major stationary emissions sources are identified, a detailed analysis would be prepared. Impacts would be assessed in relation to the NAAQS and CEQR $PM_{2.5}$ *de minimis* criteria.

Industrial Source Analyses

The analysis of the potential impacts of the emissions from existing industrial/manufacturing facilities will be conducted as follows:

- A land use review will be conducted to identify potential industrial source block/lots within 400 feet of the Project Area based on GIS data and field review of the area. In addition, DEP and NYSDEC permit records will be reviewed to identify permitted facilities within the study area. This will include the NYPA facility as an existing industrial source, as, according to the NYPA permit, the facility emits several individual toxic pollutants.
- A field survey will be performed to confirm the operating status of existing permitted facilities and to identify any permitted sources of air toxics emissions.
- DEP permit records will be requested and reviewed for each potential industrial source block/lot. Permits for emergency generators, gas stations, boilers and small drycleaners will be excluded from further consideration per the City's guidelines. Similarly, sites that are no longer in existence based on the field review will not be considered. Nonpermitted sources identified in the field review will be considered for analysis.
- Short-term and annual emission rates for existing industrial sources will be determined based on the DEP permit data or estimated, as applicable. Depending on the type of source and data available in the permit file, this step may require research into typical emission rates from other facilities if detailed information for the subject facility is not available.
- An industrial source screening analysis per CEQR procedures will be completed to confirm the sites requiring detailed analysis.
- If required, conduct an AERMOD detailed analysis for industrial sources (existing) that fail the screening analyses. Stack parameters will be obtained from permits or from coordination with the applicant. This task will involve developing a detailed receptor network and building information, AERMOD run setup (including specifying how industrial source emissions may vary by time of day, or season), and comparing the resulting modeled concentrations to the applicable standards from NYSDEC's DAR-1 AGC/SGC Tables.
- Potential cumulative impacts of multiple air pollutants will be determined based on the EPA's Hazard Index Approach for non-carcinogenic compounds and using the EPA's Unit Risk Factors for carcinogenic compounds. Both methods are based on equations that use EPA health risk information (established for individual compounds to determine the level of health risk posed by specific ambient concentrations of that compound. The derived values of health risk are additive and can be used to determine the total risk posed by multiple air pollutants.

Task 14: Greenhouse Gas Emissions and Climate Change

Greenhouse Gas Emissions

Increased greenhouse (GHG) emissions are changing the global climate, which is predicted to lead to wide-ranging effects on the environment, including rising sea levels, increases in temperature, and changes in precipitation levels. Although this is occurring on a global scale, the environmental effects of climate

change are also likely to be felt at the local level. As the RWCDS exceeds the 350,000 sf development threshold, a GHG emissions assessment will be provided in the EIS.

In accordance with the *CEQR Technical Manual*, GHG emissions generated by the RWCDS will be quantified, and an assessment of consistency with the City's established GHG reduction goal will be prepared. Emissions 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 Applicant's Proposed Development will be discussed, and the potential for those measures to reduce GHG emissions from the Proposed Development will be assessed to the extent practicable.

- *Building Operational Emissions*: GHG emissions from the Proposed Development will be estimated based on information provided by the Applicant, and emissions from the Projected Development Site will be estimated based on carbon intensity factors specified in the *CEQR Technical Manual*.
- *Mobile Source Emissions*: GHG emissions from vehicle trips generated by the RWCDS to and from the Project Area will be quantified using trip distances and vehicle emission factors provided in the *CEQR Technical Manual*.
- *Potential Measures to Reduce GHG Emissions*: Design features and operational measures to reduce the Proposed Development's energy use and GHG emissions will be discussed to the extent that information is available.
- *Consistency with the City's GHG Reduction Goal*: Consistency of the Proposed Development and the Proposed Actions overall will be assessed. While the City's overall goal is to reduce GHG emissions by 30 percent below 2005 level by 2025, individual project consistency is evaluated based on building energy efficiency, proximity to transit, on-site renewable power and distributed generation, efforts to reduce on-road vehicle trips and/or to reduce the carbon fuel intensity or improve vehicle efficiency for project-generated vehicle trips, and other efforts to reduce the project's carbon footprint.

Climate Change

As the Proposed Development Site is located within the flood hazard zone, the potential effects of climate change on the Proposed Development will be evaluated based on the best available information, following the methodology outlined in the guidance document entitled *The New York City Waterfront Revitalization Program: Climate Change Adaptation Guidance* (DCP, March 2017). The evaluation will focus on potential future sea and storm levels and the interaction with the Proposed Development's infrastructure and uses. The discussion will focus on early integration of climate change considerations into the Proposed Actions to allow for uncertainties regarding future environmental conditions resulting from climate change.

Task 15: Noise

For the Proposed Actions, there are two major areas of concern regarding noise: (1) the effect the RWCDS would have on noise levels in the surrounding community; and (2) the level of building attenuation necessary to achieve interior noise levels that satisfy CEQR requirements.

It is not expected that project-generated traffic would be likely to result in significant adverse noise impacts. However, a screening assessment will be performed to determine whether there are any locations where there is the potential for the RWCDS to result in significant noise impacts (i.e., doubling of Noise Passenger Car Equivalents [PCEs]) due to project-generated traffic. A detailed analysis of

potential noise impacts due to outdoor mechanical equipment is not required as the outdoor mechanical equipment for any future development facilitated by the Proposed Actions would be required to meet applicable regulations, which are more stringent than *CEQR Technical Manual* impact criteria. As noted in the EAS for the Proposed Actions, although the proposed open space design is still not finalized, it may include waterfront recreation activities for children, such as a largely passive natural space with play features. However, as this largely passive space would not meet the CEQR definition of a stationary source (e.g., crowd noise related to playgrounds or spectator events), a playground noise analysis is not warranted for the Proposed Actions. As the Proposed Actions would introduce new sensitive receptors in an area of potentially high ambient noise levels resulting from stationary sources (the New York Power Authority [NYPA] facility located directly south of the Proposed Development Site), further assessment may be warranted and, if necessary, detailed stationary source noise analysis would be conducted in accordance with *CEQR Technical Manual* guidance. In addition, due to the nearby North Williamsburg NYC Ferry terminal (approximately 750 feet north of the Project Area), noise generated by marine activity along the East River will be incorporated into the detailed noise analysis as a background source. The noise analysis will also examine the level of building attenuation necessary to meet CEQR interior noise level requirements.

The following tasks will be performed in compliance with *CEQR Technical Manual* guidance:

- Based on the traffic studies conducted for Task 12, "Transportation," a screening analysis will be conducted to determine whether there are any locations where there is the potential for the RWCDS to result in significant noise impacts (i.e., doubling Noise PCEs) due to project-generated traffic. If it is determined that Noise PCEs would double at any sensitive receptor, a detailed analysis would be conducted in accordance with *CEQR Technical Manual* guidance.
- Appropriate noise descriptors for building attenuation purposes would be selected. Based on CEQR criteria, the noise analysis will examine the L_{10} and the one-hour equivalent ($L_{eq(1)}$) noise levels.
- Existing noise data will be collected at the receptor locations adjacent to the development site within the Project Area in order to measure existing noise levels generated by nearby traffic, marine activity along the East River, and the adjacent NYPA facility. At each receptor site, 20-minute measurements will be performed during typical weekday AM, midday, and PM peak periods (coinciding with the traffic peak periods). Noise measurements will be recorded in conformance with *CEQR Technical Manual* procedures, and measured noise level descriptors will include equivalent noise level (L_{eq}), maximum level (L_{max}), minimum level (L_{min}), and statistical percentile levels such as L_1, L_{10}, L_{50}, and L_{90}. A summary table of existing measured noise levels will be provided as part of the EIS.
- Following procedures outlined in the *CEQR Technical Manual* for assessing mobile and stationary source noise impacts and the cumulative effects of each, future No-Action and With-Action noise levels will be estimated at the noise receptor locations based on acoustical fundamentals. All projections will be made with L_{eq} noise descriptor.
- The level of building attenuation necessary to satisfy CEQR requirements (a function of the exterior noise levels) will be determined based on the highest L_{10} noise level estimated at each monitoring site. If required, an enforceable legal mechanism will be proposed to memorialize building attenuation requirements, such as (E) designations placed where applicable, pursuant to Section 11-15 of the New York City Zoning Resolution.

Task 16: Public Health

Public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease,

injury, disorder, disability, and premature death; and reducing inequalities in health status, as defined in the *CEQR Technical Manual*. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and, if so, to identify measures to mitigate such effects.

A public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, hazardous materials, or noise, according to the *CEQR Technical Manual*. For the Proposed Actions, a preliminary public health assessment will be conducted that will consist of a summary of the Proposed Actions' potential to result in unmitigated significant adverse impacts in the areas of air quality, water quality, hazardous materials, and noise. If unmitigated significant adverse impacts are identified for the Proposed Actions in any of these technical areas and the lead agency determines that a public health assessment is warranted, an analysis will be provided for the specific technical area or areas.

Task 17: Neighborhood Character

Neighborhood character is established by numerous factors, including land use patterns, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include traffic and pedestrian patterns, noise, etc. The Proposed Development has the potential to alter certain elements contributing to the affected area's neighborhood character. Therefore, a neighborhood character analysis will be provided in the EIS.

A preliminary assessment of neighborhood character will be provided in the EIS to determine whether changes expected in other technical analysis areas—land use, zoning, and public policy; socioeconomic conditions; open space; historic and cultural resources; urban design and visual resources; transportation; and noise—may affect a defining feature of neighborhood character. The preliminary assessment will:

- Identify the defining features of the existing neighborhood character.
- Summarize changes in the character of the neighborhood that can be expected in the future With-Action condition and compare to the future No-Action condition.
- Evaluate whether the Proposed Actions have the potential to affect these defining features, either through the potential for a significant adverse impact or a combination of moderate effects in the relevant technical areas.

If the preliminary assessment determines that the Proposed Actions could affect the defining features of neighborhood character, a detailed analysis will be conducted in accordance with the *CEQR Technical Manual* guidance.

Task 18: Construction

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction impacts are usually important when construction activity has the potential to affect transportation conditions, archaeological resources and the integrity of historic resources, community noise levels, air quality conditions, or mitigation of hazardous materials. Projects with overall construction periods lasting longer than two years and that are near to sensitive receptors (i.e., residences, open spaces, etc.) should undergo a preliminary impact assessment, according to the *CEQR Technical Manual*. Construction of the Proposed Development is

expected to take place over a period greater than two years, and is therefore considered long-term.[7] This chapter of the EIS will provide a preliminary impact assessment following the guidelines in the *CEQR Technical Manual*. The preliminary assessment will evaluate the duration and severity of the disruption or inconvenience to nearby sensitive receptors. Technical areas to be assessed include the following:

- ***Transportation Systems:*** In accordance with *CEQR Technical Manual* methodologies, the travel demand that would be generated during construction of the Proposed Development will be forecasted to quantify the expected number of vehicle (auto and construction truck), transit (bus and subway) and pedestrian trips from construction workers and equipment. The incremental travel demand generated during periods of peak construction activity at the Proposed Development Site will then be compared to *CEQR Technical Manual* analysis thresholds and the numbers of incremental operational trips generated by the Proposed Development to assess the potential for transportation impacts during construction. If this effort identifies the need for separate detailed analyses evaluating the potential effects of construction activities on streets, transit facilities and services, and pedestrian elements, such analyses will be prepared where warranted.
- ***Air Quality:*** The construction air quality impact section will contain a detailed quantitative analysis of emissions from construction equipment, worker vehicles and trucks, as well as fugitive dust. The pollutants for analysis will be CO, $PM_{2.5}$, PM_{10} and NO_2. The preliminary construction schedule developed for the Proposed Development would be used to estimate the short-term and annual average peak periods of activity for air quality purposes. The analysis will review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations, including project buildings that would have been completed and occupied during the later phases of construction. Measures to control and minimize construction period air emissions will be described and incorporated in the analysis, including measures required by state and local regulations. Additional project-specific mitigation measures will be considered to address any potentially significant adverse construction air quality impacts, as appropriate.
- ***Noise:*** The construction noise impact section will contain a discussion of noise from the Proposed Development's construction activity. This will include estimates of construction noise levels at nearby receptors during the various phases of construction. The construction noise analysis will rely on the conceptual construction schedule developed for the Proposed Development to identify peak periods of construction activity. Assumptions would be developed regarding equipment usage factors and typical equipment noise levels. The magnitude and duration of construction noise experienced at nearby noise receptors will be determined and evaluated. Measures to control construction noise that would be incorporated in the project will be described, including the requirements of DEP Rules for Citywide Construction Noise Mitigation and the New York City Noise Control Code. Additional project-specific mitigation measures will be considered to address any potentially significant adverse construction noise impacts, as appropriate.
- ***Other Technical Areas*****:** As appropriate, the construction assessment will discuss other areas of environmental concern, including Land Use and Neighborhood Character, Socioeconomic Conditions, Community Facilities, Open Space, Historic and Cultural Resources, and Hazardous Materials, for potential construction-related impacts.

[7] As discussed in the EAS, the Projected Development Site identified in the RWCDS would be redeveloped under both No-Action and With-Action conditions, and the Proposed Actions would not affect the construction schedule of that site (anticipated to be less than 18 months). Therefore, construction analysis of the Projected Development Site is not warranted and will not be provided in the EIS.

Task 18: Mitigation

Where significant adverse impacts that could result from the Proposed Actions have been identified in Tasks 2 through 15, this chapter will describe the practicable measures that could mitigate those impacts. These measures will be developed and coordinated with the responsible City/State agencies, as necessary. Where impacts cannot be fully mitigated, they will be disclosed as unavoidable adverse impacts.

Task 19: Alternatives

The purpose of an alternatives section in an EIS is to examine development options that would reduce or eliminate impacts resulting from the Proposed Actions while substantively meeting the goals and objectives of the Proposed Actions. The specific alternatives to be analyzed will be better defined once the full extent of the Proposed Actions' impacts have been identified. The EIS will include a No-Action alternative, which describes the conditions that would exist if the Proposed Actions were not implemented, and is considered throughout the EIS as the No-Action condition. A No Unmitigated Impact alternative would also be provided, which assesses a change in density or program design in order to avoid the potential for any unmitigated significant adverse impacts that may be associated with the Proposed Actions. The specifics of these alternatives will be finalized as project impacts become clarified. Additional alternatives and variations of the Proposed Actions may be identified during the scoping process or be based on any significant adverse impacts identified in the EIS. The analysis of each alternative will be qualitative, except in those technical area where significant adverse impacts of the Proposed Actions have been identified.

Task 20: Summary EIS Chapters

The EIS will include the following three summary chapters, in accordance with CEQR guidance:

- **Unavoidable Adverse Impacts:** summarizes any significant adverse impacts that are unavoidable if the Proposed Actions are implemented regardless of the mitigation employed (or if mitigation is not feasible).
- **Growth-Inducing Aspects of the Proposed Project:** which generally refer to "secondary" impacts of the RWCDS that trigger further development.
- **Irreversible and Irretrievable Commitments of Resources:** which summarizes the RWCDS and its impact in terms of the loss of environmental resources (loss of vegetation, use of fossil fuels and materials for construction, etc.), both in the immediate future and in the long term.

Task 21. Executive Summary

The executive summary will utilize relevant material from the body of the EIS to describe the Proposed Actions, the environmental impacts, measures to mitigate those impacts, and alternatives to the Proposed Actions. The executive summary will be written in enough detail to facilitate drafting of a notice of completion by DCP, the lead agency.