NYC PLANNING

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

River Street Partners LLC
c/o David Lombino
45 Main Street
Brooklyn, NY 11201

Re:	**River Ring**
CEQR No.	21DCP157K
ULURP No(s).	220061MLK, 220062ZMK, 220063ZRK, 220064ZSK, 220069ZAK, 220066ZCK, 220067LDK, 220070ZSK, 220065ZAK, 220068ZAK, 210425MMK
SEQRA Classification:	Type I
Brooklyn Community District:	BK01

Dear David Lombino,

Please find attached the 1) Final Scope of Work for the Draft Environmental Impact Statement (DEIS), 2) full DEIS including appendices, and 3) Notice of Completion for the DEIS prepared for the above-referenced application.

A Positive Declaration and the Draft Scope of Work were issued on March 22, 2021. A public scoping meeting was held on April 26, 2021 remotely in support of the City's efforts to contain the spread of COVID-19. Written comments were accepted by the lead agency through Thursday, May 6, 2021. The Final Scope of Work incorporates changes made to the Draft Scope of Work subsequent to the public scoping meeting.

The Draft Environmental Impact Statement and Notice of Completion were issued on August 16, 2021. A public hearing on the DEIS will be held at a later date to be announced, in conjunction with the City Planning Commission's citywide public hearing pursuant to ULURP. Advance notice will be given of the time and place of the hearing.

If there are any questions concerning the attached document, please feel free to contact the Project Manager, Evren Ulker-Kacar, AICP, at eulker@planning.nyc.gov or (212) 720-3328.

Sincerely,

Stephanie Shellooe, AICP, *Deputy Director*

August 16, 2021
Date

cc: Project File
Marisa Lago, Chair
City Planning Commissioners
Raju Mann, Director, City Council Land Use Division
Eric L. Adams, Brooklyn Borough President
Brooklyn Community Board 1

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DEPARTMENT OF CITY PLANNING
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*
Department of City Planning

August 16, 2021

NOTICE OF COMPLETION OF
THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

River Ring

Project Identification
CEQR No. 21DCP157K
ULURP Nos. 220061MLK, 220062ZMK, N220063ZRK, 220064ZSK, N220069ZAK, N220066ZCK, N220067LDK, 220070ZSK, N220065ZAK, N220068ZAK, 210425MMK

Lead Agency
City Planning Commission
120 Broadway, 31st Floor
New York, New York 10271

SEQRA Classification: Type I

Contact Person
Stephanie Shellooe, AICP, Deputy Director (212) 720-3328
Environmental Assessment and Review Division
New York City Department of City Planning

Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Draft Environmental Impact Statement (DEIS) has been prepared for the action described below. Copies of the DEIS are available for public inspection at the office of the undersigned as well as online at https://www1.nyc.gov/site/planning/applicants/eis-documents.page. The proposal involves actions by the City Planning Commission (CPC) and the New York City Council pursuant to Uniform Land Use Review Procedure (ULURP). A public hearing on the DEIS will be held at a later date to be announced, in conjunction with the City Planning Commission's citywide public hearing pursuant to ULURP. Advance notice will be given of the time and place of the hearing. Written comments on the DEIS are requested and would be received and considered by the Lead Agency until the 10th calendar day following the close of the public hearing.

A. INTRODUCTION

The Applicant, River Street Partners LLC, is proposing a series of land use actions to facilitate the redevelopment of the Proposed Development Site with mixed-use buildings and waterfront public spaces in the Williamsburg neighborhood of Brooklyn, Community District 1.

The Applicant's Proposed Development consists of two mixed-use towers and waterfront public spaces located 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 Project Area also includes two non-Applicant owned blocks to the east of the Proposed Development Site (Blocks 2356 and 2362). The Project Area is located in an M3-1 district, mapped in 1961. There are no other prior land use actions affecting the Project Area.

The Applicant seeks the following discretionary approvals (collectively, the "Proposed Actions"):

- 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 action to add approximately 6,319 sf of landfill as part of the waterfront public open space plan;
- 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) Appendix F of the Zoning Resolution (ZR) to establish the portion of the Project Area to the west of River Street as a Mandatory Inclusionary Housing (MIH) area; b) amend ZR Section 74-742 to allow a large scale general development ("LSGD") that does not meet the ownership requirements of ZR Section 74-742, when the site of such LSGD includes the Applicant's Proposed Development (as defined below) and where the areas in which the State or City have certain property interests; and c) amend ZR Section 74-743 to permit, as part of the LSGD, (i) the lot area of a new platform seaward of the bulkhead line to be part of the upland lot area of the waterfront zoning lot, provided that the amount of lot area so incorporated is less than the lot area of shoreline seaward of the bulkhead line to be removed in connection with the LSGD, (ii) additional new piers or platforms to be included as lot area for purposes of floor area, dwelling unit and other bulk regulations, provided that the amount of floor area generated by such new piers or platforms does not exceed the floor area generated by existing piers or platforms, and (iii) such new piers or platforms to be exempt from certain requirements otherwise applicable to piers and platforms provided as part of a waterfront public access areas;
- Zoning Authorizations to a) modify requirements for location, area and minimum dimensions of waterfront public access areas pursuant to ZR Section 62-822(a); b) modify requirements within waterfront public access areas pursuant to ZR Section 62-822(b); and c) allow for phased development of waterfront public access areas pursuant to ZR Section 62-822(c);
- Zoning Certification pursuant to ZR Section 62-811 with respect to compliance with waterfront public access area and visual corridor requirements, as modified by the proposed waterfront Zoning Authorizations;

- Zoning Special Permit pursuant to ZR Section 74-743(a)(2) and 74-743(a)(13), as modified under the proposed zoning text amendment, to allow the construction of new piers and platforms in the seaward portion of the LSGD that are accessible and enjoyable by the public; allow such piers or platforms to generate floor area, provided that the total distribution of floor area is limited to the floor area generated by existing land seaward of the bulkhead line to be removed and existing piers and platforms; and to modify certain bulk regulations; and
- Zoning Special Permit pursuant to ZR Section 74-533 to reduce the minimum required accessory off-street parking spaces for market rate residential units in a Transit Zone from 40% to 20%.

With respect to each of the special permits and authorizations, the Applicant is also requesting an extension of term of such approvals to a period of ten years during which substantial construction of the phased project would be completed. The project approvals would also include recordation of an (E) designation (E-636) and Restrictive Declaration to codify commitments made related to the environmental review.

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. Also in conjunction with the Applicant's Proposed Development, the existing sewer infrastructure (combined sewers, intercepting sewer, regulator, and combined sewer overflow outfall) located between the East River and River Street in Metropolitan Avenue would be relocated, subject to review and approval by NYSDEC, USACE and the NYC Department of Environmental Protection (DEP), as applicable. The Applicant may also seek additional actions related to financing for the affordable housing component of the Proposed Development.

The Proposed Actions would facilitate the development of the Applicant's Proposed Development, an approximately 1.336 million gross square foot (gsf) mixed-used development, comprised of approximately 1.12 million gsf of residential space which includes approximately 70, 000 sf of amenity space as a combined total for both towers (approximately 1,250 dwelling units, of which 313 units (25%) would be affordable pursuant to the MIH program), 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 (up to 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. In addition, as part of the reasonable worst-case development scenario (RWCDS), a non-Applicant owned Projected Development Site at 230 Kent Avenue (Block 2362, Lot 1) is expected to be improved with a three-story, approximately 20,223 gsf mixed-use light industrial, commercial and community facility building as a result of the proposed zoning change.

B. DESCRIPTION OF THE PROJECT AREA AND SURROUNDING AREA

PROJECT AREA/PROPOSED REZONING AREA

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. The Project Area comprises portions of three waterfront blocks and two inland blocks with a total lot area of approximately 441,660 sf. This includes the upland lot portion of the Applicant's Proposed Development Site, which has a lot area of approximately 143,613 sf, the seaward lot portion of the Proposed Development Site, which has a lot area of approximately 229,677 sf and includes 28,454 sf of existing seaward structures, an approximately 23,116 sf area of Metropolitan Avenue and an approximately 3,374 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 upland lot area with the Proposed Actions is 170,103 sf. 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. 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's Proposed Development Site. 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.

SURROUNDING AREA

The Project Area is located along Brooklyn's East River waterfront 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. To the east and northeast of the Project Area, the predominant uses include residences, retail establishments (specifically along Kent and Wythe Avenues), restaurants, offices, and light-manufacturing spaces. Residential uses include both multi-family buildings and single and two-family walk-up buildings. The New York Power Authority (NYPA) Power Plant at 49 River Street adjoins the southwestern end of the Project Area. Further to the south is a large-scale general development comprising the former Domino Sugar site, which is being developed to include residential, retail and office uses within four new buildings and one converted and enlarged landmarked building. Further to the south, and beyond the Domino Sugar site, the surrounding area is entirely residential (and comprised of mid/low rise multi-family buildings) except for retail establishments along Broadway and Grand Street. West of the Project Area is the East River. To the north of the Project Area residential uses predominate, with large tall waterfront towers ranging in height between 30 and 41 stories, and shorter mid-sized residential buildings and row-houses located upland. These waterfront towers were facilitated by the recent 2010 and 2014 rezoning actions described below. Warehouse, automotive and light-industrial uses are also located to the north/northeast of the Project Area. Recent rezonings in the surrounding area include the Greenpoint-Williamsburg Rezoning, the New Domino Rezoning, and Domino Sugar Development.

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.

C. DESCRIPTION OF THE PROPOSED PROJECT

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 (approximately 1,250 dwelling units, of which 313 units (25%) would be affordable pursuant to the MIH program), 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 (up to 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. It should be noted that the Applicant plans to develop approximately 1,050 residential units, 1,250 units are being assumed in the RWCDS for conservative analysis purposes.

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. 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 River Street as well as onto the proposed open space and arcade. The South Tower's residential lobby would be located on River Street; the office component would be accessible from North 1st Street; and local retail uses would front on River Street as well as onto the proposed open space and arcade. 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 in water resiliency infrastructure that will protect the shoreline and upland properties from storms, flooding and sea level rise. The proposed waterfront open space is designed to elevation +15 NAVD88 and for a sea level rise in the year 2100 of 5 feet – which is the "fast projection". In addition, the effectiveness of the wave protection that would be provided by the breakwater structures would become greater as sea levels rise over time through an additional 5.8 feet above the current Mean Higher High-Water line. Furthermore, due to the configuration of the proposed structures, it is anticipated that the Limit of Moderate Wave Action (LiMWA) will move offshore, thereby decreasing the Proposed Development Site's exposure from a VE Zone to an AE or A zone.

An approximately 126,308 sf (2.9 acres) of new public open space (plus 2.32 acres of secondary contact 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

101,099 sf of secondary contact accessible in-river space; in total 6.08 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.

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, and landscaped plantings. The beach is designed to provide secondary-contact recreation access, and per NYS Department of Health regulations, swimming will be prohibited. 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. PROPOSED ACTIONS NECESSARY TO FACILITATE THE PROPOSED PROJECT

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 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

A landfill action to add approximately 6,319 sf as part of the waterfront public open space plan 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. 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; b) amend Zoning Resolution (ZR) Section 74-742 to allow a LSGD that does not meet the ownership requirements of ZR Section 74-742, when the site of such LSGD includes the Proposed Development and where the areas in which the State or City have certain property interests; and c) amend ZR Section 74-743 to permit, as part of the LSGD, (i) the lot area of a new platform seaward of the bulkhead line to be part of the upland lot area of the waterfront zoning lot, provided that the amount of lot area so incorporated is less than the lot area of shoreline seaward of the bulkhead line to be removed in connection with the LSGD, (ii) additional new piers or platforms to be included as lot area for purposes of floor area, dwelling unit and other bulk regulations, provided that the amount of floor area generated by such new piers or platforms does not exceed the floor area generated by existing piers or platforms, and (iii) new piers or platforms to be exempt from certain requirements otherwise applicable to piers and platforms provided as part of a waterfront public access area.

Large-Scale General Development (LSGD) Special Permit

A zoning special permit for the Applicant's LSGD is being sought as modified under the proposed zoning text amendment, to allow construction of new piers and platforms in the seaward portion of the LSGD that are accessible and enjoyable by the public; allow such piers or platforms to generate floor area, provided that the total distribution of floor area is limited to the floor area generated by existing land seaward of the bulkhead line and existing, piers or platforms projecting seaward of the bulkhead line; and to modify certain bulk regulations.

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 pursuant to ZR Section 62-822(a); b) modify requirements within waterfront public access areas pursuant to ZR Section 62-822(b); and c) allow for phased development of waterfront public access areas pursuant to ZR Section 62-822(c).

A waterfront zoning certification is also being sought pursuant to ZR Section 62-811 with respect to compliance with waterfront public access area and visual corridor requirements, as modified by the waterfront zoning authorizations discussed above.

Special Permit to Reduce Parking

A Special Permit pursuant to ZR Section 74-533 is being requested to reduce the minimum required accessory parking spaces for market-rate residential units in a Transit Zone from 40% to 20%.

In addition, with respect to each of the special permits and authorizations discussed above, the Applicant is requesting an extension of term of such approvals to a period of ten years during which substantial construction of the phased project would be completed.

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 United States 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. Also in conjunction with the Applicant's Proposed Development, the existing sewer infrastructure (combined sewers, intercepting sewer, regulator, and combined sewer overflow outfall) located between the East River and River Street in Metropolitan Avenue would be relocated, subject to review and approval by NYSDEC, USACE and the NYC Department of Environmental Protection (DEP), as applicable.

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

E. PURPOSE AND NEED

The Proposed Actions are intended to 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 Proposed Actions are being requested to allow for the redevelopment of the Applicant's Proposed Development Site, which is currently vacant, 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 that would connect to existing public spaces both to the north and south of the Proposed Development Site, as well as 2.32 acres of secondary contact accessible in-river space. The in-river space includes the new means of access along nature trails and boardwalks that are part of the new open space ring and breakwater design and includes the intertidal area within the two new protected coves created that will allow secondary contact recreation, such as kayaking, and use of non-motorized boats. The beach is designed to provide secondary contact recreation access, and per NYS Department of Health regulations, swimming will be prohibited. Signage will be provided on-site to indicate that swimming is prohibited.

F. ANALYSIS FRAMEWORK

The 2020 *CEQR Technical Manual* serves as the general guide on the methodologies and impact criteria for evaluating the Proposed Actions' potential impacts to the environment.

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. Therefore, the technical analyses and consideration of alternatives in the DEIS assume a 2027 analysis year for the purposes of determining potential impacts.

As the Applicant's 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.

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 approximately 10 months, and, it is assumed to be completed by the analysis year of 2027.

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*, two 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.

The *CEQR Technical Manual* indicates that if sites meet both of these criteria, the likelihood of development should be further determined by considering 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.

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's 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"). The Applicant's Proposed Development Site also includes portions of Metropolitan Avenue and North 1st Street that are proposed to be demapped as part of the Proposed Actions.

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, approximately 176 accessory attended parking spaces (34,370 gsf), 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 (2020) 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 157,088 sf (137,506 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 (Use Group (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.

The Proposed Development Site would provide a total of 579 (self-park) accessory parking spaces. 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.

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, which are assumed to be provided below-grade.

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 in Section E above. As described above, 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 (up to 250 accessory attended parking spaces). Although the Applicant plans to develop 1,050 rental DUs on the Proposed Development Site (including approximately 263 affordable units pursuant to MIH) 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. 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.

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, excluding mechanical bulkheads. The South Tower would comprise 64 stories and rise to a height of approximately 710 feet. In addition, approximately 126,308 gsf (2.9 acres) of new waterfront public space (plus 2.32 acres of secondary contact 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 beach is designed to provide secondary-contact recreation access, and per NYS Department of Health regulations, swimming will be prohibited. Signage will be provided on-site to indicate that swimming is prohibited.

The Applicant is proposing to demap approximately 23,116 sf of Metropolitan Avenue and approximately 3,374 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). For purposes of the RWCDS, however, the LSGD ZFA will be capped at 1,162,469 sf, which does not include development rights from the street segments to be demapped.

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 (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

For analysis purposes, a comparison of the RWCDS No-Action and With-Action scenarios are identified, for the Proposed Development Site and Projected Development Site combined. 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 2.9 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), 97,750 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. The RWCDS for the Proposed Actions is estimated to result in a net increase of approximately 2,888 residents and a net decrease of 199 workers within the Project Area, as compared to the No-Action conditions.

G. PROBABLE IMPACTS OF THE PROPOSED PROJECT

LAND USE, ZONING, AND PUBLIC POLICY

A detailed analysis was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not have a significant adverse impact related to land use, zoning, or public policy. The Proposed Actions would not adversely affect surrounding land use, nor would the Proposed Actions generate land uses that would be incompatible with land use, zoning, or public policy within the quarter-mile secondary study area.

While changes in land use and zoning would occur within the Project Area, with proposed residential, office, local retail, community facility uses, and public waterfront open space replacing an underutilized vacant property, the Proposed Actions would facilitate the development of a residential development that would include 313 permanently affordable residential units under the Mandatory Inclusionary Housing (MIH) program. The proposed residential, office, local retail, and community facility uses would be comparable to existing and planned developments in Williamsburg, and would directly support several major City policies aimed at increasing supply of affordable housing in New York City as well as address the city's goals of creating more public open space and improving waterfront resiliency. The Proposed Actions would facilitate a mixed-use development in an area well-served by mass transit, and would also facilitate the creation of new public waterfront open space, making the waterfront accessible to upland residents and workers. Based on the increasingly residential character of the secondary study area, the Applicant's Proposed Development would Be compatible with the land use trends in the surrounding area.

The zoning actions requested for the Project Area would facilitate the creation of permanently affordable housing, open space, and public access to the waterfront. These zoning changes would be compatible with the quarter-mile radius surrounding the Project Area. The requested C6-2 and M1-4 zoning district designations would allow a density observed in other nearby C6-2 and R8 districts, many of which are within a quarter-mile radius of the Project Area. The removal of the M3-1 district from the Project Area would ensure that heavy industrial uses that are not compatible with adjacent residential and commercial uses could not be constructed within the Project Area. The rezoning of an M3-1 district to an M1-4 district on Blocks 2456 and 2362 would eliminate the potential for heavy industrial uses to be developed in the Project Area and instead permit community facility uses, and would provide a transition/buffer zone between the Proposed Development Site and the mixed-use district mapped to the east.

Finally, the Proposed Actions would promote the public policies applicable to the area, including *OneNYC* and *Housing New York*, and the *Williamsburg Waterfront 197-a Plan*. The Proposed Actions would also promote the policies outlined in the New York City Waterfront Revitalization Program (WRP), facilitating new residential, commercial, and community facility development in an appropriate waterfront location and substantially improving waterfront access.

SOCIOECONOMIC CONDITIONS

A preliminary assessment was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to socioeconomic conditions. The Proposed Actions would not result in any significant adverse impacts to the five socioeconomic areas studied under CEQR including direct residential, direct business/institutional displacement, indirect residential displacement, indirect business/institutional displacement, and adverse effects on specific industries, in accordance with *CEQR Technical Manual* guidance. The Proposed Actions would not result in the direct displacement of any residents or businesses, or adverse effects on specific industries, and the incremental commercial uses would not represent a substantial new use warranting assessment of potential indirect business displacement. With respect to potential indirect residential displacement, a preliminary assessment finds that the average income of the project-generated population is expected to be similar to or lower than the current average in the ½-mile study area as well as the future population, given existing trends of household incomes in the area. The permanently affordable housing added by the Proposed Actions pursuant to the Mandatory Inclusionary Housing (MIH) program would help to maintain a more diverse demographic composition within the study area than would otherwise exist. Therefore, the Proposed Actions would not introduce a new concentration of higher-income residents that could alter rental market conditions in the study area, and there would be no significant adverse impacts due to indirect residential displacement.

COMMUNITY FACILITIES AND SERVICES

Pursuant to *CEQR Technical Manual* guidance, detailed analyses of potential indirect impacts on public elementary and intermediate schools, public libraries, and publicly funded child care centers were conducted, and determined that the Proposed Actions would not result in any significant adverse impacts related to community facilities. Based on the CEQR Technical Manual screening methodology, detailed analyses of high schools, outpatient health care facilities, and police and fire protection services are not warranted for the Proposed Actions.

Direct Effects

The Proposed Actions would not displace or otherwise directly affect any public schools, child care centers, libraries, health care facilities, or police and fire protection services facilities.

Indirect Effects

Pursuant to *CEQR Technical Manual* guidance, detailed analyses of potential indirect impacts on public elementary and intermediate schools, public libraries, and publicly funded child care centers were conducted for the Proposed Actions. Based on the *CEQR Technical Manual* screening methodology, detailed analyses of high schools, outpatient health care facilities, and police and fire protection services are not warranted for the Proposed Actions.

Public Schools

According to the *CEQR Technical Manual*, a significant adverse impact may occur if a project would result in both of the following conditions: (1) a utilization rate of the schools in a sub-district study area that is equal to or greater than 100 percent in the future With-Action condition; and (2)

an increase of five percentage points or more in the collective utilization rate between the No-Action and With-Action conditions.

Elementary Schools

CSD 14, Sub-District 3 elementary schools would continue to operate with available capacity in the future with the Proposed Actions (as in the future without the Proposed Actions). CSD 14, Sub-District 3 elementary schools would increase from a No-Action utilization rate of 81.9 percent to 83.6 percent in the With-Action condition, with 476 available elementary school seats. As CSD 14, Sub-District 3 elementary schools would continue to operate below capacity in the future with the Proposed Actions, no significant adverse impacts to public elementary schools would occur as a result of the Proposed Actions.

Intermediate Schools

In the future with the Proposed Actions, CSD 14, Sub-District 3 intermediate schools would continue to operate with available capacity, as under No-Action conditions. CSD 14, Sub-District 3 intermediate schools would increase from a No-Action utilization rate of 64.0 percent to 64.6 percent in the With-Action condition, with 738 available intermediate school seats. As CSD 14, Sub-District 3 intermediate schools would continue to operate below capacity in the future with the Proposed Actions, no significant adverse impacts would occur.

Libraries

According to the *CEQR Technical Manual*, if a project increases the study area population by five percent or more as compared to the No-Action condition, this increase may impair the delivery of library services to the study area, and a significant adverse impact could occur. The catchment area populations of the Williamsburgh, Greenpoint, and Leonard Libraries would not increase by more than five percent in the future with the Proposed Actions. Therefore, pursuant to CEQR guidance, the Proposed Actions would not result in a significant adverse impact on public libraries.

Publicly Funded Child Care Centers

The Proposed Actions would not result in significant adverse impacts on publicly funded child care centers. According to the *CEQR Technical Manual*, a significant adverse child care center impact could result if a project results in: (1) a collective utilization rate greater than 100 percent in the With-Action condition; and (2) the demand constitutes an increase of five percent or more in the collective capacity of child care centers serving the study area over the No-Action condition. The Proposed Actions would facilitate a net increase of 313 affordable housing units in the Project Area. For CEQR analysis purposes, 20 percent of total units (i.e., 250 units) are assumed to be set aside for households making 80 percent or less of the AMI (which is used as a proxy for eligibility for publicly funded child care service), thereby introducing approximately 45 children potentially eligible for subsidized child care to the study area. The analysis of publicly funded child care services found that under the With-Action condition the child care study area would experience a utilization rate of 112.4 percent, an increase of approximately 4.84 percentage points over No-Action conditions. As such, the Proposed Actions would not result in significant adverse impacts on publicly funded child care facilities.

OPEN SPACE

A detailed analysis was conducted based on the methodology set forth in the *CEQR Technical*

Manual, and determined that the Proposed Actions would not result in a significant adverse impact related to open space resources. According to the *CEQR Technical Manual,* a project may result in a significant adverse impact on open space resources if (a) there would be direct displacement/alteration of existing open space within the study area that would have a significant adverse effect on existing users; or (b) it would reduce the open space ratio and consequently result in the overburdening of existing facilities or further exacerbating a deficiency in open space in the surrounding area.

The Proposed Actions would not directly displace or alter existing open space in the study area. Additionally, the Proposed Actions would not result in a reduction of total or passive open space ratios in the study area that would consequently overburden existing facilitates or further exacerbate a deficiency in open space. Conversely, the new waterfront open space introduced by the Applicant's Proposed Development would increase total and passive residential open space ratios in the study area as compared to No-Action conditions. In the future with the Proposed Actions, the residential total open space ratio in the study area would increase by 1.4 percent, the residential active open space ratio would decrease by 1.5 percent, and the residential passive open space ratio would increase by 3.4 percent as compared to the No-Action scenario. The reduction in the active open space would be ameliorated by several factors, including the additional secondary contact in-river space and intertidal area planned for the Proposed Development Site that were conservatively excluded from the quantitative analysis, the availability of additional active open space resources just outside the study area boundary, as well as the planned expansion and renovation of two existing open space resources in the study area. Therefore, no significant adverse impacts to open space would occur as a result of the Proposed Actions, but rather, the Proposed Actions would improve residential open space ratios in the study area with the introduction of 2.9 acres of publicly accessible open space (plus 2.32 acres of secondary contact accessible in-river space and 0.86 acres of intertidal area) in the Project Area under With-Action conditions.

SHADOWS

A detailed analysis was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to shadows. The Proposed Actions would result in incremental shadow coverage (i.e., additional, or new, shadow coverage) on portions of five sunlight-sensitive open space/natural resources: John V. Lindsay East River Park, the East River, North 5th Street Pier and Park, Bushwick Inlet Park, and Bushwick Inlet Pop-up Park. The extent and duration of the incremental shadows on these open space/natural resources would (1) not significantly reduce direct sunlight exposure on any of the sunlight-sensitive features found within these five open spaces; and (2) would not significantly alter the public's use or enjoyment of the open spaces or threaten the viability of vegetation or other elements located within the open spaces. Therefore, incremental shadows as a result of the Proposed Development on these sunlight-sensitive resources would not be considered a significant adverse impact, in accordance with *CEQR Technical Manual* methodology.

HISTORIC AND CULTURAL RESOURCES

An assessment was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in significant adverse direct or indirect

impacts related to historic or cultural resources.

Direct (Physical) Impacts

The Proposed Actions are site-specific, and the Project Area does not contain any designated or eligible historic resources. Therefore, the Proposed Actions would not result in any direct impacts to historic architectural resources.

Indirect (Contextual) Impacts

The Proposed Actions would not result in significant adverse indirect impacts on historic architectural resources. Development facilitated by the Proposed Actions would not significantly alter the context or setting of the NYCL-eligible and S/NR-listed Austin, Nichols & Co. Warehouse, the S/NR-eligible Metropolitan Avenue Warehouse, the S/NR-eligible Rokeach & Sons Warehouse, or the S/NR-eligible Grand Street Historic District as compared to No-Action conditions. The Proposed Actions would facilitate the development of two towers on the Proposed Development Site, rising 49 and 64 stories (approximately 560 and 710 feet, respectively), which would be 43- to 56-stories taller than the as-of-right No-Action buildings on the site. The Proposed Actions would also facilitate the development of an additional story on the Projected Development Site, increasing the building height from 30 feet to 45 feet. These additional stories in the Project Area would be visible behind the Austin, Nichols & Co. Warehouse when looking south on North 4th Place and southwest on Kent Avenue; and the additional height on the Proposed Development Site would be visible beyond the Metropolitan Avenue Warehouse when looking west along Metropolitan Avenue, and when looking north in the Grand Street Historic District. Although the Proposed Development would alter the backdrops of these historic architectural resources, these changes would not be significant or adverse. The study area is a dense urban environment with multiple existing mid- and high-rise buildings that currently form the setting and context of these three historic resources, and there are multiple buildings that will be constructed in the study area irrespective of the Proposed Actions. Examples of existing and expected towers include the 40-story building at 2 North 6th Street, the 30-story tower at 164 Kent Avenue, and the 41-story building at 1 North 4th Street, all to the north of the Project Area, as well as the newly constructed 42-story mixed-use tower at 260 Kent Avenue (a.k.a. One South First/Ten Grand), just south of the Project Area. Development facilitated by the Proposed Actions would not substantially change the visual setting of any surrounding historic architectural resource so as to affect those characteristics that make it eligible for listing on the S/NR and/or designation by the LPC.

Additionally, in the future with the Proposed Actions, no incompatible visual, audible, or atmospheric elements would be introduced to any historic resource's setting. Development facilitated by the Proposed Actions would not alter the relationship of any identified historic architectural resources to the streetscape, as all historic resources' relationships to the street would remain unchanged in the future with the Proposed Actions. The Proposed Development would not eliminate or screen public views of any historic architectural resources, which would remain visible in view corridors on adjacent public streets and sidewalks. No primary facades, significant architectural ornamentation, or notable features of surrounding historic architectural resources would be obstructed by the Proposed Development. Rather, the Proposed Actions would create new public views of the southern and western facades of the Austin, Nichols & Co. Warehouse when looking north and northeast from the publicly accessible waterfront open spaces in the Project Area.

The Proposed Actions would not result in development that would diminish the qualities that make

the NYCL-eligible and S/NR-listed Austin, Nichols & Co. Warehouse, the S/NR-eligible Metropolitan Avenue Warehouse, the S/NR-eligible Rokeach & Sons Warehouse, or the S/NR-eligible Grand Street Historic District historically and architecturally significant. As such, the Proposed Actions would not result in any significant adverse indirect or contextual impacts on historic architectural resources.

Construction-Related Impacts

As the Project Area is located within 90 feet of the S/NR-listed and NYCL-eligible Austin, Nichols & Co. Warehouse, construction of the Proposed Development would be subject to the New York City Department of Buildings (DOB)'s Technical Policy & Procedure Notice (TPPN) #10/88. Under the TPPN, a construction protection plan would be provided to the LPC for review and approval prior to any work in the Project Area. The construction protection plan would take into account the guidance provided in the *CEQR Technical Manual*, Chapter 9, Section 523, "Construction Protection Plan." As such, no construction-related impacts on historic resources would occur as a result of the Proposed Actions.

Shadows Impacts

The Proposed Actions would not generate incremental shadows on sunlight-sensitive features of surrounding historic resources. Therefore, the Proposed Actions would not result in any significant adverse shadows impacts on historic resources.

URBAN DESIGN AND VISUAL RESOURCES

A detailed analysis was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to urban design or visual resources. The Proposed Actions would facilitate development that is not currently permitted as-of-right in the Project Area, which would create a notable change in the urban design character of the area. Compared to the future without the Proposed Actions, the visual appearance, and thus the pedestrian experience of the Project Area, would change considerably. However, this change would not constitute a significant adverse urban design impact as it would not alter the arrangement, appearance, or functionality of the Project Area, thus not negatively affecting a pedestrian's experience. The Proposed Development would consist of two towers (49 stories/560 feet and 64 stories/710 feet in height) comprising approximately 1.12 million gsf of residential space, 50,000 gsf of community facility space, 83,000 gsf of commercial space, and up to approximately 250 accessory attended parking spaces, with the ground floor of each tower providing entrance lobbies to the various components as well as local retail uses that would enliven the adjacent street frontages. The Proposed Development would reactivate this portion of the East River waterfront, with physical and visual connections to 2.9 acres of newly developed, publicly accessible waterfront open space, including intertidal and in-water secondary contact recreation and aquatic, upland, and wetland vegetative communities that would promote fish and wildlife habitat development.

The Proposed Actions would revitalize the Proposed Development Site, a currently inaccessible portion of the East River waterfront that would largely continue to be publicly inaccessible, absent the Proposed Actions. With connections to the North 5th Street Pier and Park to the north and Grand Ferry Park to the south, the proposed waterfront open space in the Project Area would result in a continuous link of open spaces along the East River waterfront from Bushwick Inlet Park to

Domino Park, enhancing the pedestrian experience of the East River waterfront. It would also provide additional views of significant visual resources such as the Manhattan skyline to the west, and the Williamsburg Bridge to the south. Streets within and adjacent to the Project Area include the westernmost portions of Metropolitan Avenue, North 1st Street, and North 3rd Street, as well as River Street and Kent Avenue between North 1st and North 3rd streets. The portions of Metropolitan Avenue and North 1st Street within the Project Area do not currently carry pedestrian or vehicular traffic, as they are blocked off by a tall, chain-link fence that surrounds the Proposed Development Site, making them inaccessible to the public. The Proposed Actions would demap Metropolitan Avenue and a portion of North 1st Street west of River Street, creating a pedestrian-only walkway to connect the upland community with the newly developed waterfront open space. Moreover, the waterfront open space of the Proposed Development would introduce a greater breadth of recreational activities not currently available to study area residents, including, but not limited to, a public beach, nature trails and educational habitat preservation programming, manmade freshwater wetlands, breakwaters to protect the cove and the habitats created, new walkways above open water that would connect the breakwaters, a ramped boat launch, and waterfront stepped seating. Per NYS Department of Health regulations, swimming will be prohibited, and the beach design includes layers of river stone, rip rap and armoring at the perimeter of the sandy region to avoid scouring and indicate the edge of the beach access area. Through the development of this open space, the Proposed Actions would result in a vibrant and walkable East River waterfront in the vicinity of the Project Area, expanding public access and enhancing the pedestrian experience as compared to No-Action conditions, where the waterfront of the Project Area would continue to be inaccessible to the public.

The Proposed Development would activate the streetscape adjacent to the Proposed Development Site by adding ground-floor commercial and community facility space as well as significant amounts of open space areas, as opposed to No-Action conditions where the Proposed Development Site would be occupied entirely by building footprints, and parking garages and loading berths would occupy most of the buildings' ground floor frontages. Moreover, the adjacent sidewalks would be planted with street trees under With-Action conditions. As such, the Proposed Development would activate the streetscape around the Proposed Development Site, further enhancing the pedestrian experience along North 1st Street, River Street, Metropolitan Avenue, and North 3rd Street, as well as along the waterfront corridor.

Although the 49- and 64-story towers on the Proposed Development Site, at 560 feet and 710 feet tall, respectively, would be denser and taller than the as-of-right No-Action buildings on the site, the additional density and height in the Project Area would not result in significant adverse urban design impacts. The secondary study area is a dense urban environment with multiple existing high-rise buildings along the East River waterfront, including the 40-story building at 2 North 6th Street (11.4 floor area ratio [FAR]), the 30-story building at 164 Kent Avenue (8.25 FAR), the 41-story building at 1 North 4th Place (7.3 FAR), and the 42-story building just south of the Project Area at 10 Grand Street (effective FAR of 7.8 for the overall Domino Sugar Refinery redevelopment). The proposed towers on the Proposed Development Site would be in keeping with the heights and densities of these nearby waterfront developments, while allowing for a greater portion of the Proposed Development Site to be transformed into publicly accessible open space.

Additionally, the Proposed Development would not obstruct any significant view corridors in the primary or secondary study areas, or otherwise adversely alter the context of surrounding visual

resources. Although the Proposed Development would alter the backdrops of some historic architectural resources in the surrounding area, such as the S/NR-listed and NYCL-eligible Austin, Nichols & Co. Warehouse when looking south on North 4th Place and southwest on Kent Avenue; the S/NR-listed Metropolitan Avenue Warehouse when looking west along Metropolitan Avenue; and when looking north in the S/NR-listed Grand Street Historic District. These changes would not be significant or adverse, as the study area is a dense urban environment with multiple high-rise buildings that currently form the setting and context of these historic resources.

As the proposed and projected With-Action buildings in the Project Area would be constructed on existing blocks, the current viewsheds of the East River and Manhattan skyline when looking west along east-west streets in the secondary study area, such as Metropolitan Avenue, would not be obstructed. However, as under No-Action conditions, views south, west, and north of the East River, Williamsburg Bridge, and Manhattan skyline from North 1st, River, and North 3rd streets would be obstructed by the Proposed Development. However, through the introduction of publicly accessible waterfront open space, the Proposed Development would create new, expansive, and uninterrupted views of these resources. Although views of some visual resources would be obstructed from certain vantage points, more proximate views of these significant visual resources would remain on public streets and sidewalks in the vicinity of these resources under With-Action conditions, and the proposed waterfront open space in the Project Area would provide additional publicly accessible views of these visual resources, which are currently not available from the Project Area and would not be available under the No-Action condition. These new vantage points would enhance the pedestrian experience in the Project Area, creating new and expansive viewsheds of surrounding visual resources.

As the Proposed Actions are area-specific, no significant adverse impacts to urban design or visual resources in the ¼-mile secondary study area are expected. The proposed waterfront open space is expected to be a significant new visual resource visible from public vantage points in the secondary study area, such as when looking south from the 5th Street Park and Pier or when looking north from Grand Ferry Park. The Proposed Development would also be visible when looking east across the East River from public vantage points in Manhattan. As such, the Proposed Development facilitated by the Proposed Actions is expected to improve the pedestrian experience in the secondary study area, through the creation of a new visual resource in the Project Area and the enhancement of the East River waterfront, a significant natural resource in the primary and secondary study areas.

The results of the wind study found that no regions exceeding wind safety criteria to the general or frail members of the public were found within the vicinity of the Proposed Development, and determined that the Proposed Development would satisfy respective comfort criteria. As such, outdoor trafficable areas within and around the Proposed Development would be suitable for their intended uses.

NATURAL RESOURCES

A detailed analysis was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to natural resources. The Proposed Development would not result in significant adverse impacts on terrestrial resources, wetlands, or threatened and endangered species. Although the RWCDS for the Proposed Actions includes a non-Applicant-owned Projected Development Site,

that site is located upland and does not front the East River, nor does it contain any natural resources. As such, the natural resources assessment focuses exclusively on the Applicant's Proposed Development. The upland portions of the Proposed Development Site are in a highly urbanized area where vegetation and wildlife are limited and the biodiversity is low. The Proposed Development, in conjunction with upland residential development, would create a total of 264,777 square feet (sf) of waterfront public space, which would include a protected cove for water-dependent recreation and the creation of new or enhanced habitats (approximately 101,099 sf).

At the waterfront, the Proposed Development would expand public access along the East River north of Domino Park and Grand Ferry Park. The project would include a new shore public walkway between Grand Ferry Park and North 3rd Street, about 900 linear feet, and would include two new access points from River Street to the new shore public walkway (at North 1st Street and Metropolitan Avenue). The redevelopment of the property would create a new waterfront public space on former industrial properties. In addition to the newly created public space, the Proposed Development would provide a stable and resilient waterfront, and would create aquatic, upland, and wetland vegetative communities that would promote fish and wildlife habitat development.

Waterward, the Proposed Development would redevelop and reshape the existing shoreline to provide a protected cove for in-water secondary-contact recreation and creation of new habitat. All existing in-water structures except for three of the existing caissons would be demolished. Proposed in-water and shoreline improvements would reshape the shoreline to create a protected cove (via in-water excavation and backfill) and new shoreline protection measures (e.g., bulkhead, revetment) including breakwaters in consideration of navigational interests. These improvements would protect the cove and the habitats created inside the breakwaters, including upland vegetative habitats (e.g., reefs, salt marsh, coastal scrub shrubs, tide pools, and tidal shallows). The improvements also include new walkways above open water that would connect the breakwaters.

The proposed breakwaters and groin would shape the cove and provide additional shoreline protection while creating new habitats for native plant and animal species. The breakwaters consist of pile-supported platforms backfilled with clean soil to create berms on top. Groins are thin soil berms jutting out from the shoreline (i.e., a small peninsula). The berms on the breakwaters and berms would be protected from erosion with ecological armoring (mixtures of ECOncrete panels, block, and tidepools with riprap stone) that dissipates wave energy from passing vessels and from wind-driven waves during storms. These breakwaters and groin would result in disturbance within open water and littoral zones of the East River; however, the Proposed Development would create new water habitats consisting of littoral zone and manmade reefs. The proposed habitat creation in the littoral zone would be approximately four times the area of disturbance in this area, and would offset the effects of the proposed in-water disturbance and result in an overall enhancement to the aquatic habitat and shoreline conditions.

During construction, the East River would be protected by using best management practices consistent with New York State Department of Environmental Conservation's (NYSDEC) State Pollutant Discharge Elimination System (SPDES) General Permit for Stormwater Discharges from Construction Activity. Best management practices may include turbidity curtains, air curtains, use of environmental buckets, and/or long reach excavators to keep equipment out of the water. Excavated soils would be stockpiled in containment areas lined with plastic; decanted water would be collected and either disposed offsite, or treated (if needed) and discharged to the East River. The project would be subject to the requirements of the NYSDEC and/or the United States Army Corps of Engineers (USACE) permitting processes. The purpose of the permit process (including

issuance of specific conditions) is to ensure the no significant adverse impacts are imposed by the project on natural resources, including, the East River. Therefore, no further assessment is required.

HAZARDOUS MATERIALS

An assessment was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to hazardous materials. A hazardous materials (E) designation (E-636) would be placed on the lots comprising the Proposed Development Site (i.e., Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20, and 21; and Block 2376, Lot 50 to ensure the Proposed Actions would not result in any significant adverse impacts related to hazardous materials.

A Phase I Environmental Site Assessment (ESA) was prepared in September 2019 by NOVA Consulting in order to evaluate potential contamination of the Applicant's Proposed Development Site. As described in that report, the Proposed Development Site was historically utilized as a No. 6 fuel oil storage complex for Con Edison's North First Street Terminal (NFST) from the 1960s until decommissioned in 2012. Two of the three former NFST parcels comprising the Proposed Development Site (central and northern parcels, aka Parcel II and Parcel I, or Complex A and Complex B) were occupied by large fuel oil aboveground storage tanks (ASTs) that were removed in 2012. The former facility was a New York State Department of Environmental Conservation (NYSDEC) Major Oil Storage Facility (MOSF) (MOSF ID No. 2-1480). Subsurface investigations were conducted on behalf of Con Edison from 1999 through 2012 in order to assess potential impact from the oil storage. These activities included soil and groundwater assessments and remedial excavation of one area of petroleum-contaminated soil. The New York State Department of Environmental Conservation (NYSDEC) approved the work conducted for the MOSF assessment and issued a letter on July 24, 2012 indicating that no further action (NFA) was required specifically in relation to the former MOSF.

Based on review of available historical information, the Phase I ESA concluded that soil and groundwater contamination is present at the Proposed Development Site above cleanup levels for residential uses and poses a potential vapor intrusion concern for the Proposed Development Site. The Phase I ESA indicated that while the soil contamination currently exceeds unrestricted use criteria, the implementation of engineering and institutional controls will ensure the Property meets the applicable standards for residential development. Previous assessments, such as the 2017 HDR Supplemental Remedial Investigation Report, identified SVOC contamination at concentrations typical of historic fill, and concluded that these concentrations were not likely from prior MOSF activities. In the southeast corner of Parcel II, the reports do identify a few soil and groundwater samples with VOC concentrations exceeding the relevant restricted residential use standards, but finds that those are associated with the off-site migration from the Fyn Paint's Brownfield Cleanup Program site (not from MOSF use) and are being addressed through that program.

In addition, as some of the volatile organic compound (VOC) concentrations in soil vapor exceed the US Environmental Protection Agency (USEPA) Vapor Intrusion Screening Levels (VISLs), there is the potential for a vapor intrusion risk to future site buildings. Therefore, the Phase I ESA recommended that the vapor intrusion pathway should be evaluated prior to construction, as well as the feasibility of installing a vapor intrusion mitigation barrier as part of the proposed future residential development. Any environmental cleanup at the Property will be performed under

regulatory oversight.

Additionally, as part of the planned site redevelopment activities, NOVA Consulting recommend that a Health and Safety Plan, a Community Air Monitoring Plan (CAMP), and a Soil Management Plan be provided during development to address the handling and offsite disposal of the contaminated soil and water during construction.

As such, to reduce the potential for any significant adverse impacts associated with new construction resulting from the Proposed Actions, institutional and engineering controls (including vapor mitigation measures) will be required for the Applicant's Proposed Development Site, as recommended in the Phase I ESA. To ensure that these investigations are undertaken, a hazardous materials (E) designation (E-636) would be placed on the lots comprising the Proposed Development Site (i.e., Block 2355, Lots 1 and 20; Block 2361, Lots 1, 20, and 21; and Block 2376, Lot 50.

By placing an (E) designation on the lots comprising the Proposed Development Site, the potential for a significant adverse impact to human health and the environment resulting from the Proposed Actions would be avoided. The New York City Office of Environmental Remediation (OER) would provide the regulatory oversight of any future supplemental sampling that may be warranted; including environmental scope, investigation, and potential remedial action during this process. Building permits are not issued by the NYC Department of Buildings (DOB) without prior OER approval of the investigation and/or remediation pursuant to the provisions of Section 11-15 of the Zoning Resolution (Environmental Requirements).

The (E) designation would require that the Applicant conduct any required supplemental subsurface investigations and have an approved Remedial Action Plan (RAP), where appropriate, under the review and approval of OER. The RAP provided to OER to satisfy the (E) designation would also include a mandatory Construction Health and Safety Plan (CHASP). The inclusion of the institutional and engineering control measures described above, which involve the mapping of (E) designation (E-636) on the Proposed Development Site, the Proposed Actions would not result in any significant adverse impacts related to hazardous materials.

The reasonable worst-case development scenario (RWCDS) for the Proposed Actions includes a non-Applicant-owned Projected Development Site. The Projected Development Site was accepted into the New York State Department of Environmental Conservation (NYSDEC) Voluntary Cleanup Program and Brownfield Cleanup Program (BCP), and all cleanup and remedial activities have been completed (V00380, BCP site C224154). Remedial action has successfully achieved a Track 4 restricted residential cleanup. Therefore, no significant adverse impacts related to hazardous materials would result from construction activities on the Projected Development Site as a result of the Proposed Actions.

WATER AND SEWER INFRASTRUCTURE

A preliminary assessment was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to water and sewer infrastructure.

Water Supply

The Proposed Actions would generate an incremental water demand of approximately 213,115 gpd (including water related to sanitary and domestic uses) compared with the No-Action condition. While this would represent an increase in demand on the New York City water supply system, it does not meet the *CEQR Technical Manual* threshold requiring a detailed analysis. Therefore, an analysis of water supply is not warranted as it is expected that there would be adequate water service to meet the incremental water demand from the Proposed Actions and there would be no significant adverse impacts on the City's water supply.

Wastewater and Stormwater Conveyance and Treatment

Based on preliminary assessment, it was determined that the Proposed Actions would not result in significant adverse impacts on wastewater treatment or stormwater conveyance infrastructure. The Proposed Actions are expected to generate approximately 311,986 gallons per day (gpd) of sanitary sewage, an increase of approximately 257,815 gpd compared to No-Action conditions. This incremental increase in sewage generation is approximately 0.08 percent of the average daily flow at the Newtown Creek Water Pollution Control Plant (WPCP) and would not result in an exceedance of the plant's permitted capacity of 310 million gallons per day (mgd). Therefore, the Proposed Actions would not result in a significant adverse impact to the City's sanitary sewage conveyance and treatment system.

The total With-Action volume to the combined sewer system from the Applicant's Proposed Development (only sanitary) could be between 0.05 and 0.25 mg. Compared to No-Action conditions, this would represent an increase in combined sewer flows of up to 0.04 mg. Stormwater runoff from the Applicant's Proposed Development Site would be reduced compared to No-Action conditions, and would be discharged via private stormwater outfalls and would not increase combined sewer overflows (CSO). With-Action stormwater runoff from the Proposed Development Site would be treated on-site using treatment methods per DEP-approved Best Management Practices (BMPs)and discharged via private outfalls into the East River after being treated, unlike under existing conditions, where stormwater runoff from the Proposed Development Site is untreated.

The non-applicant-owned Projected Development Site would increase flows to the combined sewer system (stormwater + sanitary) by up to 0.01 mg compared to existing conditions.

Overall, the Proposed Actions would not result in significant adverse impacts on the City's wastewater treatment or stormwater conveyance infrastructure.

Water Quality Assessment

Under the With-Action condition, two private stormwater outfalls to the East River would be constructed in conjunction with the Proposed Development. All stormwater runoff from the Proposed Development Site would be captured, and would not drain into the DEP sewer system. Compared to the No-Action condition, the stormwater discharge in the With-Action condition would have a negative increment of 0.41 mgd, and the sanitary flow would result in an increment of 0.26 mgd. Therefore, the impacts to the DEP sewer system under the With-Action condition would have a net decrease of 0.15 mgd compared to the No-Action condition. In addition to a lower total volume of storm and sanitary flows to the DEP sewer system, the With-Action condition would eliminate the approximately 0.27 mgd of untreated stormwater that currently discharges into the East River from the Proposed Development Site, and instead would capture

and treat the runoff per NYSDEC standards prior to discharge into the East River.

In addition, the Proposed Development would enhance and create habitat that would permanently improve the water quality of the East. Although principles of island biogeography and landscape ecology indicate that larger, rounder habitat patches have greater ecological integrity, resilience, and robustness, these disciplines also provide that smaller patches placed closely together ameliorate the ecological constraints of fragmentation and spatial isolation. This is the paradigm changing assumption that is driving the ecological restoration movement – at least as far as habitat improvements are concerned. In many contexts where opportunities for large wetland restoration projects are limited it is endeavored to maximize restoration of the sites available, small as they may be, understanding that each increment will contribute to a cumulative improvement in habitat and ecological function. The intent of the proposed habitat and other functional improvements proposed as part of the Proposed Development reside in the cumulative added value relative to past and future East River improvements including Brooklyn Bridge Park, Bushwick Inlet, East River State Park, Randalls Island, Domino Park, Hunters Point Park, among others.

The Proposed Development would create new habitat areas including areas of salt marsh, tide pools, coastal scrub shrub, shoreline shallows, and new littoral zone.

The Proposed Development includes a robust program of habitat enhancements and restoration that will serve the community and the City as an ecological and experiential amenity that is integral to the overall design. All of the elements of the proposed habitat mosaic work in unison to transform and restore the shoreline of the Proposed Development Site. In an otherwise homogenous hard shoreline of linear reaches of rip rap, bulkhead, and sheet pile, hard bottom substrate, and unremitting current; it is expected that more varied, involuted shoreline, a sand, gravel, and cobble bottom substrate, more complex hard vertical structure for epibenthic encrusting organisms and a quiescent water column would result in a much more varied and complex trophic structure ultimately benefitting fin fish possibly including sturgeon and likely striped bass.

The existing combined sewer outfall along Metropolitan Avenue would be relocated to North 3rd Street, outside of the protected cove, and would continue to discharge into the East River in a manner similar to existing conditions. Stormwater treated by hydrodynamic separators would be directed into the freshwater wetland, and eventually filtered into the East River.

Wetland restoration in New York City has been an ongoing activity for the past three decades and the chief proponents, including NYC DEP, NYC Parks, NYS DEC, US Army Corps of Engineers, NOAA, and the US National Parks Service have been explicit about the water quality benefits of existing and restored salt marshes. The proposed salt marsh within the inter-tidal zone would provide a habitat and food source for ribbed mussels within decomposed salt marsh codgrass. As filter feeders, ribbed mussels would improve both water quality and nutrient cycling in the local estuarine habitats. The improvements to water quality would improve biodiversity within the Proposed Development Site and support sub-tidal restoration efforts through the implementation of oyster cages. A pilot program would also be implemented for eel grass plantings within the protected cove. If eel grass is not sustainable at this location, the Proposed Development would still result in the net benefit provided by the new shoreline shallows habitat. The greater context for the restoration zone is the US Army Corps Comprehensive Restoration Program Target Ecosystem Characteristic (TEC) Shoreline Shallows.

The East River's water quality would be protected from construction activities by protection

measures that follow an approved Stormwater Pollution Protection Plan (SWPPP).

TRANSPORTATION

Pursuant to *CEQR Technical Manual* guidance, the Proposed Actions are unlikely to result in significant adverse impacts to traffic and parking, and bus transit services, and detailed analyses of these modes are not warranted for the Proposed Actions. Detailed analyses of potential impacts on subway transit services and pedestrian conditions were conducted, and determined that the Proposed Actions have the potential to result in significant adverse impacts related to pedestrian conditions and with respect street user safety. Potential measures to mitigate these impacts are discussed in the "Mitigation" section below and will be further explored and finalized in coordination with New York City Department of Transportation between the Draft and Final EIS.

Traffic

Based on *CEQR Technical Manual* guidelines, a quantified traffic analysis is typically required if a proposed action would result in 50 or more additional vehicle trip ends in a peak hour at one or more intersections. Under the Proposed Actions there would be net increases of 33 and three trips in the weekday AM and Saturday peak hours, respectively, and net decreases of 29 and eight vehicle trips in the weekday midday and PM peak hours, respectively. Therefore, significant adverse traffic impacts are not expected to occur under the Proposed Actions, and a detailed traffic analysis is not warranted based on *CEQR Technical Manual* guidance.

Transit

Subway

Subway Stations

The Proposed Actions would generate a net increment of approximately 567 and 531 new subway trips during the weekday AM and PM commuter peak hours, respectively. The analysis of subway station conditions focuses on New York City Transit's Bedford Avenue (L) station as incremental demand from the Proposed Actions would exceed the 200-trips/hour *CEQR Technical Manual* analysis threshold at this station in both peak hours. Trips en route to and from the Proposed Development would utilize the station's West Mezzanine where New York City Transit (NYCT) has recently implemented capacity improvements including additional street and platform stairs and an expanded fare array. Based on *CEQR Technical Manual* impact criteria, no stair or fare array at the Bedford Avenue (L) station would be significantly adversely impacted as a result of the Proposed Actions.

Subway Line Haul

The analysis of subway line haul conditions focuses on L train service on the Canarsie Line where incremental demand generated by the Proposed Actions is expected to exceed the 200 trips/hour *CEQR Technical Manual* analysis threshold in both the AM and PM commuter peak hours. As incremental demand on the J, M and Z trains operating on the Broadway and Myrtle Avenue lines would total fewer than 200 peak hour trips, these services are not expected to be impacted by the Proposed Actions and no further analysis is warranted. The peak direction of travel on the Canarsie Line is typically Manhattan-bound (northbound) in the AM and Brooklyn-bound (southbound) in the PM. In the future with the Proposed Actions, peak direction L trains are expected to be operating over capacity in the AM peak hour with a volume-to-capacity (v/c) ratio of 1.04

(compared to a No-Action v/c ratio of 1.02). In the PM peak hour they would be operating at capacity with a v/c ratio of 1.00 (compared to a No-Action v/c ratio of 0.98).

CEQR Technical Manual criteria specify that any increases in subway line haul load levels that remain within practical capacity limits are generally not considered significant. However, significant adverse subway line haul impacts can occur if a proposed action is expected to generate an incremental increase averaging five or more riders per subway car on lines projected to carry loads exceeding guideline capacity. Under the Proposed Actions, peak direction L trains would experience an average of no more than 2.82 additional passengers per car at their maximum load point in either period. Therefore, L train service would not be considered significantly adversely impacted by the Proposed Actions under *CEQR Technical Manual* impact criteria.

Bus

The Proposed Actions are expected to result in a net increase of three trips by transit bus in the weekday AM peak hour and a net decrease of 17 trips in the PM peak hour when compared to the No-Action condition. Therefore, significant adverse impacts to transit bus service are not expected to occur under the Proposed Actions, and a detailed analysis of bus conditions is not warranted based on *CEQR Technical Manual* guidance.

Pedestrians

The Proposed Actions would generate an incremental demand of approximately 817, 296, 737 and 632 total pedestrian trips (including walk-only trips and pedestrians walking to and from the subway, bus and ferry stops, and off-site parking) in the weekday AM, midday and PM peak hours, and Saturday peak hour, respectively. These trips are expected to be most concentrated along pedestrian elements (sidewalks, corner areas and crosswalks) in the immediate proximity of the Project Area, along the Metropolitan Avenue corridor, and along Bedford Avenue in proximity to the Bedford Avenue subway station entrances at North 7th Street. Twenty-six pedestrian elements (eight sidewalks, 13 corner areas and five crosswalks) at these locations where incremental trips would potentially exceed the 200 trips/hour *CEQR Technical Manual* analysis threshold in one or more peak periods were selected for analysis. The pedestrian analysis focuses on the weekday AM and PM peak hours, and Saturday peak hour, which are the periods when the greatest amount of incremental pedestrian demand would be generated by the Proposed Actions' RWCDS. In the Future with the Proposed Actions, all analyzed sidewalks and corner areas would continue to operate at acceptable levels of service in all analyzed peak hours; however, five analyzed crosswalks would be considered significantly adversely impacted in one or more peak hours as a result of the Proposed Actions. Potential measures to mitigate these crosswalk impacts are discussed in the "Mitigation" section

Street User Safety

The *Vision Zero Brooklyn Pedestrian Safety Action Plan* was released on February 19, 2015 and updated in 2019. The plan identifies Bedford Avenue as a Priority Corridor (added in 2019). No Priority Intersections or Priority Areas were identified in proximity to the Project Area and the neighborhood of the Project Area is not included within a designated Senior Pedestrian Focus Area.

Crash data for intersections in the pedestrian study area were obtained from the New York City Department of Transportation for the three-year reporting period between January 1, 2016, and December 31, 2018 (the most recent period for which data were available for all locations). The

data quantify the total number of crashes as well as the total number of crashes involving injuries to pedestrians or bicyclists. During the three-year reporting period, 26 crashes including eight pedestrian/bicyclist-related injury crashes occurred at these intersections. None of these crashes involved fatalities.

According to the 2020 *CEQR Technical Manual*, a high crash location is one where there were 48 or more reportable and non-reportable crashes or five or more pedestrian/bicyclist-related crashes in any consecutive 12 months within the most recent three-year period for which data are available. Based on these criteria, no intersections in the pedestrian study area are classified as high crash locations.

Currently, the only crosswalk on River Street in proximity to the Project Area is located at North 3rd Street. It is therefore likely that some pedestrians en route to and from the Proposed Development Site would choose to cross River Street at a more proximate location where a crosswalk is not present, such as at Metropolitan Avenue or North 1st Street. This would result in a significant pedestrian safety impact. As discussed in the "Mitigation" section below this potential impact is expected to be fully mitigated by the installation of a new pedestrian crossing at one or both of these locations.

Parking

Parking demand generated by the Proposed Actions' RWCDS would total approximately 270 spaces in the weekday midday, would peak at 389 spaces during the 8 PM to 9 PM period, and would total approximately 388 spaces overnight. The RWCDS includes 250 of on-site accessory parking spaces in a below-grade parking facility. This on-site capacity would be sufficient to accommodate approximately 64 percent of the parking demand during the peak 8 PM to 9 PM period as well as the peak overnight period for residential parking demand. The remaining demand (approximately 139 autos) would need to be accommodated in nearby off-street public parking facilities or on-street. Based on *CEQR Technical Manual* guidance, this projected shortfall of approximately 139 spaces of on-site parking capacity under the Proposed Actions would not constitute a significant adverse parking impact.

AIR QUALITY

Detailed analyses were conducted based on the methodology set forth in the CEQR Technical Manual, and determined that the Proposed Actions would not have a significant adverse impact on related to air quality.

NYPA Analysis

NYPA stack emissions would not cause exceedances against *National Ambient Air Quality Standards (NAAQS)*. Therefore, emissions from the NYPA power plant stack would not significantly impact the Proposed Development or development at the Projected Development Site.

Project-on-Project (HVAC) Analysis

Emissions from the HVAC system of the shorter North Tower on the Applicant's Proposed Development Site would not significantly impact the taller South Tower. Based on results of the project-on-project HVAC analysis, the exhaust stacks on the roof of the North Tower can be located anywhere on the North Tower roof. In addition, emissions from the Projected

Development's HVAC system would not significantly impact either the Applicant's Proposed Development or nearby existing land uses. In order to avoid any potential significant adverse air quality impacts, an (E) designation (E-636) would be placed on the Applicant's Proposed Development Site that would require the use of natural gas for the HVAC system, restrict the heating plant's capacity, and limit NOx emissions from both the co-generation units and boilers for the North Tower. Similarly, in order to avoid any potential significant adverse air quality impacts, an (E) designation would also be placed on the Projected Development Site that would require the use of natural gas for the HVAC system.

HVAC Project-on-Existing Analysis

As the towers comprising the Proposed Development would be taller than any nearby buildings, the HVAC emissions of these towers would not significantly impact nearby existing land uses. In addition, HVAC emissions from the Projected Development would not significantly impact existing taller buildings located within 400 feet of the Projected Development Site.

Garage Analysis

Emissions from vehicles using the Proposed Development's garage – together with on-street mobile source emissions -- would not result in any significant adverse air quality impact. The maximum estimated CO impacts would be less than the *CEQR* de minimis criteria; the 24-hour $PM_{2.5}$ impacts would be less than the significant impact criteria; and the maximum estimated total 8-hour CO and 24-hour total $PM_{2.5}$ concentrations would be less than the applicable NAAQS.

Air Toxics Analysis

There are no existing nearby (i.e., within 400 of the Project Area) industrial sources that could significantly impact the development that would occur as a result of the Proposed Actions. As such, there would be no significant adverse air quality impacts on the Proposed Development or Projected Development Site from existing industrial uses.

GREEN HOUSE GAS EMISSIONS AND CLIMATE CHANGE

An assessment was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in significant adverse impacts related to greenhouse gases as they would be consistent with the City's GHG emissions reduction goals, as defined in the *CEQR Technical Manual*. Furthermore, the Proposed Actions would be consistent with policies regarding adaptation to climate change as identified in OneNYC.

Greenhouse Gas Emissions

It is estimated that the RWCDS for the Proposed Actions would result in approximately 6,734 total metric tons of carbon dioxide equivalent (CO_2e) annual emissions from building operations and approximately 3,512 metric tons of CO_2e emissions from mobile sources annually, for an annual total of approximately 10,246 metric tons of CO_2e emissions. This represents approximately 0.02 percent of the City's overall 2017 GHG emissions of approximately 50.7 million metric tons. It should also be noted that the estimated GHG emissions for the Proposed Actions conservatively do not account for any energy efficiency measures that may be implemented by the Applicant at the Proposed Development or by any developer who may redevelop the non-Applicant-owned Projected Development Site. The Proposed and Projected Developments would comply with the stringent 2020 New York City Energy Conservation Construction Code, which includes the

additional measures from the New York State Energy Research and Development Authority (NYSERDA) NYStretch Energy Code-2020. The Applicant is currently evaluating the specific energy efficiency measures and design elements that may be implemented as part of the Proposed Development.

The Proposed Actions would also advance New York City's GHG reduction goals by virtue of their nature and location. The Proposed Actions would facilitate development of a higher-density mixed-use residential, commercial, and community facility development and a smaller mixed-use non-residential building in an area with existing urban infrastructure, including roadways, transit, sewer infrastructure, and water mains, thereby minimizing the need for extensive infrastructure development. By redeveloping sites that are located in an area supported by many transit options, including bus and subway service, NYC East River Ferry, and CitiBike stations, the Proposed Actions would support transit-oriented development in New York City. Therefore, the Proposed Actions would be consistent with the City's applicable emissions reduction goals of transit-oriented development and construction of new resource- and energy-efficient buildings.

Resilience to Climate Change

As the Proposed Development Site is located within a 100-year floodplain, the Applicant's Proposed Development has been designed to incorporate flood mitigation measures with wet and dry floodproofing strategies. Entrances to the buildings, parking garage, and loading areas would utilize either wet or dry floodproofing measures in compliance with "Appendix G" of the New York City Building Code, ASCE 24, and FEMA guidelines. The residential uses at the ground floor of the proposed buildings would be raised out of the flood zone to an elevation of approximately 12.1 feet above sea level, in compliance with ASCE 24 Table 6-1. The non-residential uses at the ground floor of the buildings would utilize dry floodproofing measures in compliance with ASCE 24. In areas utilizing the wet floodproofing method, mechanical equipment, electrical rooms, gas meter, water meter and pump rooms would be located above the DFE (design flood elevation) in compliance with ASCE 24-14 Table 7-1. In the areas utilizing dry floodproofing measures, utility lines or systems will be protected by the dry floodproofing.

The flood mitigation measures incorporated into the design of the Proposed Development would also help to protect against rising sea levels. The Proposed Development would be designed and constructed in accordance with all applicable City and State flooding and erosion regulations, including New York City Administrative Code, Title 28, Section 104.9 ("Coastal Zones and Water-Sensitive Inland Zones"). The Proposed Development would also significantly improve flood resiliency, with the incorporation of two breakwaters and groin as part of the proposed waterfront open space. The breakwaters and groin would reduce the energy of crashing waves on the shoreline, making flood waves break away from the shoreline of the Development Site. This would reduce wave heights inside the protected area along the shoreline and reduce the potential for shoreline erosion, while also providing a partially enclosed, protected aquatic habitat. These proposed features would further protect the public waterfront open space and upland residential buildings comprising the Proposed Development. As such, the Proposed Development would be consistent with New York City policies regarding adaptation to climate change.

The non-Applicant-owned Projected Development Site is not located within the currently applicable 100-year and 500-year floodplains. However, portions of the site are expected to fall within the projected 500-year floodplain by the 2020s and 2050s. As the Projected Development Site is located more than 350 feet east of the waterfront, it is unlikely to be affected by tidal

flooding and is less susceptible to climate change. The Projected Development is expected to be constructed to meet the codes and any related resiliency requirements in effect at the time of construction.

NOISE

An analysis was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to noise. The increased traffic volumes generated by the Proposed Actions would not result in significant adverse noise impacts as the relative increases in noise levels, compared to No-Action conditions, would fall well below the applicable *CEQR Technical Manual* significant adverse impact threshold (3.0 dBA).

Based on the calculated With-Action L_{10} noise levels, the projected peak period L_{10} noise values at Receptor Locations 1 through 4 would range from a minimum of 58.1 dBA to a maximum of 66.3 dBA and would remain below the 70 dBA CEQR threshold. Thus, no special noise attenuation measures beyond standard construction practices would be required for the proposed residential, community facility, or commercial office uses on any of the Proposed Development's frontages in order to achieve interior noise levels of 45 dBA or lower for residential and community facility uses or 50 dBA or lower for commercial office uses, as is consistent with *CEQR Technical Manual* guidance. However, as maximum With-Action noise levels at Receptor Location 5 would be 73.9 dBA, special attenuation measures beyond standard construction practices would be required for the Projected Development Site's future community facility uses on the eastern (Kent Avenue), southern (North 1st Street), and northern (facing Metropolitan Avenue) frontages of the Development Site in order to achieve the required interior noise level of 45 dBA or lower for community facility uses. In order to satisfy CEQR interior noise level requirements and ensure acceptable interior noise levels for community facility uses, a minimum composite window/wall attenuation rating of 31 dBA for all facades fronting and within 50 feet of Kent Avenue would be required..

The composite window/wall noise attenuations described above would be required through the assignment of an (E) Designation (E-636). With implementation of the attenuation levels outlined above, the Projected Development Site would provide sufficient attenuation to achieve the *CEQR Technical Manual* interior noise level guidelines. Therefore, the Proposed Actions would not result in any significant adverse noise impacts related to noise attenuation.

PUBLIC HEALTH

An assessment was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in a significant adverse impact related to public health. The Proposed Actions are not expected to result in unmitigated significant adverse impacts in the following technical areas that contribute to public health: operational air quality, construction-related air quality, operational noise, water quality, or hazardous materials. The Proposed Actions would result in temporary, unmitigated significant adverse construction-related noise impacts. However, during construction associated with the Proposed Actions, none of the nearby receptors would experience prolonged exposure to noise levels above 85 dB(A) or episodic and unpredictable exposure to short-term impacts of noise at high decibel levels. As such, the

Proposed Actions are not anticipated to cause excessively high chronic noise exposure and, therefore, are not expected to result in a significant adverse public health impact related to noise.

NEIGHBORHOOD CHARACTER

A preliminary assessment was conducted based on the methodology set forth in the *CEQR Technical Manual*, and determined that the Proposed Actions would not result in significant adverse impacts related to neighborhood character. The Project Area is located in Williamsburg, Brooklyn, an established residential neighborhood defined by its location along the East River waterfront, which is lined with publicly accessible open spaces, providing a plethora of public views of the East River, the Manhattan skyline, and the Williamsburg Bridge. The study area is also characterized by a variety of residential and mixed residential/commercial building types, ranging from low-rise, 19th century rowhouses along Grand Street, to recently developed mid-rise apartment buildings, to renovated former industrial warehouses, to high-rise, high-density residential towers along the East River waterfront. Most of these structures are built-out to the lot lines and contain lower-level commercial spaces, creating active, continuous street-walls throughout the majority of the study area. The neighborhood surrounding the Project Area is known for its creative and lively atmosphere, vibrant social scene, culinary venues, and trendy boutique retail, as well as its accessibility to Manhattan.

The Proposed Actions would revitalize the Project Area, a currently inaccessible portion of the East River waterfront that would largely continue to be publicly inaccessible absent the Proposed Actions. The Proposed Actions would facilitate the redevelopment of the Project Area with mixed-use buildings and innovative waterfront public spaces. The Proposed Development would consist of two mixed residential, commercial, and community facility towers. Approximately 2.9 acres of new waterfront public space will be created as part of the Proposed Development, establishing a continuous link of public waterfront open spaces on the East River running from Bushwick Inlet Park to the north to Domino Park to the south. In addition to the newly created public open space, the Proposed Development would establish a stable and resilient waterfront, and would create aquatic, upland, and wetland vegetative communities that would promote fish and wildlife habitat development in the East River. The Proposed Actions would thereby improve the character of the East River waterfront, a defining feature of the ¼-mile study area, and create additional public views of significant visual resources such as the East River, Manhattan skyline, and Williamsburg Bridge. 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 Actions would facilitate the development of two mixed-use towers with 937 market-rate DUs and 313 affordable DUs, as well as local retail, office, and community facility uses in an area with a strong demand for these uses. Based on the increasingly residential character of the surrounding study area, the Proposed Development would constitute a substantial improvement with respect to land uses as compared to a No-Action development of commercial and light industrial uses, which wouldn't provide community facility space, affordable housing, or public open space and waterfront access to the surrounding neighborhood. Furthermore, the permanently affordable housing added by the Proposed Actions pursuant to the Mandatory Inclusionary

Housing (MIH) program would help to maintain a more diverse demographic composition within the study area than would otherwise exist. The Proposed Actions would also facilitate the development of lower-level commercial and community facility space in the Project Area, as opposed to the parking garages and loading berths that would comprise a majority of the buildings' streetscape under No-Action conditions. These proposed With-Action ground-floor commercial and community facility uses would extend the active streetscapes of the surrounding neighborhood into the Project Area.

As described elsewhere in this EIS, the Proposed Actions would not result in significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; open space; shadows; historic and cultural resources; urban design and visual resources; or noise. Although the Proposed Action would result in significant impacts to crosswalks and pedestrian safety, those impacts would be fully mitigated, and would therefore not adversely affect neighborhood character. Moreover, the Proposed Actions' combined effects in all technical areas that contribute to neighborhood character would not result in any significant adverse impacts on neighborhood character.

CONSTRUCTION

Pursuant to *CEQR Technical Manual* guidance, detailed analyses of potential construction period impacts related to air quality and noise conditions were conducted, and determined that the Proposed Actions would not result in construction period impacts related to air quality, but could result in potentially significant temporary adverse impacts related to construction noise. Potential measures to mitigate these impacts are discussed in the "Mitigation" section below. Preliminary assessments were conducted for other technical areas pursuant to *CEQR Technical Manual guidance*, and determined that the Proposed Actions would not result in construction period impacts related to transportation, land use and neighborhood character, socioeconomic conditions, community facilities, open space, historic and cultural resources, natural resources, or hazardous materials. As discussed in the EAS and Draft Scope of Work documents, 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 approximately 10 months). Therefore, construction analysis of the Projected Development Site is not warranted.

Applicant's Proposed Development

Transportation

Traffic

Average daily on-site construction workers and trucks were forecast for new construction anticipated on the Development Site under both the No-Action and With-Action condition. The No-Action construction worker and truck estimates were then subtracted from the With-Action estimates to determine the net incremental demand attributable to construction associated with the Proposed Actions. Peak construction traffic related to trucks and worker autos is expected to peak in the third quarter of 2026, with an estimated 267 workers and 34 trucks per day. These represent peak days of work, and many days during the construction period would have fewer construction workers and trucks on-site.

A forecast of incremental hourly construction worker auto and construction truck trips during the

2026(Q3) peak quarter for construction traffic showed that construction-related traffic is expected to peak during the 6-7 AM and 3-4 PM periods. During the 6-7 AM peak hour there would be a total of 152 passenger car equivalent (PCE) vehicle trips, including 131 inbound trips and 21 outbound trips. During the 3-4 PM peak hour there would be a total of 117 PCE trips, including six inbound trips and 113 outbound trips.

Incremental trips by construction trucks and construction worker autos were assigned to the street network in proximity to the Development Site to assess the potential for significant adverse traffic impacts during the 6-7 AM and 3-4 PM construction peak hours. Based on *CEQR Technical Manual* guidance, a quantified traffic analysis is typically required if a proposed action would result in 50 or more vehicle trip ends in a peak hour at one or more intersections. Incremental vehicle trips generated by construction of the Proposed Development would not total 50 or more at any intersection in either of the 6-7 AM or 3-4 PM construction peak hours. In addition, there would be fewer than 50 incremental vehicle trips/hour in all other periods. Therefore, construction of the Proposed Development is not expected to result in significant adverse traffic impacts in any peak hour during the 2026(Q3) peak quarter for construction traffic.

Transit

In the 2026(Q3) peak quarter for construction-related transit trips, approximately 267 construction workers would travel to and from the Development Site each day. It is estimated that approximately 64 construction workers would travel to and from the Development Site via public transit each day, and that approximately 51 of these trips would occur in each of the 6-7 AM and 3-4 PM construction peak hours. These construction worker trips, which would occur outside of the peak periods for overall transit ridership, would be distributed among nearby subway stations (48 trips) and bus routes (3 trips). As peak transit demand from construction workers on the Development Site would not meet the 200 trips/hour *CEQR Technical Manual* analysis threshold for a detailed subway analysis, nor the 50 trips/hour/direction analysis threshold for a detailed bus analysis, significant adverse impacts to subway and bus services are not expected to occur in the construction peak hour during the 2026(Q3) peak construction period.

Pedestrians

It is anticipated that there would be an incremental increase of approximately 267 construction workers traveling to and from the Development Site in the 2026(Q3) peak construction period. Construction worker pedestrian trips on sidewalks, corner areas and crosswalks (pedestrian elements) near the Development Site would include those walking to and from the subway, nearby bus stops and off-site parking, as well as workers traveling solely on foot. As the Development Site has frontages along three different streets (North 1st, North 3rd and River streets), these trips would be widely distributed among the pedestrian elements providing access to the Development Site. It is therefore unlikely that any single sidewalk, corner area or crosswalk would experience 200 or more peak-hour trips (the threshold below which significant adverse pedestrian impacts are considered unlikely to occur based on *CEQR Technical Manual* criteria). In addition, it should be noted that construction worker trips would primarily occur outside of the weekday AM and PM commuter peak periods and the weekday midday peak period when area pedestrian facilities typically experience their greatest demand. Consequently, there are no significant adverse pedestrian impacts anticipated in the 2026(Q3) peak quarter for construction worker travel demand.

Parking

The maximum incremental daily parking demand from construction workers would total approximately 138 spaces in the weekday midday. As it is assumed that there would be no on-site parking until completion of the Proposed Development, construction workers would park on-street or in nearby off-street public parking facilities located in proximity to the Development Site during this period. For example, it is anticipated that some of the construction worker parking demand would be accommodated along the dead-end segments of North 1st Street and North 3rd Street adjacent to the Development Site. In addition, the Applicant controls an existing 725-space public parking garage at 325 Kent Avenue just to the south of the Development Site. This facility currently has substantial available capacity in the weekday midday, which the Applicant proposes to make available to construction workers.

Under *CEQR Technical Manual* guidance, the inability of the Proposed Actions or the surrounding area to accommodate future parking demands would be considered a parking shortfall, but would generally not be considered significant due to the magnitude of available alternative modes of transportation. Therefore, should any parking shortfall occur due to incremental demand from construction workers during the 2026(Q3) peak construction period, it would not be considered a significant adverse parking impact based on *CEQR Technical Manual* guidance.

Air Quality

The potential air quality impacts of the Proposed Actions were examined through a detailed analysis of the worst-case construction activities at the Development Site. For annual standards, the 12 consecutive months of construction with the highest $PM_{2.5}$ emissions are month 7 to month 18. During this timeframe, construction activities would include the excavation/foundations for the North Tower and South Tower, superstructure and exterior work on the North Tower, upland park and waterfront/marine structures. The single month with the highest emissions for $PM_{2.5}$ (month 10) was used for purposes of modeling short-term standards and this peak month includes 50 truck trips per day. Modeling of annual standards took into account the monthly variation in emissions over the year. This period has the highest potential for air quality impacts, and other construction periods would have lower impacts by comparison. The short-term and annual time periods for analysis were selected through preparation of a monthly emissions profile based on the potential construction equipment requirements for each site. Off-road equipment, on-road haul truck, and fugitive dust emissions were quantified and impacts at receptors using the U.S. Environmental Protection Agency (EPA) models and methods consistent with the *CEQR Technical Manual*. The analysis accounts for the emission control measures mandated by existing laws and regulations applicable to private developers, including the use of ultra-low sulfur diesel (ULSD), dust control measures, idling restrictions and Best Available Tailpipe Reduction Technologies.

The maximum predicted total concentrations of one- and eight-hour carbon monoxide (CO), 24-hour particulate matter with an aerodynamic diameter of less than or equal to 10 micrometers (PM_{10}), and annual-average nitrogen dioxide (NO_2) would all be below the applicable National Ambient Air Quality Standards (NAAQS).

Considering the annual average $PM_{2.5}$ background concentration of 7.4 $\mu g/m^3$, the temporary incremental increase in annual average $PM_{2.5}$ concentrations would result in a total annual average $PM_{2.5}$ concentration well under the applicable NAAQS (12 $\mu g/m^3$). The incremental increase is also under half the difference between the background concentration and NAAQS. Therefore, the Proposed Actions would not result in a significant adverse construction air quality impact.

Noise

Detailed quantitative construction noise modeling was completed for the Proposed Actions to determine typical construction noise levels for the major construction elements (towers, upland park and marine structures). A receptor network was developed for the study area around the Proposed Development Site. Sensitive receptor locations, such as residential properties and parks were selected as noise receptor sites. Multiple receptors were created along of the façade of existing buildings to capture the noise levels at different floors of the building. The noise impact criteria described in Chapter 19, Section 410 of the *CEQR Technical Manual* served as a screening-level threshold for potential construction noise impacts. If construction of a proposed project would not result in any exceedances of these criteria at a given receptor, then that receptor would not have the potential to experience a construction noise impact. However, if construction of a proposed project could result in exceedances of these noise impact criteria, then further consideration of the intensity and duration of construction noise at that receptor is warranted. The analysis also compared interior L_{10} noise levels to the CEQR interior noise guideline of 45 dBA.

The construction noise impact analysis identified potentially significant temporary adverse impacts in the following locations, as described below. Mitigation measures considered for these impacts are further discussed in the "Mitigation" section.

- **Grand Ferry Park**. The park is in close proximity to some of the marine structures work for the waterfront park. Construction noise levels would be 64 to 70 dBA (L_{eq}) and are anticipated to exceed CEQR thresholds (in this case, a 5 dBA or greater increment) for the duration of construction (45 months). The maximum total noise level at the park during construction would be 70 dBA (L_{eq}) for a period of 10 months (which includes shoreline and marine structures pile driving with direct line-of-sight to the park). However, it is important to note that for the majority of the construction (35 months), the total noise level would be less than 65 dBA (L_{eq}); these predicted noise levels are not atypical for open space resources in New York City.
- **184 Kent Avenue**. This residential building with ground floor commercial use is located immediately north of the Development Site, across North 3rd Street. The maximum total exterior noise level would be approximately 81 dBA (L_{eq}). Interior noise levels are anticipated to exceed the CEQR guideline of 45 dBA (L_{10}) by approximately 4-6 dBA for the first 27 months of construction.
- **187 Kent Avenue**. This new residential building is located on the east side of Kent Avenue, between Metropolitan Avenue and North 3rd Street. The maximum total exterior noise level would be approximately 77 dBA (L_{eq}). Interior noise levels are anticipated to exceed the CEQR guideline of 45 dBA (L_{10}) by approximately 2 dBA for the 21 months of construction.
- **221 Kent Avenue**. This new construction residential building is located on the east side of Kent Avenue between North 1st Street and North 3rd Street. The maximum total exterior noise level would be approximately 79 dBA (L_{eq}). Interior noise levels are anticipated to exceed the CEQR guideline of 45 dBA (L_{10}) by approximately 4 to 10 dBA for the first 21 months of.
- **223 Kent Avenue**. This residential building is located at the southeast quadrant of the intersection of Kent Avenue and North 1st Street. The maximum total exterior noise level would be approximately 74 dBA (L_{eq}). Interior noise levels are anticipated to exceed the CEQR guideline of 45 dBA (L_{10}) by approximately 4 dBA for units with window AC and 19 dBA for units without window AC for the duration of construction.

- **68 North 3rd Street.** This residential building with ground floor commercial is located in the southwest quadrant of the intersection of Wythe Avenue and North 3rd Street. The maximum noise level during construction would be approximately 68 dBA (L_{eq}). The CEQR interior L_{10} noise guideline of 45 dBA would not be exceeded for units with window AC. However, a 13 dBA exceedance over CEQR interior L_{10} guideline is anticipated for units without window AC.
- **1 North 4th Place**. This residential tower is located along the waterfront, west of North 4th Street. The maximum total exterior noise level would be approximately 79 dBA (L_{eq}). Interior noise levels are anticipated to exceed the CEQR guideline of 45 dBA (L_{10}) by approximately 3 to 8 dBA for 45 consecutive months of construction.
- **200-206 Kent Avenue.** This new commercial and office building is located on the west side of Kent Avenue at the intersection of Kent Avenue and North 3rd Street without any line of site obstruction from the project site. The maximum total exterior noise level would be approximately 83 dBA (L_{eq}). Interior noise levels are anticipated to exceed the CEQR guideline of 45 dBA (L_{10}) by approximately 8 dBA for 45 months of construction.
- **254 Kent Avenue/70 River Street.** This commercial building is located on the east side of River Street at the intersection of River Street and Kent Avenue without any line of site obstruction from the project site. The maximum total exterior noise level would be approximately 80 dBA (L_{eq}). Interior noise levels are anticipated to exceed the CEQR guideline of 45 dBA (L_{10}) by approximately 5 dBA for 45 months of construction.

Other Technical Areas

Land Use and Neighborhood Character

Construction activities would affect land use within the Development Site but would not alter surrounding land uses. As is typical with construction projects, during periods of peak construction activity there would be some disruption, predominantly noise, to the nearby area. These disruptions would be temporary in nature and would have limited effects on land uses within the surrounding area, particularly as most construction activities would take place within the Development Site or within portions of sidewalks, curbs, and travel lanes of public streets immediately adjacent to the site. Overall, while the construction at the Development Site would be evident to the local community, the temporary nature of construction would not result in significant or long-term adverse impacts on local land use patterns or the character of the nearby area.

Socioeconomic Conditions

Construction activities could temporarily affect pedestrian and vehicular access. However, lane and/or sidewalk closures would not obstruct entrances to any existing businesses, and businesses are not expected to be significantly affected by any temporary reductions in the amount of pedestrian foot traffic or vehicular delays that could occur as a result of construction activities. Overall, construction activities associated with the Proposed Development would not result in any significant adverse impacts on surrounding businesses.

Construction would create direct benefits resulting from expenditures on labor, materials, and services, and indirect benefits created by expenditures by material suppliers, construction workers, and other employees involved in the direct activity. Construction also would contribute to

increased tax revenues for the City and State, including those from personal income taxes.

Community Facilities

No community facilities would be directly affected by construction activities. The Development Site will be surrounded by construction fencing and barriers that would limit the effects of construction on any nearby community facilities. Construction workers would not place any burden on public schools and would have minimal, if any, demands on libraries, child care facilities, and health care. Construction of the Proposed Development would not block or restrict access to any facilities in the area, and would not materially affect emergency response times. The NYPD and FDNY emergency services and response times would not be significantly affected due to the geographic distribution of the police and fire facilities and their respective coverage areas.

Open Space

There are no publicly accessible open spaces within the Development Site and no open space resources would be used for staging or other construction activities. Construction of the two towers comprising the Proposed Development would not occur immediately adjacent to Grand Ferry Park, however the park is adjacent to the southern limit of construction for the proposed waterfront park (which includes, demolition of existing waterfront and in-water structures and pile installation for new in-water structures). As discussed above, there would be no significant adverse air quality impacts on open spaces taking into account dust control measures and other emission reduction measures incorporated in the project. The construction noise analysis (discussed above) showed there would be a temporary potentially significant adverse noise impact to the park. The maximum total noise level at the park during construction would be 75 dBA (L_{eq}) for a period of 5 months, and for the majority of construction the noise level at the park would be in the low to mid 60s of dBA (Leq). The predicted noise levels are not atypical for open space resources in New York City and would not result in a major change in the usability of the park. Therefore, the temporary construction noise impact would not result in a significant adverse construction-related open space impact.

Historic and Cultural Resources

The Development Site does not possess archaeological significance, and therefore, the Proposed Development does not have the potential to result in construction period archaeological impacts. As the Development Site is located within 90 feet of the S/NR-listed and NYCL-eligible Austin, Nichols & Co. Warehouse, construction of the Proposed Development would be subject to the New York City Department of Buildings (DOB)'s Technical Policy & Procedure Notice (TPPN) #10/88. Under the TPPN, a construction protection plan would be provided to the LPC for review and approval prior to any work in the Project Area. As such, no construction-related impacts on historic resources would occur as a result of the Proposed Actions.

Natural Resources

The implementation of erosion and sediment control measures and a Stormwater Pollution Prevention Plan (SWPPP) would minimize potential impacts on littoral zone tidal wetlands from discharge of stormwater runoff during land-disturbing activities. In addition, equipment used during construction of the proposed waterfront public space would move throughout the waterfront public space area during the construction as necessary, and any effects from their presence would be temporary. As such, the Proposed Development would not result in any significant adverse construction-related impacts on natural resources.

Hazardous Materials

The hazardous materials assessment identified various potential sources of subsurface contamination on, or in close proximity to, the Development Site. To reduce the potential for adverse impacts associated with new construction resulting from the Proposed Actions, a hazardous materials (E) designation would be placed on the tax lots comprising the Development Site. The (E) designation requires approval by the New York City Office of Environmental Remediation (OER) prior to obtaining NYC Buildings Department (DOB) permits for any new development entailing soil disturbance. The environmental requirements for the (E) designation also include a mandatory Construction Health and Safety Plan (CHASP), which must be approved by OER.

Adherence to these existing regulations would prevent impacts from construction activities at the Development Site.

Projected Development Site

The RWCDS for the Proposed Actions includes a non-Applicant-owned Projected Development Site at 230 Kent Avenue (Block 2362, Lot 1), which is expected to be improved with a three-story, approximately 20,223 gsf mixed-use light industrial, commercial and community facility building as a result of the proposed zoning change from M3-1 to M1-4. Given the small size of the RWCDS development, both in terms of total square footage and building height, and the fact that the Projected Development Site has already been excavated in conjunction with remedial activities, construction of the Projected Development Site is expected to be completed in approximately 10 months. Given the limited construction duration and minimal construction activities associated with this Projected Development Site, its contributions to potential construction-period impacts would be negligible. As such, the analyses in the remainder of this chapter focus exclusively on the potential construction impacts associated with the Applicant's approximately 1.336 million gsf Proposed Development.

H. MITIGATION

Transportation

Pedestrians

Incremental demand from the Proposed Actions would significantly adversely impact five crosswalks in one or more analyzed peak hours. There would be no significant adverse impacts to analyzed sidewalks or corner areas in any period. Widening the impacted crosswalks by one to 5.5 feet would fully mitigate all of the significant impacts. Implementation of the proposed mitigation measures would be subject to review and approval by DOT. In the absence of the application of these mitigation measures, the impacts would remain unmitigated.

Street User Safety

Currently, the only crosswalk on River Street in proximity to the Project Area is located at North 3rd Street. It is therefore likely that some pedestrians traveling to and from the Proposed Development Site would choose to cross River Street at a more proximate location where a crosswalk is not present, such as at Metropolitan Avenue or North 1st Street. This could result in a potential significant pedestrian safety impact. This impact would be fully mitigated by the

installation of a new pedestrian crossing at one or both of these locations. A new crossing would involve the installation of a new traffic signal, a new all-way stop control, or an Enhanced Pedestrian Crossing. Between the DEIS and FEIS, the appropriate traffic control measure to be installed will be finalized in consultation with the lead agency and DOT to facilitate the safe and efficient movement of pedestrians crossing River Street. The installation of a new pedestrian crossing on River Street at Metropolitan Avenue and/or North 1st Street would fully mitigate the Proposed Actions' potential pedestrian safety impact.

Construction

Noise

As presented in the "Construction" section above, construction activities associated with the Proposed Actions have the potential to result in temporary significant adverse impacts at residential, mixed-use, commercial and open space sensitive receptors in the vicinity of the Proposed Development Site. The Applicant has committed to various noise reduction measures in accordance with the New York City Noise Code. Furthermore, a construction noise mitigation plan would be required to be prepared and approved by NYCDEP prior to construction. Additional path controls (such as portable barriers or shrouds around specific equipment) would be considered during the development of the construction noise mitigation plan. The Applicant is also committing to providing noise monitoring to ensure that violations of the NYC Noise Code do not occur at adjacent receptors.

However, for eight of the impacted sensitive receptors (five residential/mixed use, two commercial use and one open space), no feasible and practicable receptor controls to further reduce noise levels were identified, and these temporary impacts would therefore remain unmitigated. For one other impacted sensitive receptors (residential building at 68 North 3rd Street), the feasibility of providing window AC units to any apartment units currently lacking them (if any) will be explored as a potential mitigation between the publication of the DEIS and FEIS. This receptor control would reduce interior noise to less than the CEQR interior threshold for the temporary construction noise impact. Lastly, Grand Ferry Park is predicted to experience a significant adverse construction noise impact. No practical and feasible mitigation measures have been identified that could allow noise levels to stay below the 55 dBA $L_{10(1)}$ guideline and/or eliminate project-generated impacts during construction. It is important to note that for the majority of the construction period (35 months), the total noise level at Grand Ferry Park would be less than 65 dBA (L_{eq}), which is not atypical for open space resources in New York City.

Additional mitigation measures will be explored further by the Applicant in consultation with the lead agency between the DEIS and FEIS. If no additional feasible mitigation measures are found, the temporary construction noise impacts will be considered unmitigated.

I. ALTERNATIVES

No-Action Alternative

The No-Action Alternative examines future conditions on the Proposed and Projected Development Sites, but assumes that none of the discretionary approvals proposed as part of the Proposed Actions would be adopted. Under the No-Action Alternative by 2027, it is anticipated that as-of-right development would be constructed on the Proposed and Projected Development Sites pursuant to the existing M3-1 zoning. Under the No-Action Alternative, as-of-right

development on the Proposed Development Site would consist of two buildings, with a combined total floor area of approximately 621,500 gsf, including approximately 54,500 gsf of office uses, 60,100 gsf of destination retail uses, 23,000 gsf of local retail uses, approximately 68,000 gsf of light manufacturing maker space, an approximately 102,100 gsf last-mile distribution facility (Use Group (UG) 16D), and 94,750 gsf of warehouse uses, as well as approximately 579 accessory parking spaces(202,550 gsf) and 16,500 sf of mechanical space. For the Projected Development Site, as-of-right development under the No-Action Alternative would consist of one building with approximately 13,482 gsf, including approximately 6,741 gsf of local retail and 6,741 gsf of warehouse space. The technical chapters of this EIS have described the No-Action Alternative as "the Future Without the Proposed Actions."

The significant adverse impacts related to pedestrian (crosswalk) conditions, pedestrian safety, and construction noise anticipated for the Proposed Actions may be somewhat reduced under the No-Action Alternative. However, the No-Action Alternative would not meet the goals of the Proposed Actions. The benefits expected to result from the Proposed Actions – including promoting affordable and market-rate housing development through the introduction of increased residential density on the Proposed Development Site, the introduction of new community facility space, and the introduction of new publicly accessible waterfront open space – would not be realized under this alternative, and the No-Action Alternative would fall short of the objectives of the Proposed Actions.

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the density and other components of the Proposed Development are changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Actions. As presented in the "Mitigation" and "Unavoidable Adverse Impacts" sections, there is the potential for the Proposed Actions to result in unmitigated significant adverse impacts related to construction noise. Given the proximity of existing sensitive receptors to the Proposed Development Site, any development involving below-grade excavation and multi-year construction would likely have the potential to result in temporary unmitigated significant adverse construction noise impacts. Furthermore, the identified temporary significant adverse construction noise impacts at these nearby receptors could not be fully mitigated. Although the Applicant's commitment to provide substantial noise control measures would reduce the level of impacts, it would not fully avoid the identified significant adverse impacts. In order to avoid the occurrence of any temporary adverse construction noise impacts at these nearby sensitive receptors, no construction of structure(s) of a size sufficient to accommodate the uses planned as part of the Proposed Development could occur on the Proposed Development Site. Therefore, no reasonable alternative could be developed to completely avoid significant adverse construction noise impacts without substantially compromising the Proposed Actions' stated goals.

J. UNAVOIDABLE ADVERSE IMPACTS

According to the *CEQR Technical Manual*, unavoidable significant adverse impacts are those that would occur if a proposed project or action is implemented regardless of the mitigation employed, or if mitigation is infeasible. The Proposed Actions would result in significant adverse impacts with respect to transportation (pedestrians and street user safety), and construction (noise). To the

extent practicable, mitigation has been proposed for these identified significant adverse impacts. However, in some instances no practicable mitigation was identified to fully mitigate the significant adverse impacts to construction noise, and there are no reasonable alternatives to the Proposed Actions that would meet their purpose and need, eliminate their impacts, and not cause other or similar significant adverse impacts.

Construction Noise

The Proposed Actions would have the potential to result in significant adverse construction noise impacts at several locations near the Project Area. The Applicant has committed to noise reduction measures in accordance with the New York City Noise Code, including a 8-ft plywood fence around the perimeter of the construction site, the use of equipment meeting the requirements of noise control code, limitations on engine idling, and implementation of early electrification of certain equipment such as concrete vibrators, hoists, and man lifts. Furthermore, a construction noise mitigation plan would be required to be prepared and approved by NYCDEP prior to construction. Additional path controls (such as portable barriers or shrouds around specific equipment) would be considered during the development of the construction noise mitigation plan. The Applicant is also committing to providing noise monitoring to ensure that violations of the NYC Noise Code do not occur at adjacent receptors.

However, for eight of the impacted sensitive receptors (five residential/mixed use, two commercial use and one open space), no feasible and practicable receptor controls to further reduce noise levels were identified, and these temporary impacts would therefore remain unmitigated. For one other impacted sensitive receptor (residential building at 68 North 3rd Street), the feasibility of providing window AC units to any apartment units currently lacking them (if any) will be explored as a potential mitigation between the publication of the DEIS and FEIS. This receptor control would reduce interior noise to less than the CEQR interior threshold for the temporary construction noise impact.

Lastly, Grand Ferry Park is predicted to experience a temporary significant adverse construction noise impact. No practical and feasible mitigation measures have been identified that could be implemented to reduce noise levels at Grand Ferry Park to stay below the 55 dBA $L_{10(1)}$ guideline and/or eliminate project impacts during construction. It is important to note that for the majority of the construction period (35 months), the total noise level at Grand Ferry Park would be less than 65 dBA (L_{eq}), which is not atypical for open space resources in New York City.

It should be noted that, although the *CEQR Technical Manual* 55 dBA $L_{10(1)}$ guideline is a worthwhile goal for outdoor areas requiring serenity and quiet, this relatively low noise level is typically not achieved in parks and open space areas in New York City.

While the incorporation of feasible and practicable mitigation measures will continue to be explored between the DEIS and FEIS, they are not expected to completely eliminate the significant adverse construction noise impact. Therefore, construction noise is considered a temporary unavoidable significant adverse impact.

K. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

The term “growth-inducing aspects” generally refers to “secondary” impacts of a proposed action that trigger further development outside the directly affected area. The *City Environmental Quality*

Review (CEQR) Technical Manual indicates that an analysis of the growth-inducing aspects of a proposed action is appropriate when the project: (1) adds substantial new land use, residents, or new employment that could induce additional development of a similar kind or of support uses, such as retail establishments to serve new residential uses; and/or (2) introduces or greatly expands infrastructure capacity (e.g., sewers, central water supply).

The projected increase in residential population resulting from the Proposed Development is likely to increase the demand for neighborhood services, ranging from community facilities to local retail and services. . It is anticipated that the consumer needs of the new residential and worker populations would largely be satisfied by a combination of the new retail and community facility uses provided by the Proposed and Projected Developments and the existing retail and community facility uses in the surrounding area. The development facilitated by the Proposed Actions could also lead to additional growth in the City and State economies, primarily due to employment and fiscal effects during construction on the Proposed Development Site and operation of the Proposed Development after its completion. However, this secondary growth is not expected to result in any significant impacts in any particular area or at any particular site.

The Proposed Actions would result in more intensive land uses on the Applicant's Proposed Development Site, and a modest increase in density on the Projected Development Site, however, it is not anticipated that the Proposed Actions would generate significant secondary impacts resulting in substantial new development in nearby areas. As described in the "Land Use, Zoning, and Public Policy" section, it is unlikely that the development resulting from the Proposed Actions would alter land use patterns in the surrounding area. The Proposed Actions would not create a critical mass of uses or populations that would induce additional development. The neighborhoods surrounding the Project Area have recently undergone substantial residential growth, and many new residential projects are anticipated or currently under construction. This residential growth is anticipated to occur independent of the Proposed Actions, and the new uses introduced by the Proposed and Projected Developments would not trigger additional residential development in the surrounding area.

The Proposed Actions would not result in significant adverse impacts to indirect residential displacement or indirect business/institutional displacement in the area surrounding the Project Area. The area surrounding the Project Area is an established mixed-use area that supports a dense and diverse amount of economic activity with an emerging office market. All of the uses contemplated under the Proposed Actions are well-established in the study area, and would not constitute new economic activities or alter existing economic patterns. While the proposed residential uses would be considerable additions to the study area, they do not represent new types of land uses and would be well served by existing businesses and community facility uses. As such, while the new residential, commercial, and community facility uses would be expected to contribute to growth in the City and State economies, they would not be expected to induce additional notable growth outside the Project Area.

While the Applicant's Proposed Development would improve existing infrastructure on and around the Proposed Development Site, including water and sewer lines, roadways, sidewalks, and open space, any proposed infrastructure improvements would be made to support the Proposed Development itself and would not induce additional growth in the surrounding area. The Applicant would be required to file a site connection proposal for approval from the NYC Department of Environmental Protection (DEP) to tie into the City's sewer system. In order to obtain a sewer connection permit from DEP, the Applicant would be required to demonstrate that the existing

system could handle the increased flows due to the Proposed Development. Any analysis and improvements, if required, would be undertaken prior to construction of the Proposed Development and would be coordinated with DEP for review and approval. The configuration of any infrastructure improvements, if necessary, would be determined based on the demands created by the Proposed Development, and would not be designed to accommodate additional development elsewhere in the surrounding area. Therefore, such improvements, would not result in an expansion of infrastructure capacity in the surrounding area and would not be expected to induce growth outside of the Development Site.

Overall, the Proposed Development is not expected to induce any significant additional growth beyond that identified and analyzed in this EIS.

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L. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

Resources, both natural and man-made, would be expended in the construction and operation of the development projected to occur as a result of the Proposed Actions. These resources include the building materials used in construction; energy in the form of gas and electricity consumed during construction and operation of the Applicant's Proposed Development and non-Applicant-owned Projected Development by various mechanical and processing systems; and the human effort (time and labor) required to develop, construct, and operate various components of the Proposed and Projected Developments. These are considered irretrievably committed because their reuse for some other purpose would be highly unlikely.

The development as a result of the Proposed Actions also constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future. The land use changes that would result from the Proposed Actions may also be considered a resource lost. However, the land use changes that would occur as a result of the Proposed Actions would be part of an overall City strategy to provide affordable housing in areas well-served by public transportation. The Proposed and Projected Development Sites do not possess any natural resource of significant value, and the sites have been previously developed. It is noted that funds committed to the design, construction, and operation of the Proposed and Projected Development Sites under the Proposed Actions would not be available for other projects. However, this is not considered to be a significant adverse impact on City resources.

In addition, the public services provided in connection with the development facilitated under the Proposed Actions (e.g., police and fire protection, public education, open space, and other City resources) also constitute resource commitments that might otherwise be used for other programs or projects. However, the Proposed Actions would enliven the area and produce economic growth that would generate substantial tax revenues providing a new source of public funds that would offset these expenditures.

These commitments of materials and land resources are weighed against the benefits of the Proposed Development, which would promote new residential development with 313 units of permanently affordable housing and introduce new retail, office, and community facility space. In addition, the 6.08 total acres of open space, secondary contact accessible in-river space and intertidal area that is a prominent component of the Proposed Development include an extensive plan to restore and increase bio-diversity and habitat on the shoreline. Salt marshes, tidal pools,

and coastal scrub-shrub (paired with the appropriate substrate, hydrology, and solar exposure) create a habitat mosaic that strengthens overall ecological connectivity, improves water quality, and attracts a diverse array of wildlife. This will provide a key connection with adjacent ecosystems, contributing to an archipelago of foraging and nesting grounds for aquatic and avian species. The Proposed Development would also provide new publicly accessible waterfront open areas within an existing mixed-use area, thereby supporting the needs of the community. Additionally, the non-Applicant owned Projected Development Site is expected to be improved with a three-story mixed-use light industrial, commercial and community facility building as a result of the proposed zoning change.*

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