



NYC Parks

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ISSUANCE OF NEGATIVE DECLARATION

December 4, 2024

Hilary Semel, Director
Mayor's Office of Environmental Coordination
100 Gold Street - 2nd Floor
New York, NY 10038

Re: CEQR Number: 24DPR005K
Broadway Junction Station City Map Amendment

Dear Ms. Semel:

The above-referenced project involves a discretionary action subject to review under the State Environmental Quality Review Act (SEQRA), its implementing regulations as set forth in 6 NYCRR Part 617, and the Rules of Procedure for City Environmental Quality Review (CEQR). The proposed action is classified as a Type I Action under SEQRA. As per section 6 NYCRR Part 617.4 (6)(i) "a project or action that involves the physical alteration of 10 acres." While the total project area at 6.64 acres is below the 10-acre threshold cited above, it would exceed the threshold for a Type I Action further defined in Part 617.4 (10) "any Unlisted action, that exceeds 25 percent of any threshold in this section, occurring wholly or partially within or substantially contiguous to any publicly owned or operated parkland, recreation area or designated open space." Due to the involvement of federal funding and approvals, compliance with the National Environmental Protection Act ("NEPA") is also required. The Metropolitan Transportation Authority (MTA) served as the NEPA Lead Agency and issued a Categorical Exclusion on March 6, 2024. NYC Parks agrees with and accepts the conclusions from the NEPA findings.

The project site consists of both the Broadway Junction Subway Station Complex and Callahan-Kelly Playground located in the Brownsville – East New York neighborhood of Brooklyn. The proposed project involves improvements that will facilitate accessibility in accordance with the Americans with Disabilities Act (ADA) to the Station, provide new entry and egress points, and provide more efficient passenger circulation throughout the station complex. In connection with the proposed project, an approximately 9,616 square-foot portion of parkland within Block 1546, Lot 1 at the Callahan-Kelly Playground (Brooklyn Block 1545, Lot 1 and Block 1546, Lot 1) would be eliminated to facilitate the expansion of the Station headhouse facility. The portion of Sackman Street that would be eliminated is approximately 11,000 square feet. It currently bisects Callahan-Kelly Playground, which adjoins Sackman Street at this location to the east and west. This area would also be established as new parkland on the City Map as part of the Callahan-Kelly Playground. The establishment of new parkland at this location will serve as replacement dedicated parkland, which is required in connection with the elimination of portions of Callahan-Kelly Playground where the proposed project will take place.

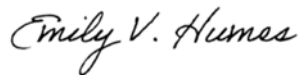
In accordance with Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 (CEQR), the New York City Department of Parks & Recreation (NYC Parks) has assumed the role of CEQR lead

agency for the environmental review of the Broadway Junction Station City Map Amendment, as the project would be partially located on property under the jurisdiction of NYC Parks. The assumption of lead agency status is consistent with the underlying mandate of CEQR that the appropriate lead agency should be the agency “primarily responsible for carrying out, funding or approving an action,” as well as with the criteria listed in Section 5-03(h) of the Rules of Procedure for CEQR found at 62 RCNY Chapter 5. A Lead Agency letter was circulated to involved and interested agencies on October 31, 2024.

Based on its review of the analysis and criteria contained in the EAS, NYC Parks has determined that the Proposed Action will not have a significant impact on the environment. Attached please find the completed Part III of the CEQR EAS that includes the Determination of Significance and the Negative Declaration for the proposed project. Please contact me with any comments or questions at: emily.humes@parks.nyc.gov.

Thank you for your consideration and cooperation.

Sincerely,



Emily Humes
Director of Environmental Review

Distribution List:

Honorable Antonio Reynoso, Brooklyn Borough President
Honorable Sandy Nurse, NYC Council District 37
Melinda Perkins, District Manager, Brooklyn Community Board 5
Viola D. Greene-Walker, District Manager, Brooklyn Community Board District 16

CC: Martin Maher, Brooklyn Borough Commissioner, NYC Parks
Colleen Alderson, NYC Parks
Kay Zias, NYC Parks
Elizabeth Ernish, NYC Parks
Luminita Marinescu, MTA

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

**Potentially
Significant
Adverse Impact**

IMPACT CATEGORY

Land Use, Zoning, and Public Policy

Socioeconomic Conditions

Community Facilities and Services

Open Space

Shadows

Historic and Cultural Resources

Urban Design/Visual Resources

Natural Resources

Hazardous Materials

Water and Sewer Infrastructure

Solid Waste and Sanitation Services

Energy

Transportation

Air Quality

Greenhouse Gas Emissions

Noise

Public Health

Neighborhood Character

Construction

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials?

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

- ☐ **Positive Declaration:** If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).
- ☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.
- ☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see [template](#)) or using the embedded Negative Declaration on the next page.

4. LEAD AGENCY'S CERTIFICATION

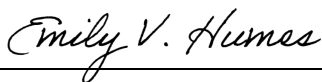
TITLE
Director of Environmental Review and Program Delivery

LEAD AGENCY
NYC Parks & Recreation

NAME
Emily Humes

DATE
12/4/2024

SIGNATURE



NEGATIVE DECLARATION (Use of this form is optional)**Statement of No Significant Effect**

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, NYC Parks & Recreation assumed the role of lead agency for the environmental review of the proposed project. Based on a review of information about the project contained in this environmental assessment statement and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the proposed project would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which that finds the proposed project:

The project site consists of both the Broadway Junction Subway Station Complex and Callahan-Kelly Playground located in the Brownsville – East New York neighborhood of Brooklyn. The proposed project involves improvements that will facilitate accessibility in accordance with the Americans with Disabilities Act (ADA) to the Station, provide new entry and egress points, and provide more efficient passenger circulation throughout the station complex. In connection with the proposed project, an approximately 9,616 square-foot portion of parkland within Block 1546, Lot 1 at the Callahan-Kelly Playground (Brooklyn Block 1545, Lot 1 and Block 1546, Lot 1) would be eliminated to facilitate the expansion of the Station headhouse facility. The portion of Sackman Street that would be eliminated is approximately 11,000 square feet. It currently bisects Callahan-Kelly Playground, which adjoins Sackman Street at this location to the east and west. This area would also be established as new parkland on the City Map as part of the Callahan-Kelly Playground. The establishment of new parkland at this location will serve as replacement dedicated parkland, which is required in connection with the elimination of portions of Callahan-Kelly Playground where the proposed project will take place. As indicated in the EAS Part II checklist, the project does not include components or characteristics with potential to significantly affect technical areas such as socioeconomic conditions, community facilities, urban design and visual resources, solid waste and sanitation services, energy, air quality, or noise.

Land Use, Zoning and Public Policy: The proposed project would reinforce and enhance the land use character at the Project Area. Expansion of the Broadway Junction Station complex would include modernization of the station facilities which would improve and reinforce the land use character of this area. Further, the two new passenger skybridges would be located near the existing Broadway Junction Station complex escalators and pedestrian skyway, complementing and reinforcing the presence of transportation uses at these locations. Similarly, the new station entrance would be located under the L train, immediately opposite Van Sinderen Avenue from the existing access point to Broadway Junction Station complex, complementing and reinforcing the presence of the transportation uses at that location. While the proposed project would result in the alienation of parkland within the Callahan-Kelly Playground, the demapping of Sackman Street and its conversion to parkland would result in a net gain of parkland area. The conversion of this portion of Sackman Street to parkland would improve and reinforce the land use character of Callahan-Kelly Playground compared to the No Action Alternative. In addition, the proposed project would include a new comfort station adjacent to the pedestrian pathway (former Sackman Street), providing an additional amenity to users of the park. Further, the proposed parkland areas to be alienated are adjacent to existing structures and facilities associated with the Broadway Junction Station complex, such that their existing land use character is heavily influenced by that infrastructure, as opposed to more open park areas in the central and western portions of Callahan-Kelly Playground. There is no change in zoning associated with the project. As such, no significant adverse impacts related to Land Use, Zoning or Public Policy are anticipated.

Open Space: The proposed project would result in direct impacts to the Callahan Kelly Playground during construction and operation. During construction, up to approximately 14,316 SF of eastern parkland area would be utilized for equipment staging and storage for a period of up to four (4) years. In order to offset temporary parkland alienation during the construction phase of the proposed project, the following mitigation measures would be undertaken: Shielding will be installed to prevent users of the Park (pedestrians, etc.) entering work areas and serving as an access point for construction equipment and materials, Temporary construction easement areas will be returned to their pre-involvement condition to ensure that there would be no permanent adverse physical impacts on the park, Approval of the conversion of the park will be obtained and the acquisition of replacement property funded, per the guidelines of the Land Water Conservation Fund program. The proposed project would result in the alienation of approximately 9,616 SF of parkland area associated with Callahan-Kelly Playground to facilitate elements of the proposed Broadway Junction Station Complex improvements and enhancements. However, the proposed project also includes the demapping of an approximately 10,968-SF portion of Sackman Street bisecting Callahan Kelly Playground and dedicating that area as new parkland within the playground, resulting in a new gain of 1,352 SF of new park area. Additionally, the proposed project would be consistent with Federally required Section 4(f) and 6(f) requirements for consideration and mitigation of impacts to parkland, as required by the concurrent NEPA environmental review. Based on the foregoing, the proposed would not result in significant adverse impacts regarding direct effects to open space.

Shadows: The proposed project would result in new incremental shadows at Callahan Kelly Playground for the entirety of the December 21, March 21 / September 21, May 6 / August 6, and June 21 analysis days. However, new incremental shadows during all these analysis days would generally only slightly augment existing / Future No-Action Scenario shadow conditions on Callahan Kelly Playground and would be limited to the immediate vicinity of new structures constructed as part of the Future With-Action Scenario. Additionally large portions of the park would remain in direct sunlight for the majority of each analysis day. Based on the foregoing, the proposed projects new incremental shadows are not anticipated to jeopardize the viability of vegetation at or the public's use and enjoyment of Callahan Kelly Playground during any analysis day. As such, no significant adverse shadow impacts are anticipated as part of the proposed project.

Historic and Cultural Resources: SHPO's initial review and determination based on the Phase 1A study was that there was potential for archaeological sensitive resources in the vicinity of Block 1555, Lot 1. LPC's review of subsequent feedback in the Proposed Project disagreed with SHPO's findings of potential archaeological sensitivity, stating that there was no sensitivity in the above-described area (or anywhere within the APE) and that no further archaeological survey work was required as part of the Proposed Project. The Applicant defers to LPC's findings regarding archaeological sensitivity within the Proposed Project's APE and, therefore, no further analysis was required. There are no other areas or resources of either archaeological or historic importance that would be impacted by the Proposed Project. Based on the foregoing significant adverse impacts to historic and cultural impacts are not anticipated.

Natural Resources: The project is not located on or adjacent to any Natural Resources. The proposed project site is located within the Jamaica Bay Watershed and the project tracking form has been submitted. The proposed project will not result in any significant impacts related to Natural Resources.

Hazardous Materials: A Memorandum of Understanding (MOU) between DEP, NYC Parks (as the agency controlling the site), and MTA has been executed to commit to hazardous materials testing in accordance with a DEP-approved Work Plan and Health and Safety Plan and the implementation of any and all remedial measures including (as needed) a DEP-approved Remedial Action Plan and Construction Health and Safety Plan, as well as the maintenance and reporting of any engineering controls post-construction. It is noted that the MOU would only be applicable to the Directly Affected Areas under the Proposed Actions within Callahan Kelly Playground, as those are the only areas that would experience direct disturbance as part of the Proposed Project. During construction, all soil would be excavated and removed from the site in conformance with the appropriate guidelines/protocols. The design-builder will prepare a Hazard Materials Management Plan and Health and Safety Plan. Ensuring compliance with these plans and implementing best management practices would minimize/avoid potential impacts to workers and the public associated with existing hazardous materials. Based on the foregoing, no significant adverse hazardous materials impacts are anticipated.

Water and Sewer Infrastructure: The proposed project would result in a minor increase impervious surface coverage at the Project Area (less than 500 SF). While development of a Stormwater Pollution Prevention Plan (SWPPP) is not required for this amount of new impervious surface, appropriate Best Management Practices will be employed to protect against sediment movement. There are no NYSDEC-designated wetlands or federally regulated wetlands in the vicinity of the Project Area. Similar to existing conditions, stormwater for the proposed project would be directed to nearby NYC storm drains and managed in accordance with the NYC Stormwater Permitting Program. As such, no significant adverse water or sewer infrastructure impacts are anticipated.

Transportation: The proposed project would not have impacts on traffic. There would be no change to the operation of the subway lines serving Broadway Junction Station Complex and no change to the number of transit passengers is expected as a result of the Proposed Project. The proposed project would require a minor modification to the existing roadway configuration however the sidewalk design will comply with applicable requirements; further, there would be no loss in travel lanes and a 17' curb-to-curb lane width will be maintained on Van Sinderen Avenue. MTA has coordinated with NYC Department of Transportation regarding this modification. The proposed new entrance to the L line on the east side of Van Sinderen Avenue would redistribute pedestrian volumes at the intersections immediately adjacent to the Project Area. A screening of the pedestrian volumes indicated no adverse impact to level of service following construction. In addition, ADA-compliant pedestrian ramps would be added to the two existing crosswalks on Van Sinderen between Fulton and Truxton Streets. There would be no loss in public parking spaces as only authorized vehicles are currently permitted to park on Van Sinderen Avenue. As part of the Proposed Project, an existing MTA parking lot at the junction of Herkimer Street, Fulton Street and Van Sinderen Avenue (to be utilized as a staging area during construction) would be repaved and striped and new fencing would be installed, which would improve parking conditions at this property for MTA employees and NYPD and accommodate any informal parking under the L train tracks that would be taken away by construction of the proposed new station entrance. Based on the foregoing, no significant adverse transportation impacts are anticipated.

Greenhouse Gas Emissions: The proposed project is a City capital project. The project will not result in an increase in Greenhouse Gas Emissions.

Public Health: A detailed analysis was completed for Hazardous Materials. As discussed, MTA has committed to completing hazardous materials testing in accordance with a DEP-approved Work Plan and Health and Safety Plan as well implementing all of the remedial measures required. This has been codified in an MOU between DEP, MTA and NYC Parks. As such, there are no anticipated significant adverse Public Health impacts.

Neighborhood Character: A neighborhood analysis was completed and it was determined that the proposed project would not in whole or from a specific technical study standpoint result in a significant impact to the neighborhood character, nor would have cumulative effects of two or more of the above technical areas have any significant impacts to the 400-foot study area.

Construction:

Construction Transportation: Construction personnel parking and the truck staging/queuing area is to occur in the existing MTA parking lot, which is located on the east side of Van Sinderen Avenue between Fulton Street and Herkimer Street. Upon completion of the project, this lot is expected to return to its existing use as a parking lot for MTA use. Based on the preliminary Level 1 Screening analysis results, construction at the Broadway Junction project site would not generate peak hour trips above the CEQR threshold.

Construction Noise: The study findings indicate that during the daytime hours' construction noise exposure would reach their highest level of 74 dBA on the third floor facing Truxton Street for 5 consecutive quarters but will remain about 6 dB(A) below the FTA daytime construction noise exposure standard. Furthermore, vibration levels at the representative residential property were found to be well below building damage criteria and human annoyance threshold. Construction noise would be mitigated by limiting construction hours between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, in accordance with the New York City Noise Code ("City Noise Code"). As required by the City Noise Code, a Noise Mitigation

Plan would be developed prior to construction of the proposed project. Should construction be necessary outside the prescribed construction hours, an after-hours permit would need to be obtained in conformance with the City Noise Code. Based on the foregoing, the Future With-Action Condition would not result in significant adverse construction noise or vibration impacts.

Construction Air Quality: Maximum predicted concentration increments and overall concentrations including background concentrations (converted to consistent units of $\mu\text{g}/\text{m}^3$ for all pollutants) were measured as part of the air quality assessment. The maximum predicted total concentrations of one- and eight-hour CO, 24-hour PM10, 24-hour and annual PM2.5 and annual-average NO2 are below the applicable NAAQS. Except for 24-hour and annual PM2.5, concentration values for other pollutants are well below standards and de minimis criteria. The maximum 24-hour PM2.5 concentration values due to the project at sidewalk receptors would be a PM2.5 temporary concentration increment ($12.6 \mu\text{g}/\text{m}^3$), which would occur at the sidewalk northeast-adjacent to the construction fence line. Considering the background concentration of $18.7 \mu\text{g}/\text{m}^3$, the temporary increase in PM2.5 concentration would result in a total 24-hour average PM2.5 concentration of $31.5 \mu\text{g}/\text{m}^3$, which is under the applicable NAAQS ($35 \mu\text{g}/\text{m}^3$). Sidewalk receptors do not represent an area of long-term air quality exposure due to the short time pedestrians would spend in any particular sidewalk location. Therefore, the exceedance of the de minimis criteria at these locations is not considered a significant adverse impact. These ambient air quality impacts, based on the time period with the highest level of activity, reflect the maximum impact that may occur during construction. Generally, when construction activity is below the highest level of activity, air quality impacts would be below maximum as well. Construction air quality impacts will cease upon completion of construction and ambient air quality levels near the site would return to pre-construction levels. Further, the Applicant would implement the following emission control measures: Clean Fuel, Dust Control Measures, Idling Restrictions, Best Available Tailpipe Reduction Technologies. It is noted that all of these emission control measures were incorporated into all air quality modeling assessments. Based on the foregoing, construction activities associated with the proposed project would not result in significant adverse air quality impacts.

Construction Open Space: During construction various equipment would be stored at Callahan Kelly Playground in and around the area of the existing control house and commuter skyway way (area totaling 14,316 SF). Equipment stored at these locations would include backhoes, cranes, drill rigs, and lifts; the construction staging areas would be accessed from entry / egress areas at the northeastern corner of Callahan Kelly Playground, from Truxton Street, near its intersection with Van Sinderen Avenue. Construction equipment would be staged in these areas for up to four (4) years, and as a result, access to the playground at the northeastern corner would be closed for the duration of construction and use of park amenities in all areas used for construction staging would not be permitted. However, throughout the construction period, access to the playground would be open at all other locations and all areas and park amenities outside the construction staging areas would be available for public use. Following construction, the areas utilized for construction staging would either be restored to the conditions under the 2023 Callahan Kelly Playground Reconstruction Plan or redeveloped as part of the proposed project. Based on the foregoing, construction activities associated with the proposed project would not result in significant adverse impacts to open space.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE Director of Environmental Review and Program Delivery	LEAD AGENCY NYC Parks & Recreation
NAME Emily Humes	DATE 12/4/2024
SIGNATURE 	