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Acting Deputy Commissioner
RONA REODICA
Assistant Commissioner

Office of Development
Division of Building & Land Development
Services
100 Gold Street
New York, N.Y. 10038

April 29, 2022

NOTICE OF COMPLETION OF THE FINAL ENVIRONMENTAL IMPACT STATEMENT

Resilient Edgemere Initiative Rezoning

Project Identification:
CEQR No. 21HPD009Q
ULURP Nos. 220232 ZMQ
220233 ZRQ
220234 PQQ
220235 PPQ
220236 HAQ
220237 HUQ

Lead Agency:
City of New York - Department of Housing Preservation & Development (HPD)
100 Gold Street
New York, NY 10038

Contact Person:
Matthew Juliana, AICP
Director of Environmental Planning, HPD

SEQRA Classification: Type I

Pursuant to City Environmental Quality Review ("CEQR"), Mayoral Executive Order No. 91 of 1977, 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 Final Environmental Impact Statement ("FEIS") has been prepared for the action described below. Copies of the FEIS are available for public inspection at the office of the undersigned, or for download at https://www1.nyc.gov/site/hpd/services-and-information/environmental-review.page.

The proposal involves actions subject to approval by the City Planning Commission ("CPC") and Council of the City of New York pursuant to Uniform Land Use Review Procedure ("ULURP"). An Environmental Assessment Statement ("EAS") was completed on . A Positive Declaration, issued on December 18, 2020, established that the proposal may have a significant adverse impact on the environment, thus warranting the preparation of an Environmental Impact Statement. A Draft Scope of Work for a Draft Environmental Impact Statement ("DEIS") was issued on December 18, 2020. A public scoping meeting was held on January 19, 2021, at 4:00pm and, in support of the City's efforts to contain the spread of COVID-19, the public scoping meeting was held remotely. The public comment period for agencies and the public to review and comment on the Draft Scope of Work was open through January 29, 2021. Modifications to the Draft Scope of Work for the project's EIS were made as a result of public and interested agency input during the scoping process. A Final Scope of Work (FSOW) document for the Proposed Actions and a DEIS were issued on December 10, 2021.

The FEIS addresses all substantive comments made on the DEIS during the public hearing and subsequent comment period.

A. PROJECT DESCRIPTION

The Department of Housing Preservation and Development (HPD) is proposing a series of land use actions (collectively the "Proposed Actions") to implement recommendations of the Resilient Edgemere Community Planning Initiative—an interagency, community-based effort to align New York City's Sandy Recovery and rebuilding investments in Edgemere with a long-term, comprehensive community vision. The Resilient Edgemere Community Planning Initiative builds on past planning efforts, such as creation of the Edgemere Urban Renewal Area (Edgemere URA) in 1997. In 2017, the City released the Resilient Edgemere Community Plan (RECP), a vision for the future of Edgemere with the following goals: protect the neighborhood from flooding; create resilient housing and maintain the neighborhood's low density feel; improve streets and transit; and increase neighborhood amenities.

In order to successfully implement these four community goals, changes are needed to existing land use, zoning, and the Edgemere URA and Edgemere Urban Renewal Plan (Edgemere URP). The Proposed Actions would facilitate the development of market rate and affordable housing and community amenities to benefit the neighborhood in transit-oriented areas and discourage future development in areas at greater risk to coastal hazards. These actions would work in concert to leverage investments in local public infrastructure, housing, and coastal protection while laying the groundwork for long-term coastal resilience and investments in community development.

The Project Area is located on the eastern end of Rockaway Peninsula in Queens Community District 14. Encompassing the neighborhood of Edgemere, the Project Area is located between the Far Rockaway and Bayswater neighborhoods to the east, the proposed Arverne East development and Nature Preserve site to the south (and further to the south, the Rockaway Beach and Atlantic shorefront), the Arverne neighborhood to the west, and Jamaica Bay to the north. The Project Area is generally bounded by Beach 35th Street to the east, Rockaway Freeway and Rockaway Beach Boulevard to the south, Beach 50th Street and Beach 51st Street to the west, and Jamaica Bay to the north.

As described above, the Proposed Actions would place limitations on future development in areas of greater risk to coastal hazards. Specifically, the actions would limit new development along the Jamaica Bay waterfront, which is at highest risk of coastal flooding and may experience additional damage from waves during coastal storms. This area is generally bounded by Jamaica Bay to the north, Beach 49th Street to the west, along a boundary which runs parallel to Beach Channel Drive to the south, and the New York City Housing Authority (NYCHA) Beach 41st Street Houses to the east.

The Proposed Actions would facilitate mid-rise development of multi-family housing and commercial amenities in those portions of the Project Area that are nearest to transit—namely along Beach Channel Drive, Rockaway Beach Boulevard, and Rockaway Freeway.

In total, the reasonable worst-case development scenario (RWCDS) for the Proposed Actions is expected to result in 1,222 residential units in approximately 1,313,659 gross square feet (gsf), including up to 465

affordable units[1]; approximately 115,849 gsf of local retail uses; and approximately 640 new parking spaces. This new development would occur at a number of sites within the Project Area, including Projected Multi-Family Mixed-Use Development Sites and Projected Residential Infill Sites. Together, these sites are referred to as the Projected Development Sites. In comparison to the No-Action condition, the Proposed Actions would result in an incremental increase of 1,222 residential units, including up to 465 affordable units; approximately 113,491 gsf of local retail uses; and up to 478 parking spaces.

B. DESCRIPTION OF THE PROPOSED ACTIONS

The Proposed Actions include zoning map amendments, zoning text amendments, amendments to the Edgemere URP including acquisition of real property, disposition of City-owned property, Urban Development Action Area (UDAA) designation and Urban Development Action Area Project (UDAAP) approval, a Mayoral Zoning Override, and future construction financing from HPD—including a tax exemption pursuant to Article XI of the New York State Private Housing Finance Law on certain sites.

The Proposed Actions are designed to mitigate long term flood risk, create affordable housing opportunities, and expand neighborhood commercial amenities alongside investments in coastal protection infrastructure and parks. As such, the Proposed Actions have been tailored to several subareas within the Project Area, each of which has a distinctive neighborhood geography that corresponds to proposed future land uses.

The first subarea corresponds to the proposed *Hazard Mitigation Area* and consists of the area along the Jamaica Bay waterfront; roughly defined by the extent of the Federal Emergency Management Agency (FEMA) Coastal A sub-zone of the 100-year floodplain, which is at greatest risk of coastal flooding and may experience additional damage from waves during coastal storms. This area is characterized by low-density one- to two-family residences in detached and semi-detached buildings as well as some vacant parcels. In this area, new development would be limited to detached one-family homes. The Proposed Actions would also restrict development of City-owned lots to open space and non-residential uses due to the establishment of the Special Coastal Risk District (SCRD) which restricts development beyond the proposed zoning district.

The second subarea corresponds to the proposed *Limited Development Area*, which is adjacent to and inland of the *Hazard Mitigation Area* to the south. It is generally bounded by Norton Avenue to the north, Beach 49th Street to the west, Beach Channel Drive to the south, and the NYCHA Beach 41st Street Houses to the east. This area is expected to experience ponding from tidal flooding and rain events more frequently in the future due to climate change. It currently consists of low-density, one- to four-family residences in detached and semi-detached buildings as well as vacant land. In this area, new development under the Proposed Actions would be limited to one- and two-family detached homes due to the establishment of the SCRD which restricts development beyond the proposed zoning district. Furthermore, lots less than 25 feet in width in this subarea are limited to single-family detached buildings.

The third subarea corresponds to the proposed *Neighborhood Infill Area,* generally located along and south of Beach Channel Drive and throughout the center of the Project Area. It consists of low-density, one-to-four-family residences in semi-detached and attached buildings as well as low-rise commercial

[1] The total number of affordable units is based on a conservative estimate and the share of affordable units may end up being higher.

buildings and vacant land. The Proposed Actions will maintain current densities in this area and facilitate development of vacant City-owned land through the establishment of commercial overlays and corresponding URP land use designation changes.

The fourth and final subarea corresponds to the proposed *Commercial Corridor*, located along Rockaway Beach Boulevard and Beach 50th Street, nearest to the elevated A subway line, which runs along the southern boundary of the Project Area. Today it consists of low-density, one-to-four family residences in semi-detached and attached buildings as well as low-rise commercial buildings; recently constructed mid-rise, multi-family, mixed-use developments; surface parking; and vacant land. In this area, the Proposed Actions would permit commercial and community facility uses, residential and mixed-use mid-rise development that includes affordable housing units and facilitate development of vacant City-owned land.

ZONING MAP AMENDMENTS

Hazard Mitigation Area

Proposed R3A (from R4-1, R4)

R3A is proposed for the majority of the *Hazard Mitigation Area*, which encompasses an area generally bounded by Jamaica Bay to the north; Beach 47th Street to the west; the continuation of Hantz Road, Edgemere Drive, the portion of Norton Avenue that runs northeast/southwest parallel to Conch Basin to the south; and NYCHA Beach 41st Street Houses to the east.

This area includes land along the Jamaica Bay waterfront that is at greatest risk of coastal flooding and may experience additional damage from waves during coastal storms. The proposed zoning change would reduce the allowable density of new development in these areas to reduce future exposure to these risks.

R3A districts permit one- and two-family detached residential buildings. The maximum Floor Area Ratio (FAR) is 0.6, which includes a 0.1 FAR attic allowance. The minimum required lot area is 2,375 square feet and the minimum lot width is 25 feet. One off-street parking space is required for each dwelling unit. Community facilities are permitted at an FAR of 1.0. As discussed below, some of these regulations would be modified by the proposed Special Coastal Risk District.

Proposed C3A (from C3)

C3A is proposed for eight parcels within the *Hazard Mitigation Area* and on the Jamaica Bay waterfront, currently zoned C3 including the area bounded on the east by the northern extension of Beach 47th Street, on the south by Norton Avenue, on the west by the midpoint between Beach 48th and Beach 49th Streets and on the north by Jamaica Bay.

C3A districts permit waterfront recreational activities, primarily boating and fishing. They also include facilities for docking, renting, servicing, and storing fishing and pleasure boats, as well as bicycle shops, ice cream stores, and public and private beaches, as listed in Use Group 14. The maximum commercial FAR is 0.5. One off-street parking space is required for each 150 sf of

commercial space. Residential development is permitted, consistent with R3A district regulations. Community facilities are permitted at a FAR of 1.0.

This area includes land along the Jamaica Bay waterfront that is at greatest risk of coastal flooding and may experience additional damage from waves during coastal storms. Therefore, while the proposed zoning change would maintain the same FAR permitted in C3 and C3A districts, it would prohibit the development of multi-family homes currently permitted under C3 and allow the development of one- to two-family homes, ensuring that future development occurs in a detached building typology which is more amenable to flood resilient retrofits and interventions that may be necessary in the future. As discussed below, some of these regulations would be modified by the proposed Special Coastal Risk District.

Limited Development Area

Proposed R4-1 (from R4)

An R4-1 district is proposed immediately to the south of the proposed R3A district and would be generally bounded by NYCHA Beach 41st Street Houses to the east, Beach 49th Street to the west, a point 120 feet north of and parallel to Beach Channel Drive to the south, and the proposed R3A and C3A districts to the north.

R4-1 districts permit one- and two-family detached, zero lot line, and semi-detached residential buildings. The maximum FAR is 0.9, which includes a 0.15 FAR attic allowance. The minimum required lot area and lot width is 2,375 sf and 25 ft, respectively, for detached and zero lot line buildings, and 1,700 square feet and 18 ft for semi-detached buildings. Lots less than 25 feet in width in this subarea are limited to single-family detached buildings. One off-street parking space is required for each dwelling unit. This requirement is reduced to 50 percent for income-restricted housing units (IRHUs). Community facilities are permitted at an FAR of 1.0.

The proposed zoning change would restrict new development in these areas to one- or two-family dwellings and prohibit the development of multi-family homes currently permitted under R4, ensuring that future development occurs in a detached building typology which is more amenable to flood resilient retrofits and interventions that may be necessary in the future. As discussed below, some of these regulations would be modified further by the proposed Special Coastal Risk District.

Neighborhood Infill Area

Proposed C2-4 Overlay (from C1-2)

A C2-4 commercial overlay district is proposed for a portion of the neighborhood on two blocks along Beach Channel Drive, bounded by Beach 43rd Street and Beach 44th Street. There is no proposed change to the underlying zoning. As compared to C1-2, a C2-4 overlay has a lower off-street parking requirement, which is expected to provide significant construction cost savings and better facilitate the potential redevelopment of these vacant and/or abandoned properties. The commercial FAR of 1.0 (when mapped over the underlying R4 district) will remain while the change will allow for additional commercial uses such as repairs shops, upholstering shops, catering establishments, and medical labs to name a few.

Proposed R4 from R4/C1-2 and R4/C2-2

Removal of C1-2 and C2-2 commercial overlays is proposed on portions of two blocks (15829 and 15954) along Beach Channel Drive. Removal of these overlays will better reflect the existing land uses of these two built-out blocks, bringing the zoning map into consistency with existing conditions.

Commercial Corridor

Proposed R6A/C2-4 (from R4, C8-1, R5/C1-2)

R6A is proposed in the *Commercial Corridor*, encompassing all of Block 15841, bounded by Beach Channel Drive to the north, Beach 50th Street to the west, Rockaway Beach Boulevard to the south, and Beach 49th Street to the east; and part of Blocks 15851, 15850, 15849, 15848, and 15847 in an area generally bounded by Rockaway Beach Boulevard to the north, Beach 43rd Street to the west, Rockaway Freeway to the south, and Beach 38th Street to the east. A C2-4 commercial overlay is proposed in an area coterminous with the proposed R6A district.

R6A districts permit multi-family residential buildings. The maximum FAR is 3.0, with a 680-sf dwelling unit factor. Maximum building height is 70 ft (75 ft or 7 stories with a qualifying ground floor). Parking is required for 25 to 50 percent of dwelling units, depending on basic or income-restricted status. As discussed below, some of these regulations would be modified by the proposed Mandatory Inclusionary Housing (MIH) text amendment.

The C2-4 commercial overlay districts permit local retail and commercial services, such as grocery stores, restaurants, and beauty parlors on one or two floors. The maximum commercial FAR is 2.0 when mapped over the underlying R6A district, and the minimum parking requirement is one space per 1,000 sf of commercial space.

This zoning district is proposed in areas more suitable to supporting greater densities of development due to their distance from the bayside waterfront and close proximity to existing and elevated subway transit service. The proposed C2-4 commercial overlay district would permit local retail and commercial services, such as grocery stores, restaurants, and beauty parlors to serve the area's residential population where currently not permitted in the R4 zoning district and currently in scarcity within the neighborhood.

ZONING TEXT AMENDMENTS

Hazard Mitigation Area and Limited Development Area

Proposed Edgemere Special Coastal Risk District (CR)

The Edgemere SCRD is proposed across the *Hazard Mitigation Area* and *Limited Development Area*, and will modify the land use regulations of the proposed underlying zoning districts in the following ways:

-In proposed R3A and C3A underlying zoning districts, the SCRD is proposed to restrict residential development to one-family detached homes, which would ensure that future development occurs in a detached building typology which is more amenable to flood resilient retrofits and interventions that may be necessary in the future. The SCRD is also proposed to prohibit community facilities with overnight sleeping accommodations in order to further limit future exposure to flood and coastal risks for temporary or semi-

permanent residential populations. Bulk, density, and FAR are established in the proposed underlying zoning districts: R3A and C3A.

-In the proposed R4-1 underlying zoning district, the SCRD is proposed to restrict residential development on lots 25 feet or greater to one- and two-family detached homes and on lots less than 25 feet wide, residential development is restricted to one-family detached buildings. This action would ensure that future development occurs in a detached building typology which is more amenable to flood resilient retrofits and interventions that may be necessary in the future. The SCRD is also proposed to prohibit community facilities with overnight sleeping accommodations in order to further limit future exposure to flood and coastal risks for temporary or semi-permanent residential populations. Bulk, density, and FAR are established in the proposed underlying zoning district: R4-1.

Commercial Corridor

Proposed Mandatory Inclusionary Housing (MIH)

A text amendment to establish a Mandatory Inclusionary Housing (MIH) area is proposed across the Commercial Corridor, in an area coterminous with the proposed R6A/C2-4 district. This MIH Area would allow additional density while requiring a portion of the floor area to be permanently affordable housing within the development of the Commercial Corridor sites.

With MIH, the R6A underlying zoning district permits multi-family residential buildings with a maximum residential FAR of 3.6 and a 680-sf dwelling unit factor. Maximum building height is 80 ft (85 ft with qualifying ground floor) and 8 stories. Parking is required at 25 to 50 percent of dwelling units, depending on basic or income-restricted status.

EDGEMERE URBAN RENEWAL PLAN AMENDMENT AND ACTIONS

The Edgemere URP, including the Edgemere URA, was established in Edgemere in 1997 and amended in 2008. The Urban Renewal Law authorizes the City to acquire sites in an Urban Renewal Area for redevelopment in accordance with an Urban Renewal Plan.

ACQUISITION OF REAL PROPERTY

Acquisition of all properties listed in Exhibit A of the Edgemere URP.

AMENDMENT TO THE URBAN RENEWAL AREA

The Edgemere URA would be expanded to include the following parcels, as identified in the updated Edgemere URP, pending findings of the Blight Study: Block 15837, Lot 27; Block 15960, Lots 24, 37, 42; Block 15961, Lot 78; Block 15962, Lot 59; and Block 15965, Lots 3, 12, 100, 111, 112, 114, 115.

Removal of certain sites from the Edgemere URA, including Block 15834, Lot 17; Block 15852, Lot 60; Block 15853, Lots 95, 96, 97, 98, 102, 103; and Block 15952, Lot 14.

AMENDMENTS TO THE URBAN RENEWAL PLAN LAND USE DESIGNATIONS

The designated land use of Edgemere URA Sites 53, 55, 56B, 59, 60, 61, 62B, 64B, 86, 87 would be changed to 'Open Space' (from 'Residential' and 'Residential/Open Space'). New URA Site 54 would be designated as 'Open Space.' This change ensures that City-owned parcels will not be developed for use other than open space in this area. The designated land use of Edgemere URA Sites 29, 30, 31, and 32 would be changed to 'Commercial/ Residential' (from 'Residential'). New URA Site 63B would be designated as 'Commercial/ Residential.' This change permits commercial mixed-use development on sites in the proposed Commercial Corridor and other areas with commercial zoning. The designated land use of URA Sites 8 and 47 would be changed to 'Residential' (from 'Commercial/Residential').

DEFINITION OF PROPOSED USES

Proposed change to definition of Open Space to allow for agricultural uses when permitted by zoning.

SUPPLEMENTARY CONTROLS OF REDEVELOPMENT

Proposed removal of additional height restrictions associated with Section C.3.e from the Edgemere URP. Section C.3.e prohibits perimeter walls of new residential buildings from exceeding 25 feet, with the exception of URA Sites 1, 33, and 34 and prohibits peaks of pitched roofs of new residential buildings from exceeding 35 feet in relation to the elevation of the 100-year flood plain, with the exception of URA Sites 1, 33, and 34. These height restrictions are inconsistent with the proposed plan for multi-family, mixed use buildings in certain parts of the Edgemere URA. Moreover, in lower-density areas, it could prevent designs that address flood risk through building elevation and locating equipment on the roof. With its removal, urban renewal sites will be subject to height controls of the ZR and any permitted adjustments necessary for flood-resistant construction, including building elevation. Development sites would be subject to height controls of the Zoning Resolution and any permitted adjustments necessary for flood-resistant construction, including elevations.

Proposed amendment to density controls associated with Section C.3.d.1 to permit up to 1,500 dwelling units in the Edgemere URA (from 800 units). This change is proposed to accommodate the additional units projected in the proposed Commercial Corridor, including the units that are already constructed or in the development pipeline, aligned with the neighborhood-wide land use strategy which reserves increases in density in an inland corridor adjacent to transit, and to facilitate the creation of commercial services.

EXTENSION OF URBAN RENEWAL PLAN DURATION

Proposed extension of the duration of the Edgemere URP for a period of 40 years from the date of approval of the third amended plan.

DISPOSITION OF CITY-OWNED REAL PROPERTY

Disposition of all properties listed in Exhibit A of the Edgemere URP, including properties that will be acquired pursuant to the Edgemere URP, to a sponsor to be determined by HPD.

URBAN DEVELOPMENT ACTION AREA PROGRAM

Designation of an Urban Development Action Area (UDAA) and Approval of an Urban Development Action Area Project (UDAAP)

The Project Area consists of underutilized land that tends to impair or arrest the sound development of the surrounding community, with or without tangible physical blight. Incentives are needed in order to induce the correction of these substandard, insanitary, and blighting conditions. The project activities would protect and promote health and safety and would promote sound growth and development. Portions of the Project Area are therefore eligible to be an Urban Development Action Area (UDAA) and the Proposed Project(s) are therefore eligible to be Urban Development Action Area Project(s) (UDAAP) pursuant to Article 16 of the General Municipal Law. Specifically, the project includes a proposed UDAA/UDAAP for 42 lots across Blocks 15847, 15848, 15849, 15850, 15851 and 15852 and the demapped roadbeds of Beach 39th Street between Block 15847 and Block 15848, and Beach 43rd Street between Block 15851 and 15852 (the "UDAAP Project Area").

CONSTRUCTION FINANCING FROM HPD

Subsequent to completion of the Uniform Land Use Review Procedure (ULURP) and a competitive Request for Proposals (RFP) process, the project sponsor will seek construction financing from HPD—including, but not limited to, city capital and tax exemptions pursuant to Article XI of the New York State Private Housing Finance Law. In addition, the project sponsor may seek funding from state or federal sources in the future.

MAYORAL ZONING OVERIDE

HPD may, at a later date, seek a Mayoral Zoning Override to slightly reduce the minimum parking requirement on selected City-owned sites in order to facilitate the development of retail uses on the ground floor.

COMMUNITY LAND TRUST (CLT)

In addition to the approvals described above, it is anticipated that some of the Projected Development Sites would be owned and managed in a community land trust (CLT) model. A CLT is a not-for-profit organization which owns and stewards land long term for the public's benefit. CLTs separate the ownership of their land from the ownership of structures on the land, typically entering long-term ground leases with homeowners, mutual housing associations, non-profit landlords or other tenants. The RECP called for exploring this unique ownership model because CLTs have the potential to secure long term housing affordability. In addition, studies have found that the increased resident connection and collaboration fundamental to the CLT model can build social cohesion, a critical component of resilience to extreme weather events. HPD is currently facilitating a competitive process to select a partner in forming a CLT in Edgemere and finalizing a development program and operations plan.

C. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

Edgemere is a low-lying waterfront community that contains a significant amount of City-owned vacant land. The Edgemere URP, including the Edgemere URA was established in Edgemere in 1997 and amended in 2008. The Resilient Edgemere Community Initiative is an interagency, community-based effort to align New York City's Sandy Recovery and rebuilding investments in Edgemere with a long-term comprehensive community vision. The Resilient Edgemere Community Initiative builds on past planning efforts, such as creation of the Edgemere URA and the Edgemere URP in 1997. In 2017, the City released the RECP, a vision for the future of Edgemere with the following goals:

-Protect the neighborhood from flooding;

-Create resilient housing and maintain the neighborhood's low density feel;

-Improve streets and transit; and

-Increase neighborhood amenities.

In order to successfully implement these four community goals, changes are needed to existing land use, zoning, and the Edgemere URA and Plan. The Proposed Actions would facilitate the development of market rate and affordable housing and community amenities to benefit the neighborhood in transit-oriented areas and discourage future development in areas at greater risk to coastal hazards. These actions would work in concert to leverage investments in local public infrastructure, housing, and coastal protection while laying the groundwork for long-term coastal resilience and community development.

Specifically, the Proposed Actions would further the community goals that were identified in the 2017 RECP in the following ways:

- In areas exposed to greater flood risk, the Proposed Actions would limit residential development to lower density housing and more adaptable building typologies through rezoning to lower density zoning districts, instituting a SCRD, and amending the Edgemere URP to change the permitted land use of parcels from housing to open space use in the *Hazard Mitigation Area*.
- In the proposed transit-oriented commercial corridor, the Proposed Actions would rezone and add commercial overlays—permitting commercial uses and greater densities in order to facilitate mixed-use development, including MIH to maximize and ensure permanent affordable housing.
- The Proposed Actions would designate Urban Development Action Areas as well as seek UDAAP approval and disposition of City-owned land, and URA acquisition and disposition in order to facilitate development of housing, commercial amenities, and open space on select waterfront sites.

With these actions, HPD would issue RFPs to transform vacant City-owned assemblages into mixed-use, multi-family, affordable housing developments (i.e., the Projected Multi-Family Mixed-Use Development Sites), advance development of scattered vacant City-owned lots into low density housing (i.e., the Projected Residential Infill Sites and Projected Multi-Family Mixed-Use Development Sites), as well as reserve land for open space uses throughout the neighborhood.

D. ENVIRONMENTAL ANALYSIS FRAMEWORK

For the purpose of the environmental analyses, the No-Action condition represents the future absent the Proposed Actions and serves as the baseline by which the Proposed Actions (or With-Action condition) are compared to determine the potential for significant environmental impacts. The difference between the No-Action and With-Action conditions represents the increment to be analyzed in the CEQR process.

Development Site Criteria

In projecting the amount and location of new development that would occur in the Project Area with implementation of the Proposed Actions, several factors have been considered in identifying likely

development sites. These include known development proposals, past and current development trends, and the development site criteria described below.

Generally, for area-wide rezonings that create a broad range of development opportunities, new development can be expected to occur on selected, rather than all, sites within the Project Area. The first step in establishing the development scenario was to identify those sites where new development could be reasonably expected to occur.

The selection of development sites began with the baseline criteria suggested in the *2020 CEQR Technical Manual:*

- Lots located in areas where a substantial increase in permitted FAR is proposed;
- Lots with a total size of 5,000 sf or larger (may include potential assemblages totaling 5,000 sf if assemblage seems probable);
- Lots for which HPD has or intends to seek disposition approval;
- Underutilized lots (defined as vacant or lots constructed to less than or equal to half of the proposed FAR under the proposed zoning); and,
- Lots located in areas where changes in use would be permitted.

The resulting initial list of development sites was further refined to exclude sites that would be very unlikely to be redeveloped as a result of the Proposed Actions, for the following reasons (unless otherwise indicated through conversations with existing tenants and property owners):

- Sites where construction and/or renovation activity is actively occurring or has recently been completed.
- Sites with institutional uses, active and continuing through the build year, e.g., schools (public and private) and houses of worship, unless there are known development plans. These facilities may meet the development site criteria, because they are built to less than half of the permitted floor area under current zoning and are on larger lots. However, these facilities have not been redeveloped or expanded despite the ability to do so, and it is unlikely that the increment of additional FAR permitted under the proposed zoning would induce redevelopment or expansion of these structures.
- Sites crucial to the daily operations of utility companies.

Further criteria were applied to reflect specific observed development patterns within the Project Area. In recent years, the Edgemere neighborhood has seen few entirely new developments constructed. Accordingly, certain sites that might be typically considered development sites were excluded or determined to be less likely to be developed if they met the following criteria:

- Sites generally smaller than 7,500 sf occupied by existing residential development, excluding government-owned properties.

Future No-Action Condition

In the future without the Proposed Actions (No-Action condition), the Project Area is assumed to mostly remain unchanged from existing conditions (2,358 gsf of commercial space and 118 parking spaces on Projected Multi-Family Mixed-Use Development Site 1 and 44 parking spaces on Projected Multi-Family Mixed-Use Development Site 2).

As relevant for each area of analysis, future growth in population and employment will be considered in the development of the No-Action condition of that study area. This will include both background growth and growth generated by known projects (developments that are under construction, planned, or proposed by the 2031 build year). Inclusion of known developments will be based on, but not limited to, consideration of whether the project requires discretionary approvals, the status of that approval process, and the project size.

Based on 2014-2018 American Community Survey (ACS) data, the average household size for residential units in the study area is 2.92 persons per renter-occupied unit (average of Census Tracts 972.03, 972.04, and 992). Based on this ratio and standard ratios for estimating employment for commercial and community facility uses, the No-Action estimated population would include approximately seven workers.

With-Action Condition

The With-Action condition reflects the future conditions with the Proposed Actions. The RWCDS would result in approximately 1,429,508 gsf of new development on the Projected Development Sites. **Table 1** contains a summary of the assumptions for the development sites. **Table 2** provides the increment for analysis.

Table 1: Projected Development Site Assumptions

Projected Development Sites	Block	Lot(s)	Existing Use(s)	Proposed Number of Units	Proposed Commercial Floor Area (gsf)	Required Parking Spaces
Multi-Family Mixed-Use (Residential and Commercial)						
Site 1	15841	19, 40, 50	Commercial; Parking Facilities	387 (97 affordable units)	24,960	170
Site 2	15841	3, 5, 7, 8, 10, 14, 70	Parking Facilities	162 (41 affordable units)	25,560	71
Site 3	15851	33, 35, 40, 42, 44, 58, 59	Vacant Land	172 (103 affordable units)	17,704	86
	15852	64, 68 Demapped bed of Beach 43rd Street between Blocks 15851 and 15852				

Table 1: Projected Development Site Assumptions

Projected Development Sites	Block	Lot(s)	Existing Use(s)	Proposed Number of Units	Proposed Commercial Floor Area (gsf)	Required Parking Spaces
Site 4	15850	6	Vacant Land	73 (44 affordable units)	7,564	37
Site 5	15849	6, 8, 9, 10, 17, 18	Vacant Land	57 (34 affordable units)	5,878	29
Site 6	15849	19, 20 27, 28, 29	Vacant Land	54 (33 affordable units)	5,598	27
Site 7	15847	79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89	Vacant Land	174 (104 affordable units)	17,921	87
	15848	52, 54, 55, 57, 58, 60, 62, 63, 65, 67 Demapped bed of Beach 39th Street between Blocks 15847 and 15848				

Table 1: Projected Development Site Assumptions

Projected Development Sites	Block	Lot(s)	Existing Use(s)	Proposed Number of Units	Proposed Commercial Floor Area (gsf)	Required Parking Spaces
Site 8	15834	38, 42	Vacant Land	7 (3 affordable units)	3,596	4
Site 9	15965	3, 111, 112, 114, 115	Vacant Building	14 (6 affordable units)	7,069	7
Residential Infill						
Site 10	15839	51	Parking Facilities	5	--	5
Site 11	15839	26	Vacant Land	4	--	4
Site 12	15838	25, 37	Vacant Land	4	--	4
Site 13	15838	13, 15, 17, 19, 20	Vacant Land	8	--	8
Site 14	15838	7, 9	Vacant Land	4	--	4
Site 15	15837	9, 10, 12	Vacant Land	4	--	4
Site 16	15837	27	One- & Two-Family Building	2	--	2
Site 17	15837	23	Vacant Land	2	--	2
Site 18	15972	3	Vacant Land	2	--	2
Site 19	15972	33	Vacant Land	5	--	5
Site 20	15969	6, 7	Vacant Land	3	--	3
Site 21	15969	73	Vacant Land	3	--	3
Site 22	15969	59, 60	Vacant Land	4	--	4
Site 23	15969	57	Vacant Land	1	--	1

Table 1: Projected Development Site Assumptions

Projected Development Sites	Block	Lot(s)	Existing Use(s)	Proposed Number of Units	Proposed Commercial Floor Area (gsf)	Required Parking Spaces
Site 24	15969	47, 48, 49, 50	Vacant Land	8	--	8
Site 25	15968	5	Vacant Land	1	--	1
Site 26	15968	11	Vacant Land	2	--	2
Site 27	15968	16, 17	Vacant Land	3	--	3
Site 28	15968	84, 85, 86, 87, 88, 89, 90	Vacant Land	11	--	11
Site 29	15968	92, 94	Vacant Land	4	--	4
Site 30	15968	79, 80	Vacant Land	1	--	1
Site 31	15967	10, 12, 13, 14, 111	Vacant Land	6	--	6
Site 32	15967	18	Vacant Land	2	--	2
Site 33	15966	23, 25	Vacant Land	2	--	2
Site 34	15966	27, 28, 29, 30	Vacant Land	3	--	3
Site 35	15966	72, 74, 75, 76, 77, 78, 79, 80, 81	Vacant Land	11	--	11
Site 36	15966	66	Vacant Land	2	--	2
Site 37	15966	61	Vacant Land	1	--	1

Table 1: Projected Development Site Assumptions

Projected Development Sites	Block	Lot(s)	Existing Use(s)	Proposed Number of Units	Proposed Commercial Floor Area (gsf)	Required Parking Spaces
Site 38	15965	29, 31, 34, 35, 36, 37, 38	Vacant Land	9	--	9
Site 39	15960	7	Vacant Land	1	--	1
Site 40	15960	15, 16, 17	Vacant Land	2	--	2
Site 41	15965	12	Vacant Land	2	--	2

Increment for Analysis

Based on the RWCDS for the No-Action and With-Action conditions identified above, the net incremental change in development that would occur as a result of the Proposed Actions in the Project Area is identified in table 2 below. As shown in the table, the net increment to be analyzed would include 1,313,659 gsf of residential floor area (1,222 dwelling units, including 465 affordable units), 113,491 gsf of commercial space, and 478 parking spaces. The total difference between the built square footage in the No-Action and With-Action conditions is approximately 1,427,150 gsf. Table 2 also provides an estimate of the number of residents and workers on the Projected Development Sites in the No-Action and With-Action conditions. As indicated in the table, under the RWCDS, the Proposed Actions would result in a net increment of 3,568 residents and 389 workers.

Table 2- Increment for Analysis

Land Use	Unit	Existing Condition	No-Action Condition	With-Action Condition	Increment
Residential	*Dwelling Units*	0	0	1,222	1,222
	Affordable Units	0	0	465	465
	Total Residential gsf	0	0	1,313,659	1,313,659
Local Retail/ Commercial	*gsf*	2,358	2,358	115,849	113,491
Parking	*Lot Spaces*[1]	162	162	640	478
Residents[2]		0	0	3,568	3,568
Employees[3]		7	7	396	389

[1] The number of parking lot spaces was provided by the applicant. Lots may be revised based on traffic analysis.
[2] The number of residents is based on an average household size of 2.92 for the neighborhood, Edgemere (2014-2018 ACS Survey).
[3] Employee estimates were derived using ratios provided by DCP. The number of employees working in residential buildings was calculated by dividing the total residential units by 25. The number of retail workers was calculated by dividing the total retail gsf by 333.3 sf.

Analysis (Build) Year

For area-wide rezonings not associated with a specific development, a ten-year period is typically the length of time within which area-wide zoning map changes would be acted upon. Therefore, an analysis year of 2031 is assumed for environmental analysis purposes

E. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

The Proposed Actions have the potential to result in significant adverse impacts related to community facilities (early childhood programs), open space (active recreation), transportation (traffic, transit, and safety), air quality (mobile sources), and construction (noise) at certain locations. The December 18, 2020, EAS and Positive Declaration found that the Proposed Actions met the thresholds for all CEQR technical areas and warrant further analysis. All CEQR technical areas were analyzed in the FEIS and are summarized below.

LAND USE, ZONING, AND PUBLIC POLICY

Land Use and Zoning

The Proposed Actions would not introduce any new land uses in the Project Area or 400-foot study area. The Proposed Actions would be compatible with surrounding land uses and underlying zoning. Compared to the No-Action condition, in the With-Action condition, the Proposed Actions would reduce the prevalence of vacant land across the Project Area. The Proposed Actions would reduce the allowable density of new development in areas that are at greatest risk of coastal flooding and may experience additional damage from waves during coastal storms, as well as in areas that are expected to experience ponding from tidal flooding and rain events more frequently in the future due to climate change. The Proposed Actions would also allow new development at higher densities than currently permitted in areas near to existing transportation infrastructure. New residential and commercial development would be consistent with existing and planned developments in the Edgemere neighborhood.

Public Policy

The Proposed Actions would be consistent with public policies that are applicable to the Project Area and the 400-foot study area. By introducing a special coastal zoning district that would limit residential and commercial development in those areas that are exposed to greater flood risk and coastal hazards while encouraging mid-density development near existing transportation infrastructure, the Proposed Actions are consistent with the New York City Waterfront Revitalization Program (20-182, Approved December 9,2021). The Proposed Actions would also be consistent with the existing framework of the Edgemere Urban Renewal Plan (Edgemere URP) and the goals set forth in the Resilient Edgemere Community Plan (RECP). As discussed in greater detail below, the Proposed Actions would directly support relevant City policies.

SOCIOECONOMIC CONDITIONS

According to the *2020 CEQR Technical Manual (CEQR Technical Manual)*, the socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area, regardless of whether the changes result in other environmental impacts under CEQR. The socioeconomic assessment considers whether a proposed project could result in significant adverse impacts on the socioeconomic character of an area due to the direct displacement of the residential population on a project site, indirect displacement of the residential population within a study area, direct displacement of existing businesses on a project site, indirect displacement of existing businesses within a study area, or adverse effects on specific industries.

Direct Residential Displacement

The Proposed Actions would not result in significant adverse socioeconomic impacts due to direct residential displacement. The 41 Projected Development Sites within the Project Area currently comprise vacant land or vacant structures and no existing residential population and

therefore the Proposed Actions would not directly displace any residents from the socioeconomic conditions study area.

Direct Business Displacement

The Proposed Actions would not result in significant adverse socioeconomic impacts due to direct business displacement. There are currently 2,358 gross square feet (gsf) of commercial development and less than 100 employees subject to direct displacement in the project area, which is below the threshold set forth in the *CEQR Technical Manual* for assessment of direct business displacement.

Indirect Residential Displacement

A preliminary assessment finds that the Proposed Actions would not result in significant adverse socioeconomic impacts due to indirect residential displacement. Under CEQR, the objective of the indirect residential displacement analysis is to determine whether a project may either introduce a trend or accelerate a trend of changing socioeconomic conditions that may potentially displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change. Based on the guidelines of the *CEQR Technical Manual*, a vulnerable population is defined as renters living in privately held units unprotected by rent control, rent stabilization, or other government regulations restricting rents, and whose incomes or poverty status indicate that they may not be able to support substantial rent increases. In the case of the Proposed Actions, most residents of the defined project study area are not vulnerable to displacement as delineated by the *CEQR Technical Manual*. The 2014-2018 American Community Survey (ACS) from the U.S. Census reports that the median rent in the defined study area is significantly below current market rents in the Edgemere/Far Rockaway/Arverne market. This is largely due to a large portion of dwelling units in the study area consisting of NYCHA or other permanently rent regulated housing. It is reasonable to conclude that a majority of low- and moderate-income households in the study area are living in housing that is protected by government regulations limiting rent increases and therefore are not vulnerable to displacement due to increased rents as defined under CEQR.

While the Proposed Actions would result in the addition of new population, which, in the aggregate, would have a higher average household income than the average household income in the study area, the Proposed Actions would not introduce or accelerate the existing trend of changing socioeconomic conditions in the area. There is already a readily observable trend toward higher incomes and new market-rate residential development in the study area. The average monthly asking rent for market units in the study area currently ranges from approximately $1,800 for a studio unit to $2,500 for a three-bedroom unit and the median market rent for a two-bedroom unit in the local market increased by almost 30 percent between 2015 and 2021. These rents are not affordable to low- and moderate- income households in the study area. The Proposed Actions are also expected to introduce 465 new units, 38 percent of the total new incremental units, that will be permanently affordable, some for households earning 40 percent of AMI. In summary, the Proposed Actions would serve to maintain a housing stock in the study area that is affordable to households with a wide range of incomes within a context of continuing trends of more market-rate housing and increasing market rents.

Indirect Business Displacement

According to the *2020 CEQR Technical Manual,* projects resulting in an increase of more than 200,000 gsf of commercial space have the potential to result in increased rents. The Reasonable Worst Case Development Scenario (RWCDS) for this project, established through consideration of the Proposed Actions, would facilitate an increment of 115,849 gsf of commercial space; therefore, there would be no adverse socioeconomic impacts due to indirect business displacement.

Adverse Effects on Specific Industries

The Proposed Actions would not result in significant adverse impacts on specific industries and would not significantly affect the business conditions in any industry or any category of business within or outside the study area. The Proposed Actions would also not result in indirect business displacement, and therefore would not substantially reduce employment or have an impact on the economic viability of any specific industry or category of business.

COMMUNITY FACILITIES AND SERVICES

According to the *2020 CEQR Technical Manual*, a community facilities assessment should be conducted if a project would directly or indirectly affect existing community facilities, including publicly supported day care, libraries, public schools, healthcare facilities, and fire and police protection services. A project can affect community services when it physically displaces or alters a community facility or causes a change in population that may affect the services delivered by a community facility, as might happen if a facility is already over-utilized, or if a project is large enough to create a demand that could not be met by the existing facility.

While the Proposed Actions would not physically displace or alter an existing community facility, they would introduce a substantial new residential population to the Project Area, resulting in increased demand for community facilities and services. Therefore, an assessment was conducted to determine whether the Proposed Actions would result in any significant adverse impacts to community facilities.

Based on a detailed analysis, the Proposed Actions would not result in any significant adverse impacts on elementary and intermediate schools or libraries. The Proposed Actions would result in significant adverse impacts on early childhood programs, warranting consideration of mitigation.

Indirect Effects on Public Schools

The Project Area is located within Sub-district 1 of Community School District 27 in Queens. In the future with the Proposed Actions (the With-Action condition), the Proposed Project would result in the incremental development of 1,222 units within the Project Area compared to the future without the Proposed Actions (the No-Action condition). Based on student generation rates, the Proposed Actions would result in approximately 207 public elementary school students, 83 public intermediate school students, and 122 high school students.

Based on a detailed analysis of public elementary schools in CSD 27, Sub-district 1 would operate over capacity, with a shortfall of 628 seats. The share of the shortage attributable to the Proposed Actions would be 3.8 percent, due to an increase in the collective utilization rate from 111.6 percent to 115.4 percent. Since the collective utilization rate would be less than a five percent change from the No-Action condition, the Proposed Actions would not result in a significant adverse impact on elementary schools.

Based on a detailed analysis of public intermediate schools, CSD 27, Sub-district 1 would operate within capacity for public intermediate schools, with 570 seats available. Therefore, the Proposed Actions would not result in a significant adverse impact on intermediate schools.

Indirect Effects on Early Childhood Programs

In the With-Action condition, the Proposed Project would result in the incremental development of 465 units intended to be affordable for households with incomes up to 80 percent AMI, as compared to the No-Action condition. Based on the multipliers for estimating the number of children eligible for early childhood programs according to the New York City Department of Education (DOE), the Proposed Actions are anticipated to generate the need for approximately 66 childcare slots. Since there have been no mitigation commitments for slots resulting from Edgemere Commons, the Downtown Far Rockaway Rezoning, and other No-Action projects, the shortage of slots in the No-Action condition is 608; every seat needed by the Proposed Actions would then lead to additional slots over capacity.

Therefore, based on a detailed analysis, early childhood programs would be over capacity with a shortfall of 674 slots in the With-Action condition. The size of the shortage attributable to the Proposed Actions would be 12.3 percent, due to an increase in the collective utilization rate from 213.1 percent in the No-Action condition to 225.4 percent in the With-Action condition. Since the collective utilization rate for childcare/Head Start centers would be greater than 100 percent and the collective utilization rate would increase more than 5 percent from the No-Action condition, the Proposed Actions would result in a significant adverse impact on publicly funded childcare and Head Start Centers and require consideration of mitigation.

Indirect Effects on Libraries

There are two libraries within 1 mile of the Project Area—the Queens Library Arverne and Far Rockaway branches. As stated in the *CEQR Technical Manual*, a significant adverse impact would occur if a project would increase the population of the library catchment area by 5 percent or more and this increase would impair the delivery of library services in the study area. The combined catchment area population would increase by 3.7 percent from the No-Action to With-Action condition, and the holdings per resident would decrease by 0.03 percent. Therefore, the Proposed Actions would not result in a significant adverse impact on libraries.

OPEN SPACE

Based on a detailed analysis of indirect effects on open space, the Proposed Actions would result in a significant adverse impact on open space due to reduced active open space ratios. The Project Area is in an area that is neither underserved nor well-served by publicly accessible open

space. Under the With-Action condition, the total open space ratio would decrease from 3.23 acres per 1,000 residents in the No-Action condition to 2.99, a percent change of -7.43. The passive open space ratio would decrease from 2.22 acres per 1,000 residents in the No-Action condition to 2.05 in the With-Action condition, a percent change of -7.66. The active open space ratio would decrease from 1.01 acres per 1,000 residents in the No-Action condition to 0.94 in the With-Action condition, a percent change of -6.93.

With the Proposed Actions, the total and passive open space ratios of acres per 1,000 residents would remain above City guidelines of 2.5 acres and 1.0 acre, respectively. However, the active open space ratio would continue to be below City guidelines of 1.5 acres. Therefore, the Proposed Actions would result in a significant adverse impact on active open space. While some publicly accessible open space could be created on certain sites within the Project Area under future conditions through the Proposed Actions, which could help to offset the significant impact, these open space sources are not included in the quantitative assessment for purposes of a conservative analysis.

SHADOWS

Tier 1 through Tier 3 and detailed shadows analyses were undertaken for Projected Development Sites 1-7 since future development on these sites is expected to exceed 50 feet in height, the CEQR threshold for a shadows analysis. Several resources were identified within the potential Tier 3 shadow sweep: one existing park (Conch Playground) and two potential future open spaces (Peninsula Hospital Site Redevelopment open spaces and open spaces within the future Arverne East development). An examination of the potential Tier 3 shadow on the future open space resources indicated that there would be no significant adverse impacts on these resources. A detailed analysis was conducted for Conch Playground, which could receive incremental shadow on the December and March/September analysis days. It was determined that these shadows would not adversely impair the public's enjoyment of the space or the viability of vegetation. Therefore, no adverse impacts to sunlight sensitive resources would occur due to shadows from the Proposed Project.

HISTORIC AND CULTURAL RESOURCES

The New York City Landmarks Preservation Commission has indicated that there are no Projected Development Sites within the Project Area that have archaeological significance. Therefore, in the future, either with or without the Proposed Actions, there will be no impacts to archaeological resources, and no further analysis of archaeological resources is warranted.

The LPC also indicated that there are no buildings or structures on the Projected Development Sites within the Project Area that have architectural significance. Therefore, in the future either with or without the Proposed Actions, there will be no impacts to architectural resources on any of the Projected Development Sites.

The LPC further indicated that no adverse impacts to any of the previously identified historic resources would be anticipated as a result of the Proposed Actions. Therefore, no further analysis of architectural resources is warranted.

URBAN DESIGN AND VISUAL RESOURCES

Urban Design

The Proposed Actions would not result in significant adverse impacts to urban design. The Proposed Actions would result in built forms and building types that are similar in height and bulk to the buildings that currently exist within the study area. The design of the Proposed Project considers the issue of flooding and resiliency by limiting development near the Jamaica Bay waterfront (in the *Hazard Mitigation Area*) and encouraging development in the *Commercial Corridor*, where there are existing multi-family developments such as Beach Green Dunes. Compared to the No-Action condition, the With-Action condition would provide infill development on vacant lots, provide open space access to the waterfront, and overall improve the urban design of the Project Area. These measures would activate the major roadways discussed below and introduce economy activity in an area that has been historically underdeveloped.

Visual Resources

Under the No-Action condition, views to Grass Hassock Channel and Conch Basin are partially visible from inland. The With-Action condition would allow a more direct view corridor to the Bay by decreasing the allowable building density along the waterfront. There is a possibility that views to Jamaica Bay would be improved because of potential open spaces located along the waterfront or new waterfront recreational uses that allow the public to better access the Bay. Therefore, there would be no significant adverse impact to visual resources due to the Proposed Actions.

NATURAL RESOURCES

Potentially relevant direct effects to natural resources under the With-Action condition would be limited to the 41 Projected Development Sites, which consist of disturbed, upland habitats that are designated as unranked cultural communities by the New York Natural Heritage Program (NYNHP) due to their artificial origin, disturbed conditions, and wide distribution throughout New York State. Under the With-Action condition, these existing communities would be replaced with the same and other unranked cultural community types and would support a similar flora of common trees, shrubs, and herbaceous plants. Following development under the With-Action condition, it is anticipated that the majority of the urban-adapted wildlife fauna that currently utilizes the Projected Development Sites will persist, though at proportionally lower species population densities due to the expected decrease in vegetated habitat. However, due to the phased nature of the proposed development activities and the continued proliferation of available successional and developed habitats within and beyond the Project Area, the overall effect on regional wildlife populations and wildlife species diversity is expected to be minimal. As the Projected Development Sites do not provide significant habitat to support the rare/protected species that are known to occur within the region surrounding the Project Area, direct effects to rare/protected species under the With-Action condition would be minimal. As wetlands and surface waters do not occur at or adjacent to any of the Projected Development Sites, direct effects to these resources would not occur.

Potentially relevant indirect effects to the surface waters and wetlands of Conch Basin and Norton Basin that occur beyond the northern boundary of the Project Area were analyzed through the context of the various federal, New York State, and New York City regulatory agencies and advisory programs pertaining to the Jamaica Bay estuarine complex. Based on these analyses, no potentially relevant indirect effects to Conch Basin and Norton Basin would occur under the With-Action condition.

Based on the foregoing, no significant adverse impacts to natural resources are anticipated as a result of the With-Action condition.

HAZARDOUS MATERIALS

The Proposed Actions would not result in significant adverse impacts related to hazardous materials. The hazardous materials assessment identified environmental conditions at various Projected Development Sites and neighboring sites consistent with the listed uses and environmental conditions provided in Appendix A of Title 15, Chapter 24 of the Rules of the City of New York. An (E) designation (E-655) for hazardous materials would be placed on privately-owned sites and requirements would be incorporated into the land disposition agreements (LDA) between HPD and the project sponsor for City-Owned sites in the Project Area. This includes lots that make up all or parts of Development Sites 1,2,3,5,7,9,11,and 18. The (E) Designation for hazardous materials requires sampling and remedial protocols be implemented under the administration of the New York City Mayor's Office of Environmental Remediation (OER) prior to the issuance of any permits that allow for soil disturbance related to the inclusion of a community facility use, or prior to applying for or accepting a temporary or permanent Certificate of Occupancy (C/O) that reflects a change in use group to community facility use.

For City-Owned sites in the Project Area, the LDA between HPD and the project sponsor would require that Phase II testing be performed for all parcels of the Project Area, including DEP review and approval of a workplan/Health and Safety Plan (HASP) prior to such testing. In addition, if remediation is warranted for one or more parcels/phases, a Remedial Action Plan (RAP) and associated Construction Health and Safety Plan (CHASP) would be prepared subject to review and approval by HPD and DEP. Finally, at the conclusion of construction and prior to occupancy of the new buildings, a Professional Engineer (P.E.)- certified Closure Report must be reviewed and approved by HPD and DEP to ensure the required remedial measures were implemented and the new buildings are suitable for occupancy. The project sponsor may elect to explore performing all required testing and remediation plan development through the Mayor's Office of Environmental Remediation (OER). Should this be the selected course of action, the LDA between HPD and the project sponsor would require that all construction and remediation activities be conducted in accordance with OER approvals, including submission of a Closure Report at the completion of such activities.

WATER AND SEWER INFRASTRUCTURE

Based on the *CEQR Technical Manual*, the Proposed Actions create a new demand for treatment of sewage, in comparison to the No-Action condition, that would be considered significant.

Although the increased water demand is below the 1 million of gallons per day (mgd) threshold, the Project Area is located within an area that experiences low water pressure (Rockaway Peninsula). Therefore, both the water and sewer infrastructure are subject to an analysis in the FEIS.

Water Supply

New York City consumes approximately 1.3 billion gallons of water per day from a reservoir system with a total storage capacity of approximately 550 billion gallons.[2, 3] The total water usage as a result of the Proposed Actions is calculated to equal approximately 0.396 mgd, which is an increment of approximately 0.394 mgd, compared to the No-Action condition projected demand of approximately 0.002 mgd. The total water usage would result in less than 1 mgd. However, the Proposed Actions are located in an area that experiences low water pressure (Rockaway Peninsula) and meets the *CEQR Technical Manual* threshold requiring a detailed analysis. The detailed analysis shows that the existing water mains in the Project Area are expected to have sufficient capacity to handle the estimated increase in water demand.

Sanitary Sewage

Sanitary sewage generated by the Proposed Actions would discharge to the Rockaway wastewater treatment plant (WWTP), which has a State Pollutant Discharge Elimination System (SPDES)-permitted dry weather flow capacity of 45 mgd.[4] The average monthly flow to Rockaway WWTP over a 12-month period is 22 mgd.[5] The Proposed Actions have the potential to result in a total generation of 0.380 mgd of sanitary sewage discharge, an increment of 0.379 mgd over the No-Action total sewage generation, which is estimated at 0.001 mgd. This incremental increase in sanitary flow would represent approximately 0.80 percent of Rockaway WWTP's SPDES-permitted capacity. The projected increase in sanitary sewage would not cause the Rockaway WWTP to exceed its operational capacity or SPDES-permitted capacity, but the Proposed Actions would exceed the incremental development of residential and commercial space per site. Sites 1, 2, 3, 7 all exceed limit of 100 residential units per site and are located within an R-6A zoning district.

The With-Action condition is expected to have a total water demand of 396,406 gpd, generating approximately 379,994 gpd of daily sanitary sewage.

The incremental sanitary sewage generated by the With-Action condition, as compared with the No-Action development, would be 378,151 gpd. This incremental increase in sewage generation would be approximately 0.8 percent of the Rockaway WWTP capacity of 45 mgd.

In accordance with the New York City Plumbing Code (Local Law 33 of 2007), development at the Projected Development Sites would be required to utilize low flow plumbing fixtures, which

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[2] Source: New York City's Wastewater Treatment System, New York City Department of Environmental Protection; https://www1.nyc.gov/site/dep/water/

[3] Source: 2020 *CEQR Technical Manual.*

[4] Source: New York City's Wastewater Treatment System, New York City Department of Environmental Protection.

[5] 12-month period through December 2020

would reduce sanitary flows to the plant. Therefore, the With-Action condition would not result in a significant adverse impact to the City's sanitary sewage conveyance and treatment system.

Stormwater Drainage and Management

The Project Area is served by a separate sanitary sewer system. Stormwater is collected and drained into the Jamaica Bay through various outlets. As previously noted, the total area to be redeveloped within the Project Area exceeds one acre and is located in the Jamaica Bay watershed.

The incorporation of the appropriate sanitary flow and stormwater source control BMPs that would be required as part of the site connection approval process, with the review and approval of DEP, would reduce the overall volume of sanitary sewer discharge and stormwater runoff as well as the peak stormwater runoff rate from the Projected Development Sites. Sewer conveyance near the Projected Development Sites and the treatment capacity at the Rockaway WWTP is enough to handle wastewater flow resulting from the Proposed Actions. Therefore, there would be no significant adverse impacts on wastewater treatment or stormwater conveyance infrastructure.

TRANSPORTATION

A detailed transportation analysis determined that the Proposed Actions would result in significant adverse impacts related to traffic, buses and safety. The Proposed Actions would not result in subway station and subway line-haul impacts nor pedestrian impacts. A parking analysis determined that there would be sufficient off-street parking availability to accommodate demand generated by the Proposed Actions during the weekday AM, midday, and PM periods. Shortfalls forecasted for the weekday overnight and Saturday peak periods would be fully accommodated by on-street parking spaces projected in the future.

Traffic

Overall, of the 27 intersections analyzed, the Proposed Actions would result in significant adverse traffic impacts at 13 intersections (at 27 movements) during the weekday AM peak hour, 12 intersections (at 17 movements) during the weekday midday peak hour, 13 intersections (at 22 movements) during the weekday PM peak hour, and 11 intersections (at 14 movements) during the Saturday peak hour. The identification and evaluation of traffic capacity improvements needed to mitigate these impacts are presented in the mitigation section of this document**.**

Transit

A line-haul analysis of the Q22 local bus route indicated that the Proposed Actions would result in a significant impact to the eastbound and westbound directions of this route during both the weekday AM and PM commuter peak hours. Measures needed to mitigate these impacts are presented in the mitigation section of this document.

Pedestrians

No intersection in the study area is classified as a high crash location according to 2020 CEQR Technical Manual guidelines. As there is currently no marked crossing on Rockaway Beach Boulevard between Beach 39th Street and Beach 53rd Street, it is likely that pedestrians en route to and from projected developments sites would choose to cross Rockaway Beach Boulevard at a proximate location where a marked crosswalk is not present. These locations would include Rockaway Beach Boulevard intersections at the following cross-streets: Beach 40th Street, Beach 41st Street, Beach 42nd Street, Beach 44th Street, Beach 47th Street and Beach 49th Street. There is a potential for a significant adverse impact with respect to pedestrian safety at these locations. Measures needed to mitigate the potential for safety impacts are presented in the mitigation section below.

AIR QUALITY

The air quality analysis conducted for the FEIS addressed mobile sources, parking facilities, emissions from the HVAC and hot water systems and from industrial sources per *CEQR Technical Manual* Guidelines.

The number of incremental trips generated by the Proposed Actions would be higher than the screening thresholds for carbon monoxide (CO) and particulate matter $PM_{2.5}$ identified in the *CEQR Technical Manual*. A screening assessment was undertaken, which indicated the need for additional analysis. Three intersections were selected as worst- case locations, and a microscale analysis for CO and PM was conducted. The highest predicted CO and 24-hour and annual $PM_{2.5}$ concentrations were below respective National Ambient Air Quality Standards (NAAQS) and the City's *de minimis* value at all intersections except Beach Channel Drive and Beach 37th Street. However, with the application of traffic mitigation measures to this intersection as presented in the mitigation section, the maximum predicted annual $PM_{2.5}$ would comply with the City's annual *de minimis* and no significant adverse air quality impacts would be expected from the project's mobile sources.

An analysis of parking facilities was undertaken and focused on the largest parking facility—which would be located at Projected Development Sites 1 and 2. The analysis determined that emissions from this facility would not result in a significant adverse air quality impact. Since the parking facilities on the other Projected Multi-Family Mixed-Use sites would be smaller, no impacts would result from these facilities, and overall, no significant adverse air quality impacts are expected from the parking facilities.

An analysis of the potential for impacts from stationary sources at the Projected Development Sites was undertaken. The detailed analysis of Projected Multi-Family Mixed-Use Development Sites 1 through 9 demonstrated that these projected developments must use natural gas in their fossil fuel-fired heating and hot water systems and ensure that the exhaust stacks are located at the highest tier and at least 88 feet (83 for Sites 8 and 9) above grade to avoid any potential significant adverse air quality impact. Also, Projected Multi-Family Mixed-Use Development Sites 1, 2, and 3 must use boilers with the low NO_x burners in order to avoid any potential significant adverse air quality impact.

The screening analysis of impacts of the Projected Residential Infill Sites demonstrated that there would be no significant adverse air quality impacts at all sites with the following commitments: Sites 13, 22, 23, 28, 29, 33, and 34 must use natural gas in their HVAC and hot water systems; in addition, Sites 22, 23, 28, 29, 33, and 34 must also ensure that the exhaust stacks are located at the highest tier and at least 38 feet above grade. These commitments would be enforced through either a Land Disposition Agreement between HPD and the project sponsor or an (E) designation for the Proposed Actions (E-655). With these measures, development at these sites would not result in potential significant adverse air quality impacts.

No large or major sources were identified within a 1,000-foot radius of the Project Area and therefore the analysis of large or major sources was not warranted.

An analysis of the potential for industrial sources was undertaken to determine if such sources would adversely affect the Projected Development Sites. The identified light industrial sources would not emit any carcinogenic air toxic pollutants. The analysis of non-carcinogenic non-criteria pollutants resulted in concentrations below guideline levels and demonstrated the hazard index below the threshold. Hence, no adverse air quality impacts on the Projected Development Sites are expected from the nearby industrial sources.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

The Proposed Actions would be consistent with the applicable City GHG emissions reduction and climate change goals, and there would be no significant adverse GHG emission or climate change impacts as a result of the Proposed Actions.

Following the methodology provided in the *CEQR Technical Manual*, it is estimated that the Proposed Actions would result in approximately 5,913 metric tons of carbon dioxide equivalent (CO_2e) emissions from its annual operations and 6,623 metric tons a year of CO_2 emissions from mobile sources. This represents less than 0.02 percent of the City's overall 2017 GHG emissions of 50.7 million metric tons, an insignificant contribution.

Although the estimated carbon emissions are above projected goals according to the Local Law 97, Climate Mobilization Act, the Proposed Project would need to comply with the 2020 Energy Conservation Construction Code of New York State and 2020 New York City Energy Conservation Code, which govern performance requirements of heating, ventilation, and air conditioning systems, as well as the exterior building envelope of new buildings. As a result, the Proposed Project ultimately generate emissions below the Local Law 97 requirements and would contribute towards the NYC GHG reduction goals.

Since the Project Area is located within the 1 percent annual chance floodplain, the potential effects of global climate change have been considered and are presented in Appendix A: Waterfront Revitalization Program Consistency Assessment of the FEIS. The assessment considers the effects of climate change on rising sea levels, storm surge, and coastal flooding resulting from the Proposed Actions. As detailed in the Appendix, it was determined that the Proposed Project would be supportive of Policy 6.2 of the New York City Waterfront

Revitalization Program (WRP). Therefore, adverse impacts to climate change are not anticipated as a result of the Proposed Actions.

NOISE

A noise assessment was conducted to determine whether the Proposed Actions would significantly increase sound levels from mobile and stationary sources at existing noise receptors, and if new noise receptors that would be introduced would be in an acceptable ambient sound level environment as defined in applicable provisions of the City's noise code.

Existing Noise Receptors

As described in the transportation section of this document, a detailed transportation analysis was conducted at 27 intersections in the Project Area during the weekday morning, midday, afternoon, and Saturday afternoon peak periods. The traffic analysis includes existing (2020), No-Action (2031), and With-Action (2031) conditions at the 27 intersections in the Project Area. Mobile source noise levels were evaluated based on proportional traffic modeling.

The transportation analysis indicated that the Proposed Actions would result in significant adverse traffic and bus impacts. The traffic mitigation measures identified in the mitigation section would not affect the traffic volumes, which are the basis of the mobile source noise analysis. Therefore, the mobile source noise analysis to assess potential noise impact for existing receptors is the same with and without potential traffic mitigation measures.

Due to the trip generation in the No-Action condition, mobile source noise levels would increase up to 3.1 dBA compared to existing conditions. The Proposed Actions would result in mobile source noise levels increasing by up to 2.2 dBA the With-Action condition compared to the No-Action condition. Since mobile source noise levels would increase by less than 3 dBA due to traffic generated by the Proposed Actions, there would be no potential for significant adverse noise impacts due to mobile sources.

Noise from stationary sources such as mechanical equipment that would be introduced by the Proposed Actions have also been considered for potential noise impact. The Proposed Actions would not introduce significant stationary sources of noise except for typical rooftop mechanical equipment or residential HVAC equipment (i.e., air conditioner condenser units). The design and specifications of mechanical equipment in the Project Area, such as heating, ventilation, and air conditioning, are not known at this time. As the Project Development Sites are developed, building mechanical systems would be designed to meet all applicable noise regulations (i.e., Subchapter 5 Section 24-227 of the New York City Noise Control Code and the NYC DOB Building Code). The mechanical equipment would be selected to ensure that it does not result in any significant increases in noise levels by itself or cumulatively with other project noise sources at residential or commercial receptors. Therefore, the Proposed Actions do not have the potential to result in a significant adverse noise impact on existing receptors from stationary sources.

New Noise Receptors

The Proposed Actions would include the development of nine Multi-Family Projected Development Sites (Sites 1 to 9) and 32 Residential Infill Sites (Sites 10 to 41). Noise monitoring and previous noise measurements conducted as part of the Peninsula Hospital Site Redevelopment Environmental Impact Statement (EIS) (CEQR No. 18DCP124) were used to determine the existing sound levels in the Project Area. The measured L_{eq} sound levels ranged from 53.5 to 75.0 dBA, and the L_{10} sound levels ranged from 54.8 to 74.2 dBA.

The No-Action and With-Action noise conditions were then determined using proportional modeling of the traffic as presented in the Transportation analysis. The No-Action L_{eq} sound levels would range from 55.2 to 76.4 dBA and the L_{10} sound levels ranged from 55.5 to 76.5 dBA. The With-Action L_{eq} sound levels ranged from 55.6 to 76.5 dBA and the L_{10} sound levels ranged from 56.8 to 76.5 dBA.

The increase in noise at upper floor receptors compared to measurements at ground-level has been calculated for Projected Development Sites along the elevated A/C/E subway line using the Federal Transit Administration's (FTA) assessment methodology. The analysis indicated that upper floor receptors would be 6.5 dBA higher at the nearest facades than measurements conducted at Site 3. At Site 2, upper floor receptors would be 1.6 dBA higher than the measurements.

Projected Development Sites 1 and 2 would require a minimum composite window/wall OITC rating of up to 31. Projected Development Sites 3 to 7 would require a minimum composite window wall OITC of 38 on the southern facades adjacent to the elevated train line, including the nearest 50 feet of the eastern and western facades and a minimum OITC of 28 on the other facades. Projected Development Sites 8 and 9 would have a minimum OITC requirement of 33 and Projected Development Site 11 would have a minimum OITC requirement of 31. Standard building materials will be sufficient to provide the required interior noise levels for residential spaces for all Project Development Infill Sites except 11.

These attenuation requirements would be incorporated into the LDA between HPD and the Project Sponsor for City-Owned lots and an (E) Designation (E-655) for privately-owned lots in the Project Area.

PUBLIC HEALTH

As described in the relevant analyses of the Environmental Impact Statement, the Proposed Actions would not result in unmitigated significant adverse impacts in any of the technical areas related to public health: hazardous materials, water quality, air quality, or noise.

An (E) designation (E-655) for hazardous materials, air quality and noise would be placed on privately-owned sites and requirements would be incorporated into the LDA between HPD and the project sponsor for City-Owned sites in the Project Area. The (E) Designation for hazardous materials requires sampling and remedial protocols be implemented under the administration of the New York City Mayor's Office of Environmental Remediation (OER) prior to the issuance

of any permits that allow for soil disturbance related to the inclusion of a community facility use, or prior to applying for or accepting a temporary or permanent Certificate of Occupancy (C/O) that reflects a change in use group to community facility use.

For City-Owned sites in the Project Area, the LDA between HPD and the project sponsor would require that Phase II testing be performed for all parcels of the Project Area, including DEP review and approval of a workplan/Health and Safety Plan (HASP) prior to such testing. In addition, if remediation is warranted for one or more parcels/phases, a Remedial Action Plan (RAP) and associated Construction Health and Safety Plan (CHASP) would be prepared subject to review and approval by HPD and DEP. Finally, at the conclusion of construction and prior to occupancy of the new buildings, a Professional Engineer (P.E.)- certified Closure Report must be reviewed and approved by HPD and DEP to ensure the required remedial measures were implemented and the new buildings are suitable for occupancy. The project sponsor may elect to explore performing all required testing and remediation plan development through the Mayor's Office of Environmental Remediation (OER). Should this be the selected course of action, the LDA would require that all construction and remediation activities be conducted in accordance with OER approvals, including submission of a Closure Report at the completion of such activities. The (E) designation for noise would require a minimum window/wall sound attenuation, interior partition sound attenuation, and building sound transmission requirements for new community facility spaces, if and as necessary, to meet an interior noise condition of 45 dBA.

The analysis of operational air quality showed that the Proposed Actions would not result in stationary source impacts if specific Projected Development Sites use natural gas in their fossil fuel-fired heating and hot water systems and ensure that the exhaust stacks are located at the highest tier and at least 88 feet above grade or use boilers with the low NO_x burners. These commitments would be memorialized in either an LDA between HPD and the project sponsor or an (E) designation for the Proposed Actions (E-655). No impacts are anticipated from light industrial sources. The analysis of mobile sources showed that at the intersection of Beach Channel Drive and 37th Street, the maximum predicted annual $PM_{2.5}$ would exceed the City's annual *de minimis* and result in an air quality impact. However, with the application of traffic mitigation measures to this intersection as presented in the mitigation section, the maximum predicted annual $PM_{2.5}$ would comply with the City's annual *de minimis* and no significant adverse air quality impacts would be expected from the project's mobile sources.

An analysis of construction air quality showed that based on the location of nearby sensitive receptors relative to the sources of construction air quality emissions, the duration and intensity of construction activities, a comparison of emissions profiles, and the use of emission control measures, the construction at the Projected Development Sites would not result in significant adverse construction air quality impacts. Moreover, the maximum number of construction-related vehicle trips is not expected to exceed the *CEQR Technical Manual* thresholds for conducting a mobile source analysis.

Construction period mobile source noise levels, set forth by the *CEQR Technical Manual*, would not increase by 3 dBA or more. The construction noise assessment at each noise-sensitive building and façade in the Project Area determined that construction noise levels five feet above

the ground do not exceed 85 dBA at any receptor location. Therefore, there would not be significant adverse impacts to public health due to noise.

NEIGHBORHOOD CHARACTER

Overall, the Proposed Actions would not result in significant adverse impacts to neighborhood character. With the exception of transportation, the Proposed Actions would not result in significant adverse impacts in any of the technical areas that contribute to neighborhood character (i.e. the Proposed Actions would not result in significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; historic and cultural resources; urban design and visual resources; shadows; or noise). While the Proposed Actions would result in significant adverse impacts to traffic, buses, and pedestrian safety, the increase in travel demand would not result in changes to traffic patterns nor substantial increases in traffic on the residential street network. Furthermore, density in the area is expected to increase independent of the Proposed Actions, due to the number of development projects already underway in the surrounding areas. Overall, the potential traffic, bus, and pedestrian safety impacts would not result in a significant change to the defining features of neighborhood character.

The Proposed Actions would enhance the urban design of the neighborhood by revitalizing vacant lots, increasing access to the waterfront, and mitigating exposure to coastal hazards by downscaling development at the Jamaica Bay shoreline and encouraging development in transit-oriented areas near the center of the peninsula. Additionally, the open space resources and natural and nature-based features that define the landscape of this unique coastal neighborhood would not be impacted by the Proposed Actions, but potentially enhanced.

Finally, the elevated A-train line, which delineates the southern border of the Project Area, would continue to serve as both a critical transportation option and a prominent visual feature of the neighborhood, and would not be altered by the Proposed Actions.

Together, the Proposed Actions facilitate a more resilient and economically viable future for the neighborhood, working toward the goals of the Resilient Edgemere Community Plan.

CONSTRUCTION

Transportation

An assessment of the potential for temporary transportation impacts due to peak construction activity was undertaken according to the same methodology used in the operational analysis presented in the transportation section. This assessment focuses on the first quarter of 2023, when, based on a conceptual construction schedule, the average daily trips generated by construction workers and trucks would be highest (when Projected Development Sites 1 and 2, “the construction sites” are under construction).

Based on a forecast of construction worker vehicle trips and truck trips during the first quarter of 2023, a total of 155 passenger car equivalent (PCE) trips and 115 PCE trips are expected during the weekday AM (6:00 AM to 7:00 AM) and PM (3:00 PM to 4:00 PM) construction peak hours, respectively. During this quarter, it is assumed that Projected Development Sites 3 and 4 would

be made available for worker vehicle parking and staging. Based on these trip estimates and anticipated vehicular travel patterns to and from the parking sites and the construction site, no intersection within the Edgemere study area is expected to attract 50 or more construction vehicle trips (worker autos plus trucks) in PCEs in either the weekday AM or PM construction peak hour. Therefore, per *CEQR Technical Manual* screening guidelines (Level 2), no detailed level of service analysis is warranted for construction traffic.

A peak of approximately 29 bus person trips and 35 subway person trips are estimated for the weekday AM (6:00 AM to 7:00 AM) and PM (3:00 PM to 4:00 PM) construction peak hours, respectively. Per *CEQR Technical Manual* guidelines, as these levels of transit trips are less than the 200 trip Level 1 screening threshold as well as the 50 trip Level 2 screening threshold, detailed transit analyses are not warranted for the peak construction period.

Overall, a peak of 208 pedestrian trips is anticipated in both the weekday AM and PM construction peak hours. These volumes include walk-only trips to and from the construction sites plus walking connections between the construction site and bus stops, subway stations and off-street parking lots. This level of peak pedestrian trips would exceed the *CEQR Technical Manual* Level 1 screening threshold. Considering the location of nearby bus stops and subway stations, as well as the location of off-street worker parking, it is unlikely that any potential concentration of construction worker pedestrian trips would result in 200 or more trips taking place at any point of the street network. As there would be no exceedances of the *CEQR Technical Manual* Level 2 screening thresholds, a detailed pedestrian analysis is not warranted.

Air Quality

As discussed in the *CEQR Technical Manual*, several factors, such as location of construction activities in relation to existing residential uses or other sensitive receptors, the intensity of the construction activity, and the extent to which a project incorporates commitments to appropriate emission control measures, are taken into account to determine the potential for construction air quality impacts.

Construction air quality impacts were considered for the Projected Multi-Family Mixed-Use Sites since these sites are projected to have a construction duration greater than 24 months. As the Projected Residential Infill Sites are expected to be constructed in less than 24 months and are much smaller in scale, the analysis focuses on the Projected Multi-Family Mixed-Use Sites, which are expected to have greater air quality impacts.

Based on the location of nearby sensitive receptors relative to the sources of construction air quality emissions, the duration and intensity of construction activities, a comparison of emissions profiles, and the use of emission control measures, the Proposed Actions would not result in any significant adverse construction air quality impacts. Further, the maximum number of construction-related vehicle trips is not expected to exceed the *CEQR Technical Manual* thresholds for conducting a mobile source analysis.

Noise

Construction of the Projected Development Sites would involve standard construction activities and practices for buildings in New York City. The excavation, foundation, and superstructure phases of construction are typically when the noisiest activities occur. The interior fit out phase of construction typically involves minimal exterior equipment and substantially quieter noise conditions. The Project Area includes existing residential land uses which are often in close proximity to Projected Development Sites. Therefore, there is the potential for construction to cause significant adverse noise impacts, and a detailed construction noise analysis is warranted.

Construction noise from mobile sources (i.e., construction worker vehicles and trucks) would not cause ambient noise levels to increase by 3 dBA or more. Therefore, there would be no significant adverse noise impact from construction mobile sources. Construction noise levels would increase by 20 dBA or more over ambient conditions and exceed the interior noise criterion for 3 months of longer at 136 receptors which are in close proximity to Projected Development Sites. Construction noise levels would increase by 15 dBA or more over ambient conditions and exceed the interior noise criterion for 12 months or longer at 64 receptors and would increase by 3 to 5 dBA or more over ambient conditions at 55 receptors. In total, future construction noise levels would exceed the thresholds for interior noise impact and exterior noise impact at 255 receptors throughout the Project Area. Therefore, there would be significant adverse impact due to construction noise. The impact is due primarily to the relatively quiet existing ambient sound level in the Project Area, the close proximity of receptors to the Projected Development Sites, and the duration of construction activities throughout the Project Area. Construction noise levels would not exceed 85 dBA at any receptor at ground level, therefore, construction noise would not cause a significant adverse noise impact due to the Public Health noise criterion.

Vibration

Construction activities have the potential to generate ground-borne vibration that can potentially cause structural or architectural damage or annoy people in nearby vibration-sensitive spaces, such as residences. The most substantial sources of construction vibration are equipment associated with the excavation and foundation phase, such as pile drivers, drill rigs, bulldozers, and jack hammers.

There are no buildings within the Project Area listed by the New York City Landmarks Preservation Commission (LPC) or the State and/or National Register of Historic Places (S/NR) that would require special protections from potential damage due to vibration. There is the potential for construction vibration from some construction equipment, such as pile drivers, to cause annoyance in nearby residences. However, these construction activities would only occur for limited periods of time at any particular location and there would be no significant adverse impact as a result of construction vibration.

Land Use and Neighborhood Character

While construction of the new buildings under the Proposed Actions would cause temporary disruption, particularly related to noise, it is expected that such effects in any given area would be relatively short in duration, even under the worst-case construction sequencing and, therefore,

would not create a neighborhood character impact. Therefore, no significant adverse construction impacts to land use and neighborhood character are expected.

Socioeconomic Conditions

Construction could, in some instances, temporarily affect pedestrian and vehicular access on street frontages immediately adjacent to the development sites. However, lane and/or sidewalk closures are not expected during construction and therefore, would not restrict access to any existing or planned retail businesses. Utility service would also be maintained to all businesses, although there may be very short-term interruptions. Overall, construction resulting from the Proposed Actions is not expected to result in any significant adverse impacts on surrounding businesses.

Community Facilities

The construction sites would be surrounded by construction fencing and barriers that would limit the potential for impacts of construction on nearby community facilities. Construction of the projected buildings would not block or restrict access to any facilities in the area and would not affect emergency response times of the New York City Police Department (NYPD) and FDNY given the geographic distribution of the police and fire facilities and their respective coverage areas. Therefore, no construction impacts would be expected to community facilities as a result of the Proposed Actions.

Open Space

As described in the open space section, there are no publicly accessible open spaces on any of the Projected Development Sites. While one of the Projected Development Sites (Site 1) is located near existing open space resources (Conch Playground), no access to publicly accessible open space would be impeded during construction within the Project Area. In addition, measures would be implemented across all Projected Development Sites to control air emissions, dust, noise, and vibration on the construction sites.

Historic and Cultural Resources

There is one historic resource within 400 feet of Projected Development Site 7, the S/NR eligible St. Gertrude the Good Church Complex. There are no archaeological resources within the historic resources study area. The New York City Landmarks Preservation Commission (LPC) indicated that there would be no adverse impacts to any of these historic resources anticipated as a result of the Proposed Actions (Santucci 1/14/2021).

Hazardous Materials

As discussed in greater detail in the hazardous materials section, the potential for significant adverse impacts related to hazardous materials resulting from the Proposed Actions would be precluded through the placement of institutional controls such as (E) designations and LDAs for the Projected Development Sites identified with potential hazardous or contaminated materials concerns.

F. MITIGATION

Community Facilities and Services

The Proposed Actions would result in a significant adverse impact on publicly funded childcare and Head Start Centers. It is important to note, however, that publicly funded childcare is not only dependent on the number of new residential units that are introduced to an area but also on the number of families that meet the income eligibility requirements for these programs. In other words, new residents, including children, to the Project Area from the Proposed Actions and future developments may not all meet the income thresholds.

Possible mitigation measures may include provision of suitable space on-site for a childcare center, provision of a suitable location off-site and within a reasonable distance (at a rate affordable to DOE providers), or funding or making program or physical improvements to support adding capacity to existing facilities if determined feasible through consultation with DOE's Division of Early Childhood Education, or providing new early childhood programs within or near the Projected Development Sites.

At this time, it is not feasible to determine precise mitigation measures that would be appropriate for the study area. The childcare analysis is conservatively based on the existing inventory of publicly funded early childhood programs in the area and does not reflect likely shifts in demand or the creation of new childcare capacity. If no other alternative mitigation measures are identified to reduce the exceedance in capacity for existing programs in the Project Area, then this would be an unmitigated impact.

Open Space

Based on detailed analysis of indirect effects on open space, the Proposed Actions would result in a significant adverse impact to open space due to reduced active open space ratios. The Project Area is located in an area that is neither underserved nor well-served by publicly accessible open space. In spite of the anticipated increase in residential population that would result from the Proposed Actions within the open space study area, the total and passive open space ratios of acres per 1,000 residents would continue to exceed city guidelines. The active open space ratio would decrease from 1.01 acres per 1,000 residents in the No-Action condition to 0.94 in the With-Action condition, a percent change of -6.93. As such, the active open space ratio would continue to be below city guidelines of 1.5 acres. Therefore, a significant adverse impact to active open space is anticipated.

The *CEQR Technical Manual* lists potential mitigation measures for open space impacts. These measures include, but are not limited to, creating new open space within the study area; funding for improvements, renovation, or maintenance at existing local parks; or improving existing open spaces to increase their utility or capacity to meet identified open space needs in the area, such as through the provision of additional open space facilities. As described below, while a variety of qualitative considerations have been identified that could help to ameliorate the active open space impact, no feasible mitigation measures have been identified to eliminate this impact.

Transportation

Traffic

Of the 27 intersections analyzed, the Proposed Actions would result in significant adverse traffic impacts at 13 intersections during the weekday AM peak hour, 12 intersections during the weekday midday peak hour, 13 intersections during the weekday PM peak hour, and 11 intersections during the Saturday peak hour. Some of the impacts could be fully mitigated with implementation of signal timing and lane configuration changes, which are subject to review and approval by the New York City Department of Transportation (NYCDOT). These measures would provide full mitigation for seven of the 13 intersections impacted in the weekday AM peak hour, four of the 12 intersections impacted in the weekday midday peak hour, six of the 13 intersections impacted in the weekday PM peak hour, and six of the 11 intersections impacted in the Saturday peak hour. In terms of impacted movements, the measures would fully mitigate 15 out of 27 movements impacted in the weekday AM peak hour, five out of 17 movements impacted during the weekday midday peak hour, 11 out of 22 movements impacted in the weekday PM peak hour, and seven out of 14 movements impacted in the Saturday peak hour.
One or more traffic movements at the following intersections could not be mitigated in at least one peak hour:

- Beach Channel Drive and Beach 37th Street (all four peak hours)
- Beach Channel Drive and Beach 40th Street (weekday midday, weekday PM and Saturday peak hours)
- Beach Channel Drive and Beach 44th Street (weekday midday peak hour)
- Beach Channel Drive and Arverne Boulevard and Beach 62nd Street (all four peak hours)
- Edgemere Avenue and Beach 41st Street (weekday AM and weekday PM peak hours)
- Edgemere Avenue and Beach 54th Street (weekday AM and weekday PM peak hours)
- Rockaway Beach Boulevard and Beach 59th Street (all four peak hours)
- Beach Channel Drive and Beach 49th Street (weekday midday peak)
- Beach Channel Drive and Beach 50th Street (all four peak hours)

Implementation of the proposed measures would be subject to review and approval by NYCDOT. If, prior to implementation, NYCDOT determines that an identified mitigation measure is infeasible, an alternative and equivalent mitigation measure would need to be identified. In the absence of the application of an acceptable mitigation measure at a particular significantly impacted location, the impact would remain unmitigated.

Bus

The Q22 bus is expected to be significantly impacted by the Proposed Actions in the weekday AM and PM peak hours in both the eastbound and westbound directions. The introduction of one additional bus in each direction in both peak hours would fully accommodate future projected demand. Implementation of these service changes requires approval and implementation by the operator (MTA Bus Company) and is subject to fiscal and operational constraints. Overall, with the proposed service adjustment, the Q22 bus route in the weekday AM peak hour would be able to accommodate 46 additional passengers in the eastbound direction and 50 additional passengers in the westbound direction. In the weekday PM peak hour, the Q22 route would be able to accommodate 42 and 33 additional passengers, in the eastbound and westbound directions, respectively.

Pedestrian Safety

Currently there is no marked crossing in the north/south direction on Rockaway Beach boulevard between Beach 45th Street and Beach 53rd Street. As a result, it is likely that pedestrians en route to and from projected Developments Sites 1 and 2 would choose to cross Rockaway Beach Boulevard at a proximate location where a marked crosswalk is not present, such as at the intersections of Rockaway Beach Boulevard at Beach 49th Street. This would have the potential for a significant adverse impact with respect to pedestrian safety. The installation of new pedestrian crossings as part of the proposed traffic control conversion from a two-way stop control to all-way stop control at this location would facilitate the safe and efficient movement of pedestrians crossing Rockaway Beach Boulevard. Therefore, this proposed measure would fully mitigate the Proposed Action's potential for a significant adverse impact with respect to pedestrian safety. However, these improvements are under further review by NYCDOT. In the event these improvements are not feasible, the impact would remain unmitigated.

Air Quality

The air quality analysis demonstrated that one intersection would be adversely impacted by the With-Action traffic emissions. Results of the air quality analysis for the intersection of Beach Channel Drive and Beach 37th Street were above the CEQR *de minimis* annual threshold. In order to mitigate the impact, the intersection's signal phasing plan was modified to improve traffic flow along Beach Channel Drive as described in the traffic section of this document. The mitigated scenario improved traffic speeds. As a result, the mitigation was able to eliminate the air quality impact and reduce emissions to a level that meets the CEQR *de minimis* annual criteria. Therefore, with the proposed traffic mitigation measure in place, no significant adverse air quality impacts are anticipated.

Construction

The construction analysis showed a significant adverse impact on noise as a result of the Proposed Actions.

G. ALTERNATIVES

A summary of the principal conclusions for the two alternatives is described below.

No-Action Alternative

The No-Action Alternative examines future conditions in 2031 absent the Proposed Actions. In simplest terms, the No-Action Alternative is the No-Action condition identified, described, and assessed in the preceding sections of this document. In the No-Action Alternative, the Project Area is assumed to mostly remain unchanged from existing conditions (2,358 gsf of commercial space and 118 parking spaces on Projected Multi-Family Mixed-Use Development Site 1 and 44 parking spaces on Projected Multi-Family Mixed-Use Development Site 2). As discussed in greater detail below, the significant adverse impacts associated with the Proposed Actions would not occur under the No-Action Alternative. However, the No-Action Alternative would not meet the project goals, and as compared to the Proposed Actions, the intended benefits—the designation of open spaces along the waterfront, introduction of affordable housing units, and economic activity introduced by local retail uses- would be eliminated or substantially reduced with the No-Action Alternative.

The No-Action Alternative would not result in significant traffic, bus transit, or safety impacts whereas the Proposed Actions would have significant adverse impacts for those areas. Similar to the Proposed Actions, the No-Action Alternative would not result in significant adverse parking, subway station, subway line-haul, or pedestrian element impacts.

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impacts Alternative examines a scenario in which the projected density increase and other components of the Proposed Actions are changed specifically to avoid the unmitigated significant adverse impacts associated with the Proposed Actions. The Proposed Actions would result in significant adverse impacts to community facilities, specifically early childhood programs; active open space; transportation, specifically traffic and bus transit; and noise from construction.

To avoid the identified significant adverse impact to early childhood programs, the number of affordable dwelling units that could be developed on the Projected Development Sites would have to be reduced from 465 to 342, a reduction of 123 affordable units. A substantial reduction in the number of affordable housing units developed in the Project Area would be less supportive of the goals and objectives of the Proposed Actions. Alternatively, taking into account the proposed mitigation from other developments in the study area, the provision of 15 early childhood slots under this alternative would avoid the unmitigated significant adverse impact to early childhood programs.

To avoid the identified significant adverse impact to active open space ratios, the number of dwelling units that could be developed on the Projected Development Sites would have to be reduced from 1,222 to 801, a reduction of 421 units. A substantial reduction in the number of housing units developed in the Project Area would be less supportive of the goals and objectives of the Proposed Actions. Alternatively, approximately 1.20 acres of active open space would

need to be provided in the Project Area to avoid the unmitigated significant adverse impact to active open space.

A sensitivity analysis determined that the RWCDS square footage would have to be reduced by as much as approximately 98 percent in order for the Proposed Actions to not result in any unmitigable transportation impacts. The degree to which the Proposed Actions would need to be modified to avoid unmitigable transportation impacts would compromise HPD's ability to achieve the project goals and objectives of introducing affordable housing units, economic activity introduced by local retail, and designation of open spaces along the waterfront. Therefore, the No Unmitigated Significant Adverse Impact Alternative is not a reasonable alternative as it would not realize HPD's goals of the Proposed Actions.

Construction activities are regulated by the Noise Control Code; however, in order to eliminate all significant adverse construction noise impacts, construction activities would have to be limited so as to not occur on parcels directly adjacent to existing noise sensitive receptors. This limitation would severely impede the Proposed Actions' goals and objectives.

H. UNAVOIDABLE ADVERSE IMPACTS

This section summarizes unavoidable significant adverse impacts resulting from the With-Action condition. According to the *2020 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 impossible.

As described in the mitigation section, the Proposed Actions have the potential to result in significant adverse impacts on publicly funded childcare facilities, active open space resources, transportation (traffic, transit, pedestrian safety), mobile air quality sources, and construction noise. To the extent practicable, mitigation has been proposed for these identified significant adverse impacts. However, in some instances no practicable mitigation has been identified to fully mitigate the significant adverse impacts, and there are no reasonable alternatives to the Proposed Actions that would meet the purpose and need, eliminate potential impacts, and not cause other or similar significant adverse impacts.

I. GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS

The Proposed Actions would permit zoning map amendments, zoning text amendments, amendments to the Edgemere URP, acquisition of real property, disposition of City-owned property, Urban Development Action Area designation and project approval, a Mayoral Zoning Override to minimize required parking, and future construction financing from HPD—including a tax exemption pursuant to Article XI of the New York State Private Housing Finance Law on certain sites. Approval of these actions would limit development along the waterfront and concentrate density along the upland areas of the Project Area through the development of multi-family mixed-use sites and residential infill sites. It is intended to further the City's development goals for the Edgemere neighborhood, provide economic vitality in an area that has been historically underserved, and address the challenges of flood-related impacts from climate change.

These planning, economic development, and resiliency goals would be realized in connection with the development of 1,222 units of which 470 would be affordable, over 115,000 gsf of local retail space, and over 600 parking spaces all of which would occur in lots that are underutilized or vacant. As described in the land use section, there are several developments that would bring substantial residential and mixed-use growth to the neighborhood surrounding the Project Area, which is occurring independent of the Proposed Project. This would collectively result in over 3,500 residential units and approximately 340,000 square feet of commercial space, growth that will occur in the future without the Proposed Action. Furthermore, as discussed in the Urban Design and Visual Resources section, there are several transportation projects underway including the Edgemere Avenue reconstruction, the new streets and street raising as part of both the Arverne East Development and Edgemere Commons projects. These would facilitate enhanced traffic circulation introduced by the new development in the Project Area and improve sidewalks and sidewalk amenities such as street trees. As discussed in the Water and Sewer Infrastructure section, the infrastructure in the study area is already well developed such that improvements associated with the Proposed Actions would not induce additional growth or overburden the existing system.

Although the Proposed Actions would result in increased development, with denser development focused near the elevated subway A line, it is not anticipated that the Proposed Actions would generate significant secondary impacts resulting in substantial new development in nearby areas. Additionally, the zoning changes introduced by the Proposed Actions are limited to the boundaries of the Project Area and would not extend beyond the Project Area.

Therefore, the Proposed Actions would not induce significant new growth in the surrounding area.

J. IRREVERSIBLE AND IRRETRIEVEABLE COMMITMENTS OF RESOURCES

The Proposed Project constitutes a long-term commitment of land resources, thereby rendering land use for other purposes highly unlikely in the foreseeable future; however, the Projected Multi-Family Mixed Use Development Sites and Projected Residential Infill Sites do not possess any natural resource of significant value, and the sites have been previously developed. Furthermore, funds committed to the design, construction/ renovation, and operation of developments under the Proposed Actions are not available for other projects.

These commitments of resources and materials are weighed against the benefits of the Proposed Project. As described in the Project Description, the Proposed Actions would facilitate the development of 1,222 residential units in approximately 1,313,659 gsf, including up to 470 affordable units; approximately 115,849 gsf of local retail uses; and approximately 640 new parking spaces.

The Proposed Actions would facilitate the development of market rate and affordable housing the latter of which would add to the city's affordable housing stock and support the goals outlined in Mayor Bill de Blasio's affordable housing plan, "Housing New York: A Five-Borough Ten-Year Plan" of producing 200,000 affordable homes two years ahead of schedule,

by 2022, and generating an additional 100,000 homes over the following four years. Additionally, the community amenities introduced by the Proposed Actions in the form of local retail and additional parking would benefit the neighborhood in transit-oriented areas and discourage future development in areas at greater risk to coastal hazards. These actions would work in concert to leverage investments in local public infrastructure, housing, and coastal protection while laying the groundwork for long-term coastal resilience and community development.

Importantly, the Proposed Actions would also further the community goals that were identified in the 2017 Resilient Edgemere Community Plan in the following ways:

- In areas exposed to greater flood risk, the Proposed Actions would limit residential development to lower density housing and more adaptable building typologies through rezoning to lower density zoning districts, instituting a Special Coastal Risk District (SCRD), and amending the Urban Renewal plan to re-designate parcels from housing to open space use in the Hazard Mitigation Area.
- In the proposed transit-oriented commercial corridor, the Proposed Actions would rezone and add commercial overlays—permitting commercial uses and greater densities in order to facilitate mixed-use development, including Mandatory Inclusionary Housing (MIH) to maximize and ensure permanent affordable housing.
- On vacant land, the Proposed Actions would designate Urban Development Action Areas (UDAA) as well as seek Urban Development Action Area Project (UDAAP) approval and disposition of City-owned land, and Urban Renewal Area (URA) acquisition and disposition in order to facilitate development of housing, commercial amenities, and open space on select waterfront sites.

With these actions, the City would facilitate the development of new mixed-use, multi-family, affordable housing developments (i.e., the Projected Multi-Family Mixed-Use Development Sites), advance development of scattered vacant City-owned lots into low density housing (i.e., the Projected Residential Infill Sites and Projected Multi-Family Mixed-Use Sites), and reserve land for open space uses throughout the neighborhood.

Matthew Juliana

Date: 4/29/2022

Matthew Juliana, AICP
Director of Environmental Planning
City of New York - Department of Housing Preservation and Development

Cc:
Rona Reodica (HPD)
Perris Straughter (HPD)
Kevin Parris (HPD)

Emily Lehman (HPD)
Ross Karp (HPD)
Chanin French (HDC)
Hilary Semel (MOEC)
Alexis Wheeler (DCP)
Hallah Saleh (DCP)
Stephanie Shellooe (DCP EARD)
John Mangin (DCP)
Naim Rasheed (DOT)
Shakil Ahmed (DOT)
Michele Samuelsen (DOT)
David Cuff (DPR)
Emily Humes (DPR)
Terrell Estesen (DEP)
Mitchell Wimbish (DEP)
Mark McIntyre (OER)
Shaminder Chawla (OER)
Taylor Hard (OER)
Gina Santucci (LPC)
Olivia Brazee (NY SHPO)
Jonathan L. Gaska (District Manager, Queens CB 14)
Dolores Orr (Chair, Queens CB 14)
Donovan Richards Jr. (Queens Borough President)