REVISED NEGATIVE DECLARATION - supersedes the Negative Declaration issued October 29, 2018*

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, the Department of City Planning, acting on behalf of the City Planning Commission 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 finds the proposed actions sought before the City Planning Commission would have no significant effect on the quality of the environment. Reasons supporting this determination are noted below.

Hazardous Materials, Air Quality, and Noise

1. An (E) designation (E-503) for hazardous materials and air quality and has been incorporated into the proposed actions. Refer to "Determination of Significance Appendix: (E) Designation" for a list of the sites affected by the proposed (E) designation and applicable (E) designation requirements. The analyses conducted for hazardous materials and air quality conclude that with these (E) Designation requirements in place, the proposed actions would not result in significant adverse impacts to hazardous materials or air quality.

Transportation

2. The EAS includes a detailed transportation analysis of pedestrian trips generated by the proposed actions. The proposed actions do not result in an increase of more than 200 pedestrians at any intersection corner, sidewalk, or crosswalk. The analysis concludes that the proposed actions would not result in any significant adverse impacts to traffic flow, transit operations, pedestrian movement, or vehicular and pedestrian safety.

Land Use, Zoning and Public Policy

3. The EAS includes a detailed Land Use, Zoning and Public Policy section. The analysis concludes that the proposed rezoning from M1-1 to R7A/C1-4, which would facilitate the development of a new mixed use residential, commercial, and community facility building, would have no significant adverse impacts related to land use, zoning, or public policy. The proposed actions would facilitate an increase in residential density in an area characterized by diverse uses including residential, commercial, community facility, and industrial uses. The existing M1-1 zoning district contains multiple nonconforming residential buildings and is adjacent to R7A, R6A, and R6B districts and therefore would not generate new land uses that would be incompatible with existing land uses within and adjacent to the study area. The analysis concludes that no significant adverse impacts related to Land Use, Zoning and Public Policy would result from the proposed actions.

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	LEAD AGENCY
Acting Director, Environmental Assessment and Review Division	Department of City Planning, acting on behalf of the City Planning Commission
NAME	DATE
Olga Abinader	4/5/2019
SIGNATURE	

TITLE	
Chair, City Planning Commission	
NAME Marisa Lago	DATE 4/10/2019
SIGNATURE	

*Following certification of the related land use application (ULURP No. 180042ZMK) on October 29, 2018, the applicant has revised the proposed rezoning from R7D/C2-4 to R7A/C2-4. This Revised Negative Declaration supersedes the Negative Declaration issued on October 29, 2018 and reflects the Revised EAS dated April 5, 2019, which assesses the change to the application. As described in the Revised EAS, the change would not alter the conclusions of the previous EAS or Negative Declaration.

Project Name: 1010 Pacific Street Rezoning
CEQR #: 16DCP134K
SEQRA Classification: Unlisted

Determination of Significance Appendix: (E) Designation (E-503)

Hazardous Materials

To ensure that the proposed actions would not result in significant adverse hazardous materials impacts, an (E) Designation (E-503) will be placed on the following sites as described below:

Projected Development Site 1 (Block 1133, Lot 32 and 42)
Projected Development Site 2 (Block 1133, Lot 45)
Projected Development Site 3 (Block 1133, Lot 48 and 49)
Projected Development Site 4 (Block 1133, Lot 51 and 52)
Potential Development Site 1 (Block 1133, Lot 46, 47, and 53)

The (E) Designation requirements for hazardous materials are as follows:

Task 1 - Sampling Protocol
The applicant submits to OER, for review and approval, a Phase 1A of the site along with a soil and groundwater testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented.

If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of sample sites should be selected to adequately characterize the site, the specific source of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2 - Remediation Determination and Protocol
A written report with findings and a summary of the data must be submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from the test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

An OER-approved construction-related health and safety plan would be implemented during evacuation and construction and activities to protect workers and the community from potentially significant adverse impacts associated with contaminated soil and/or groundwater. This plan would be submitted to OER for review and approval prior to implementation.

Project Name: 1010 Pacific Street Rezoning
CEQR #: 16DCP134K
SEQRA Classification: Unlisted

Air Quality

To ensure that the proposed actions would not result in significant adverse air quality impacts, an (E) Designation (E-503) will be placed on the following sites as described below:

Projected Development Site 1 (Block 1133, Lot 32 and 42)
Projected Development Site 2 (Block 1133, Lot 45)
Projected Development Site 3 (Block 1133, Lot 48 and 49)
Projected Development Site 4 (Block 1133, Lot 51 and 52)

The (E) Designation requirements for air quality are as follows:

Any new residential/commercial development on the above-referenced property must ensure HVAC stack(s) is located at the highest tier and at least 98 feet above grade, to avoid any significant adverse air quality impacts.

Potential Development Site 1 (Block 1133, Lot 46, 47, and 53)

The (E) Designation requirements for air quality are as follows:

Any new residential/commercial development on the above-referenced property must use natural gas as the type of fuel for HVAC and hot water systems, and ensure HVAC stack(s) is located at the highest tier and at least 98 feet above grade, to avoid any significant adverse air quality impacts

Noise:

To ensure that the proposed actions would not result in significant adverse noise impacts, an (E) Designation (E-503) will be placed on the following sites as described below:

Projected Development Site 3 (Block 1133, Lot 48 and 49)
Projected Development Site 4 (Block 1133, Lot 51 and 52)
Portion of Potential Development Site 1 (Block 1133, Lot 47 and 53)

The (E) Designation requirements for noise are as follows:

In order to ensure an acceptable interior noise environment, future residential/commercial uses must provide a closed window condition with a minimum of 28 dBA window/wall attenuation in order to maintain an interior noise level of 45 dBA. In order to maintain a closed-window condition, an alternate means of ventilation must also be provided.