DRAFT SCOPE OF WORK TO PREPARE A DRAFT ENVIRONMENTAL IMPACT STATEMENT FOR THE PROPOSED DOMINO SUGAR REZONING

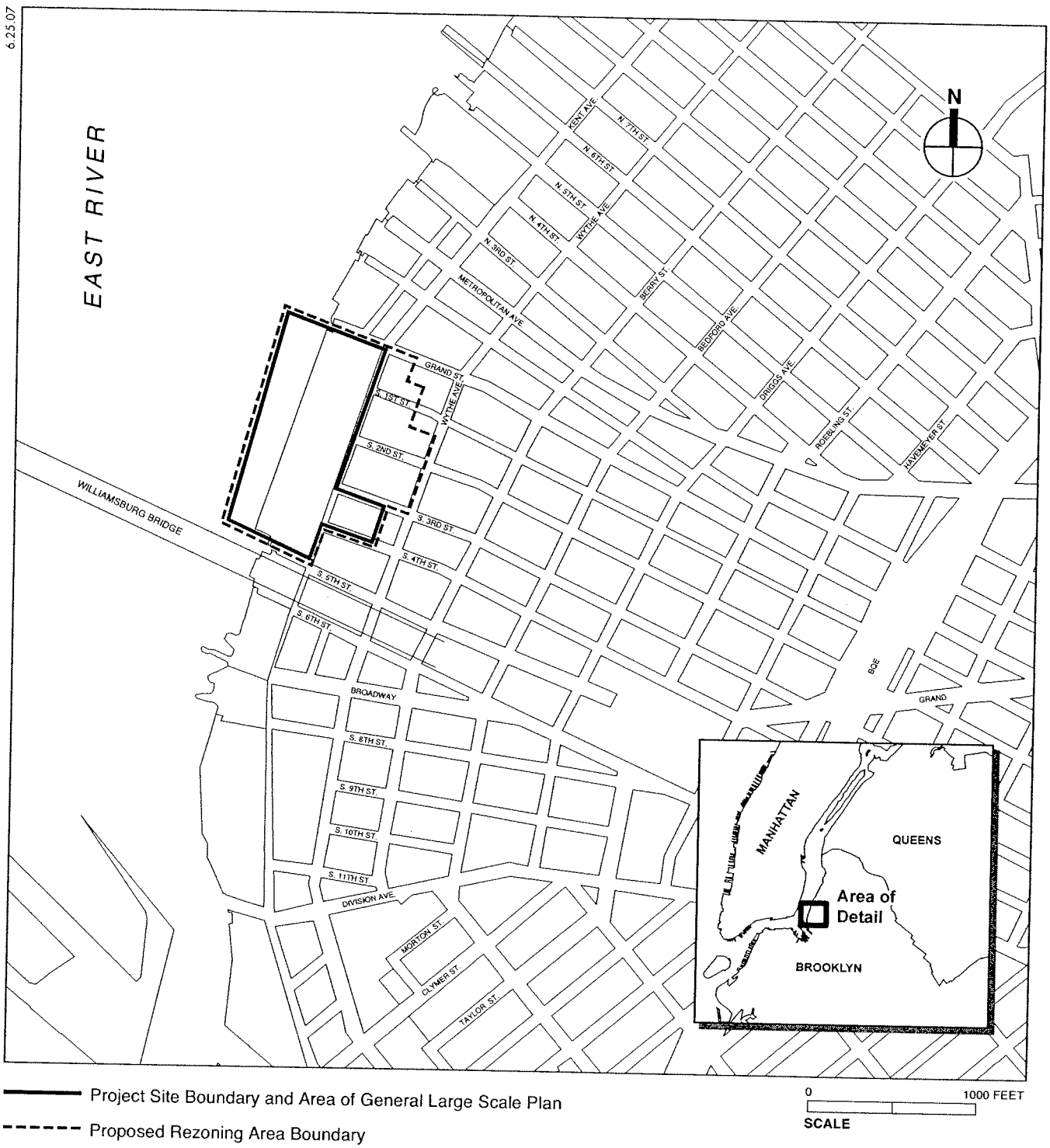
INTRODUCTION

The Refinery LLC ("the applicant") is proposing discretionary approvals in connection with the redevelopment of the former Domino Sugar site along the East River waterfront in Williamsburg, Brooklyn. The proposed project would include with residential, retail/commercial, and community facility uses and open space. The "project site" comprises Block 2414, Lot 1, which is located along the East River waterfront between Grand and South 5th Streets ("the waterfront parcel"), and Block 2428, Lot 1, which is located on the east side of Kent Avenue between South 3rd and South 4th Streets ("the upland parcel"). The project site (see Figure 1) is located entirely within Brooklyn Community District 1. The proposed actions also include a zoning map amendment for one entire block and portions of two blocks to the east of the project site from M3-1 to M1-2 ("non-project rezoning area"). The project site and non-project rezoning area are currently zoned M3-1 for heavy industrial use (see Figure 2).

The Refinery LLC is owned by Refinery Management LLC, which is a joint venture of CPC Resources, Inc. and Katan Group LLC. CPC Resources is the Managing Member of the Refinery LLC and is the for-profit development arm of The Community Preservation Corporation, a not-for-profit corporation formed in 1974 that specializes in financing affordable housing. CPC Resources was created in 1992. Its mission is to develop affordable housing in communities throughout New York and New Jersey.

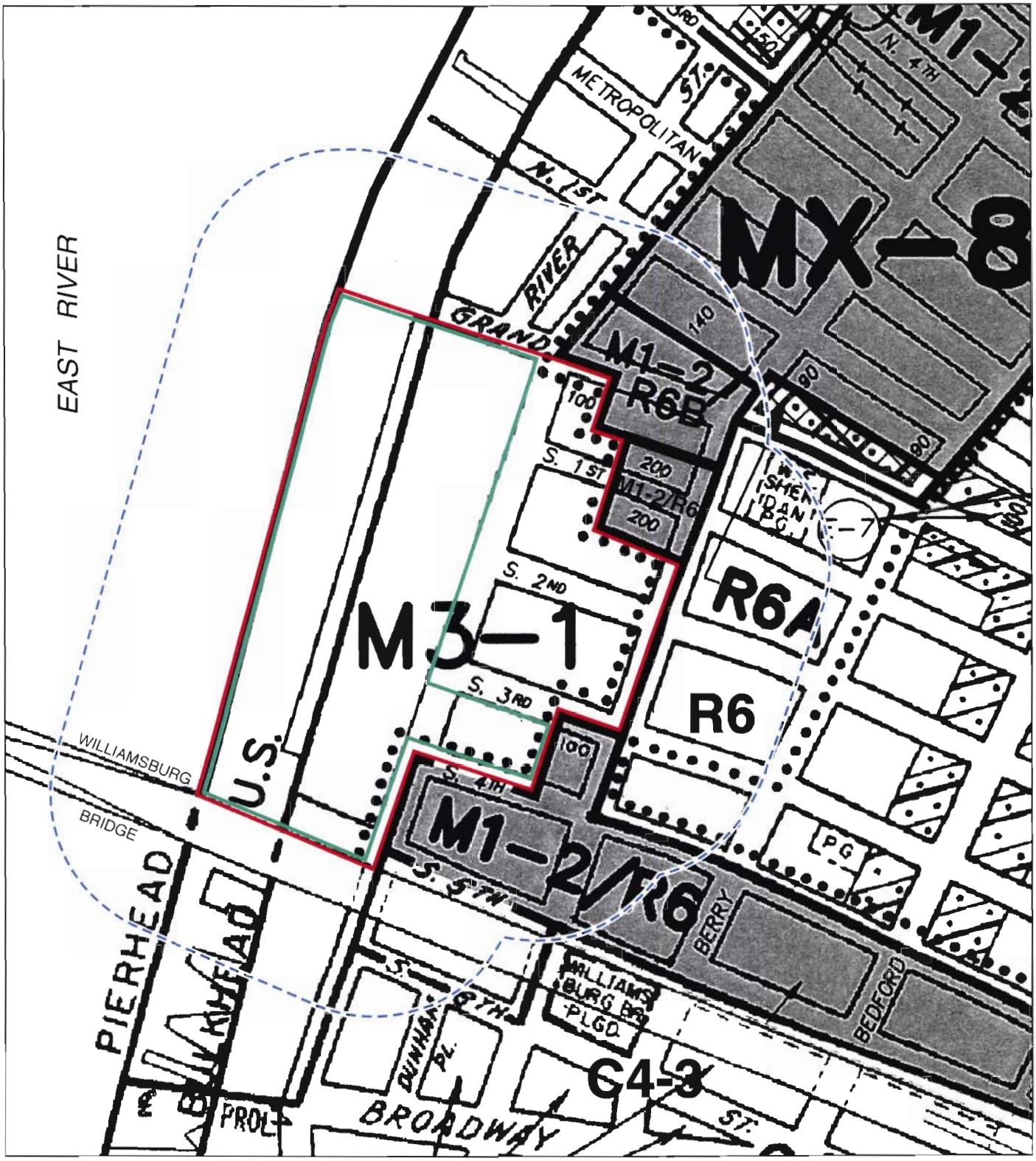
The proposed actions include:

- A zoning map amendment (i) from M3-1 to: R8 with a C2-4 commercial overlay for the majority of the waterfront parcel; (ii) from M3-1 to C6-2 for a section of the waterfront parcel; and (iii) from M3-1 to R6 with a C2-4 commercial overlay on the upland parcel (see Figure 3). The existing M3-1 zoning district is a heavy manufacturing district which allows industrial uses at a maximum FAR of 2.0., and does not allow residential use. The proposed R8 district is a residential district which allows residential use at a maximum FAR of 6.02. The proposed C2-4 commercial overlay district allows local-serving commercial uses at a maximum FAR of 2.0 when mapped within a R8 district. The proposed C6-2 district is a commercial district which allows a wide range of uses, including residential use at a maximum 6.02 FAR, commercial uses at 6.0 FAR, and community facility uses at 6.5 FAR. The proposed R6 district is a residential district which allows residential use at a maximum FAR of 2.43. The proposed C2-4 commercial overlay allows a maximum FAR of 2.0 when mapped within a R6 district. The areas affected by this zoning map amendment are controlled by the applicant.
- A zoning map amendment for one entire block and portions of two blocks to the east of the project site bounded by Kent Avenue, Wythe Avenue, Grand Street, and South 4th Street from M3-1 to M1-2 (the "non-project rezoning area"). The proposed M1-2 district is a manufacturing district which allows light industrial and certain commercial uses at a maximum FAR of 2.0. These blocks are not controlled by the applicant.



DOMINO SUGAR REZONING

Project Site Location
Figure 1



DOMINO SUGAR REZONING

Existing Zoning
Figure 2

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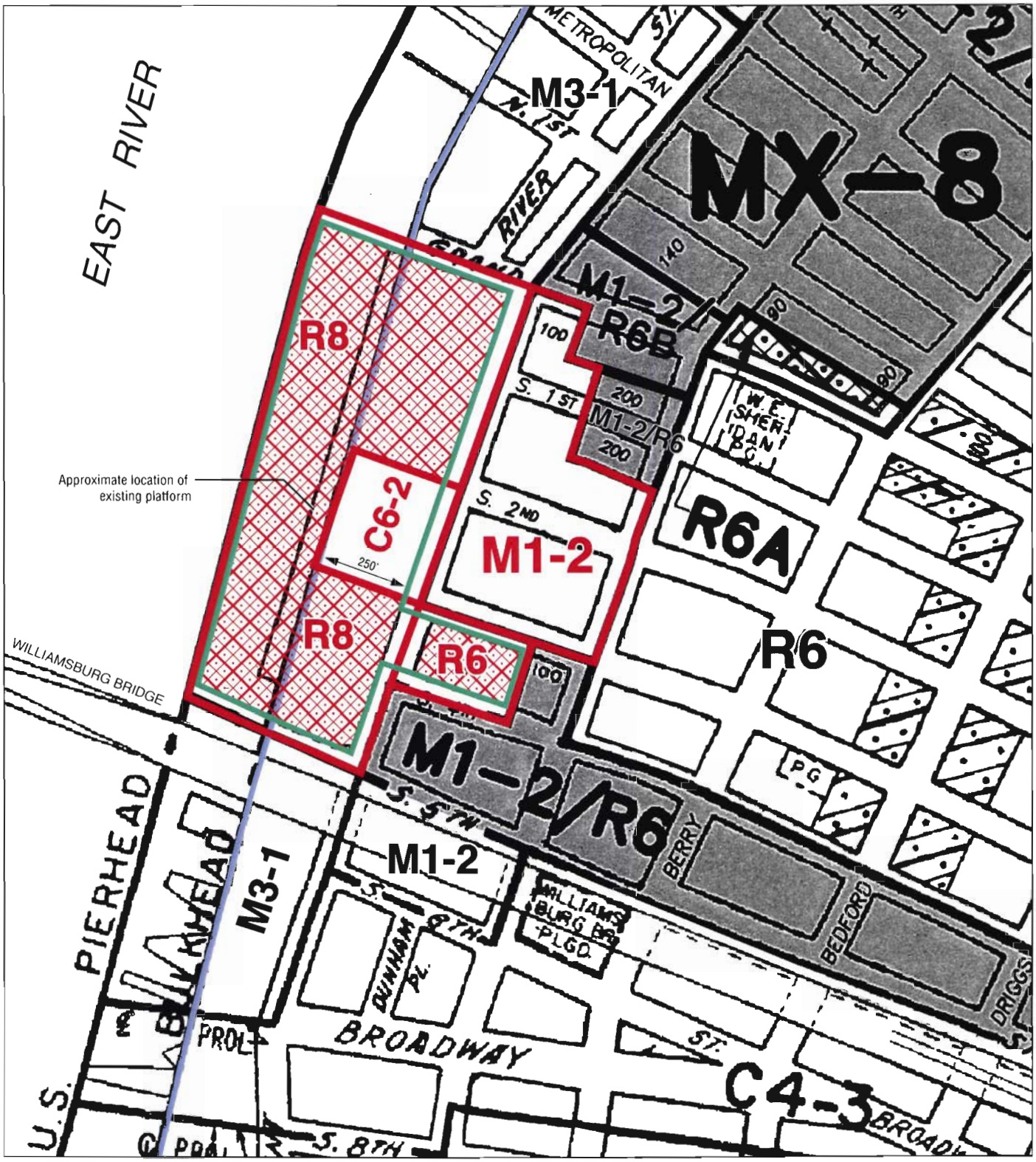

DOMINO SUGAR REZONING

Proposed Zoning
Figure 3

- A zoning text amendment to ZR 23-922 and ZR 62-35, to apply the Inclusionary Housing program and related floor area regulations which currently apply only in certain areas of Williamsburg-Greenpoint (on the waterfront from North 3rd Street in Williamsburg to Manhattan Avenue in Greenpoint and in R7-3 zoning districts in Brooklyn Community District 1) to the project site (the Inclusionary Housing Program permits a "floor area bonus" from 2.43 to 2.75 for R6 districts and 4.88 to 6.5 for R8 districts).
- A Special Permit pursuant to Zoning Resolution (ZR) Section 74-743 to establish a General Large Scale Plan including i) Special Permits to modify the waterfront height and setback regulations otherwise applicable pursuant to ZR Section 62-341 to: a) permit the floor plates of the buildings on both the waterfront and upland parcels to exceed the maximum residential floor plate size; b) permit portions of buildings to exceed the maximum base height of 70 feet up to 100 feet, and to exceed the maximum building height of 210 feet up to a height of 300 feet for two buildings and 400 feet for two buildings; c) permit encroachments in the 15-foot initial setback distance above the base height along certain visual corridors; d) permit an encroachment in the 30-foot initial setback distance above the base height along the shore public walkway near South Fifth Street; e) on the upland parcel, permit portions of the building to exceed the maximum base height of 60 feet up to a height of 70 to 100 feet, and to permit the building on the upland parcel to exceed the maximum building height of 110 feet to between 120 and 140 feet for buildings; ii) provisions to allow the transfer of up to approximately 190,000 sf of floor area development rights across Kent Avenue to the upland parcel from the waterfront parcel; iii) a Site Plan which includes building locations, uses, and heights, and iv), an FAR for the waterfront portion of 5.6 (typically, R8/C2-4 would permit an FAR of 6.5 with the Inclusionary Housing) and the upland portion to 6.0.
- An authorization, pursuant to ZR Section 62-60 for modification of waterfront access requirements to achieve a superior open space plan.
- An authorization for phased implementation of waterfront access requirements pursuant to ZR 62-722 to permit the phased implementation of waterfront public access improvements in coordination with phased development of the site.
- CPC chair certification pursuant to ZR Section 62-711 for compliance with waterfront public access and visual corridor requirements.
- CPC chair certification to subdivide a waterfront zoning lot while maintaining compliance with all waterfront public access requirements.
- Coastal Zone Consistency determination (because the project site is within the Coastal Zone).

The proposed project may require approvals from the U.S. Army Corps of Engineers (USACOE) and the New York State Department of Environmental Conservation (DEC) for upgrades and repairs to the existing waterfront platform and to permit a floating pier for pick-up and drop-off by a water taxi service as well as platform and bulkhead repair. A State Pollution Discharge Elimination System (SPDES) permit from the New York State Department of Environmental Conservation (DEC) would also be required for stormwater discharges during the construction period because construction on the project site involves more than one acre.

The proposed actions would facilitate a proposal by the applicant to develop a total of approximately 2,860,000 gross square feet of floor area (gsf) above grade. Approximately 2,640,000 gross square feet (gsf) would be dedicated to residential use, 120,000 gsf to retail/commercial use, and 100,000 gsf to community facility use. Because the program for the

reuse of the Refinery building is still being formulated, a variety of potential uses are being considered. The proposed C6-2 zoning on the Refinery site would allow for a range of residential, retail/commercial, and community facility uses for the Refinery building. The proposed project would create approximately 2,400 residential units based on an average unit size of 1,100 gsf, depending on the program for the adaptive re-use of the Refinery building, which will be defined in the General Large Scale Plan and the Draft Environmental Impact Statement. The applicant intends to provide affordable housing using the City's Inclusionary Housing bonus program. The project, if approved in its current form, envisions achieving a goal of 30 percent affordable housing. The proposed project would also incorporate waterfront public access areas (as required pursuant to ZR 62-40), including a shore public walkway, upland connections, visual corridors, and additional publicly accessible open space of approximately 1 acre on the waterfront side of the Refinery Building (see Figure 4). The waterfront esplanade will run the entire length of the site's waterfront, connecting on the south with the terminus of South 5th Street and on the north with Grand Ferry Park at the end of Grand Street. The number of parking spaces for the proposed project would be 1,450 spaces. The proposed actions would also include a zoning map amendment for one entire block and portions of two blocks to the east of the project site from M3-1 to M1-2. As described below under "Framework for Analysis," the proposed M1-2 zoning would maintain the current allowable density in this area and would be consistent with most of the existing uses, and would continue to permit manufacturing uses that are compatible with nearby residential uses, while requiring the enclosure of future industrial uses and precluding new heavy industrial operations.

If the proposed actions are approved, the entire project would be completed and occupied by 2016. Because the proposed actions are subject to discretionary review by the City Planning Commission (CPC), the Department of City Planning (DCP) will be the lead agency for the environmental review of this project. The proposed actions are subject to City Environmental Quality Review (CEQR).

PROJECT DESCRIPTION

SITE CONDITIONS AND HISTORY

The approximately 11-acre project site is comprised of two parcels: a waterfront parcel (Block 2414, Lot 1) and an upland parcel (Block 2428, Lot 1). The waterfront parcel is approximately 9.8 acres (excluding the approximately 6.2 acres of land underwater to the pierhead line) and the upland parcel is approximately 1.3 acres. The waterfront parcel is bounded on the west by the East River, on the north by Grand Street, on the east by Kent Avenue, and on the south by South 5th Street, which separates the site from the Williamsburg Bridge immediately to the south. Grand Street ends at the Grand Ferry Park (1.55 acres), which is a public park that provides access to the East River. The block on which the upland parcel is located is bounded on the west by Kent Avenue, on the north by South 3rd Street, on the east by Wythe Avenue, and on the south by South 4th Street.

Although sugar refining had taken place on the project site since the 1850's, the oldest existing refinery buildings were built in the 1880's and the most recent in the 1960's. Domino Sugar continued operations on the site until 2001, when the company was acquired by American Sugar Refining. American Sugar closed most operations on the site in early 2004 and the buildings were mostly vacated. The project site was purchased by the applicant in June 2004, subsequent to the closure of manufacturing operations.

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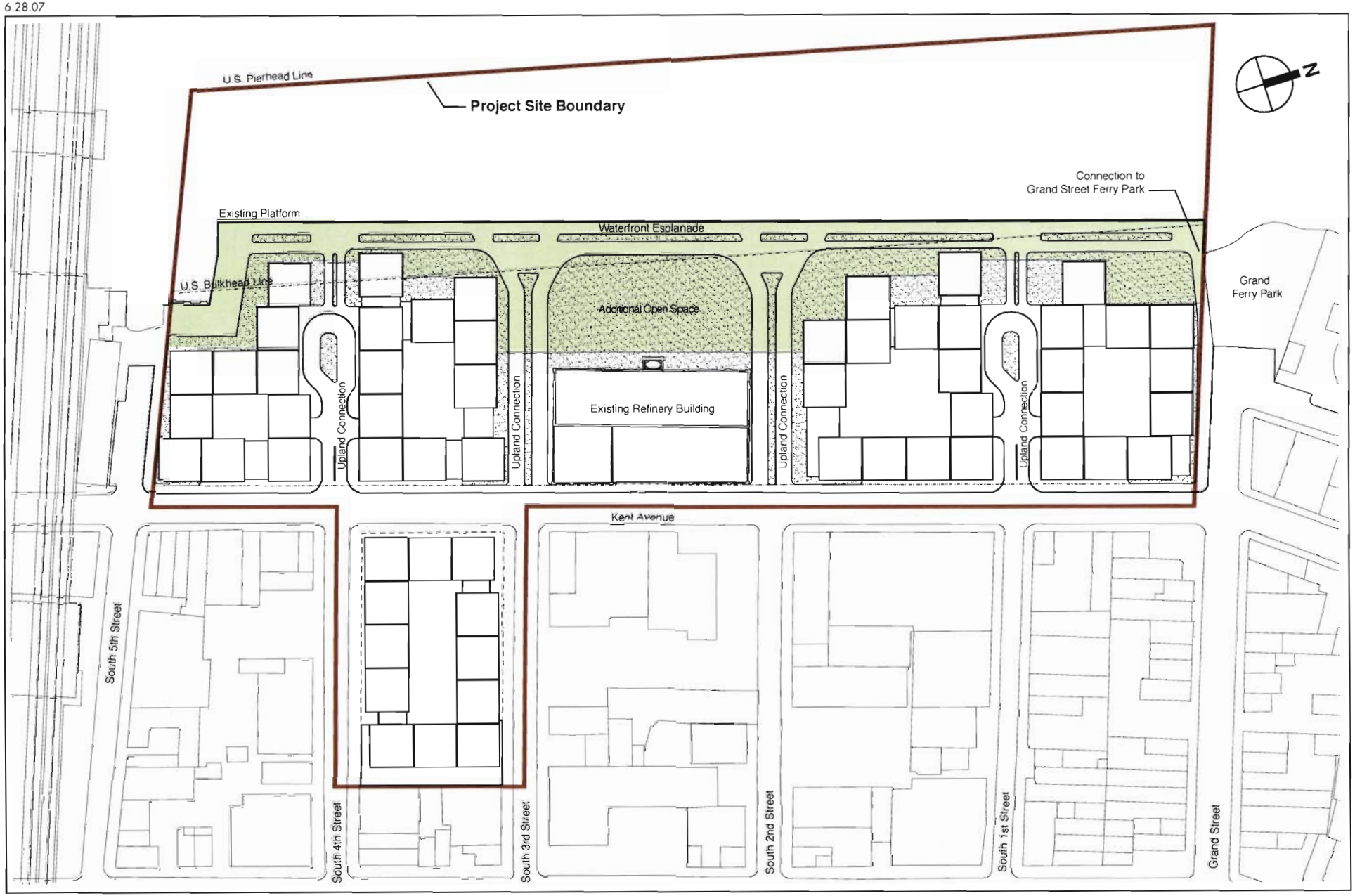


NOT TO SCALE

Illustrative Site Plan
Figure 4

Reflecting the project site's historical use, the entire development site is currently zoned M3-1, a zoning designation that permits heavy industrial and manufacturing uses and limited commercial uses. The waterfront portion of the site, which stretches for approximately 1,300 feet along the East River, is a complex of industrial buildings ranging in height from one to 11 stories. These buildings include warehouses, sugar processing buildings, power-generating facilities, and research and design structures. The buildings on the project site are currently unoccupied. The New York City Landmarks Preservation (LPC) is considering designating the three buildings which comprise the Refinery (individually known as the Filter House, the Pan House, and the Finishing House). The LPC held a designation hearing on June 26, 2007. The portion of the project site east of Kent Avenue, now a vacant lot, was formerly used as a parking lot.

All of the East River shoreline along the project site is developed with an existing platform and bulkhead. The pier/platform, which covers about 1.3 acres over the water, is a pile-supported deck that is in fair to moderate structural condition. It was formerly used for the docking of cargo ships and there are cranes and other maritime infrastructure along the water's edge.

The project site is adjacent to the area rezoned in May 2005 as part of the Greenpoint-Williamsburg rezoning. That rezoning project, which included the rezoning of approximately 184 blocks for residential and mixed residential/industrial use, made use of a combination of R6 and R8 districts along the waterfront to the north of the project site to facilitate residential redevelopment with public waterfront access and open space. The Greenpoint-Williamsburg rezoning also incorporated an inclusionary zoning mechanism to incentivize the development of affordable housing. The currently proposed rezoning of the Domino Sugar site and the surrounding upland blocks would be contiguous with the area rezoned as part of the Greenpoint-Williamsburg rezoning.

PROPOSED ACTIONS

For the project to be developed as proposed, the following approvals are necessary from the City Planning Commission and the City Council:

- A zoning map change (i) from M3-1 to: R8 with a C2-4 commercial overlay for the majority of the waterfront parcel; (ii) from M3-1 to C6-2 for a section of the waterfront parcel; and (iii) from M3-1 to R6 with a C2-4 commercial overlay on the upland parcel. The existing M3-1 zoning district is a heavy industrial district which allows a maximum FAR of 2.0.
- A Special Permit pursuant to Zoning Resolution (ZR) Section 74-743 to establish a General Large Scale Plan including i) Special Permits to modify the waterfront height and setback regulations otherwise applicable pursuant to ZR Section 62-341 to: a) permit the floor plates of the buildings on both the waterfront and upland parcels to exceed the maximum residential floor plate size; b) permit portions of buildings to exceed the maximum base height of 70 feet up to 100 feet, and to exceed the maximum building height of 210 feet up to a height of 300 feet for two buildings and 400 feet for two buildings; c) permit encroachments in the 15-foot initial setback distance above the base height along certain visual corridors; d) permit an encroachment in the 30-foot initial setback distance above the base height along the shore public walkway near South Fifth Street; e) on the upland parcel, permit portions of the building to exceed the maximum base height of 60 feet up to a height of 70 to 100 feet, and to permit the building on the upland parcel to exceed the maximum building height of 110 feet to between 120 and 140 feet for buildings; ii) provisions to allow the transfer of up to approximately 190,000 sf of floor area development rights across Kent Avenue to the upland parcel from the waterfront parcel; iii) a Site Plan which includes

building locations, uses, and heights, and iv), an FAR for the waterfront portion of 5.6 (typically, R8/C2-4 would permit an FAR of 6.5 with the Inclusionary Housing) and the upland portion to 6.0.

- A zoning text amendment to ZR 23-922 and ZR 62-35, to apply the Inclusionary Housing program and related floor area regulations which currently apply only in certain areas of Williamsburg-Greenpoint (on the waterfront from North 3rd Street in Williamsburg to Manhattan Avenue in Greenpoint and in R7-3 zoning districts in Brooklyn Community District 1) to the project site (the Inclusionary Housing Program permits a "floor area bonus" from 2.43 to 2.75 for R6 districts and 4.88 to 6.5 for R8 districts).
- An authorization, pursuant to ZR Section 62-60 for modification of waterfront access requirements to achieve a superior open space plan.
- An authorization for phased implementation of waterfront access requirements pursuant to ZR 62-722 to permit the phased implementation of waterfront public access improvements in coordination with phased development of the site.
- CPC chair certification pursuant to ZR Section 62-711 for compliance with waterfront public access and visual corridor requirements.
- CPC chair certification to subdivide a waterfront zoning lot while maintaining compliance with all waterfront public access requirements.
- Coastal Zone Consistency determination (because the project site is within the Coastal Zone).

In addition, the proposed project may require approvals from DEC and USACOE for the repair and upgrade of the existing waterfront platform and the establishment of a floating dock for an as-of-right water taxi service. These actions are subject to environmental review and will be conducted through a coordinated review with DCP, the lead agency. The proposed project would also require a permit from DEC for work during construction. Approvals may also be necessary from City and State agencies (such as New York City Housing Development Corporation and New York City Department of Housing Preservation) for the allocation of funds for affordable housing.

To ensure that the proposed project as constructed is consistent with the drawings shown on the site plan approved by the CPC and the City Council pursuant to ULURP, that access to the project is at the locations analyzed in the EIS, and that the mix of uses in the project is substantially consistent with the proposed project as described above and as analyzed in the EIS, the project sponsor will, at the time all land use-related actions required to authorize the project's development are approved, execute and record against the development site a Restrictive Declaration that would:

- Provide design standards and requirements, and an envelope within which the project's bulk and heights would be arranged, including a limitation on the FAR for the waterfront portion of the site to 5.6 and the upland portion of the site to 6.0.
- Require that the project be developed substantially in accordance with the development program studied in the EIS.
- Delineate zones within which pedestrian and vehicular ingress to and egress from the buildings could be located and zones within which curb cuts or drop-off lanes could be located.

PROPOSED DEVELOPMENT PROGRAM

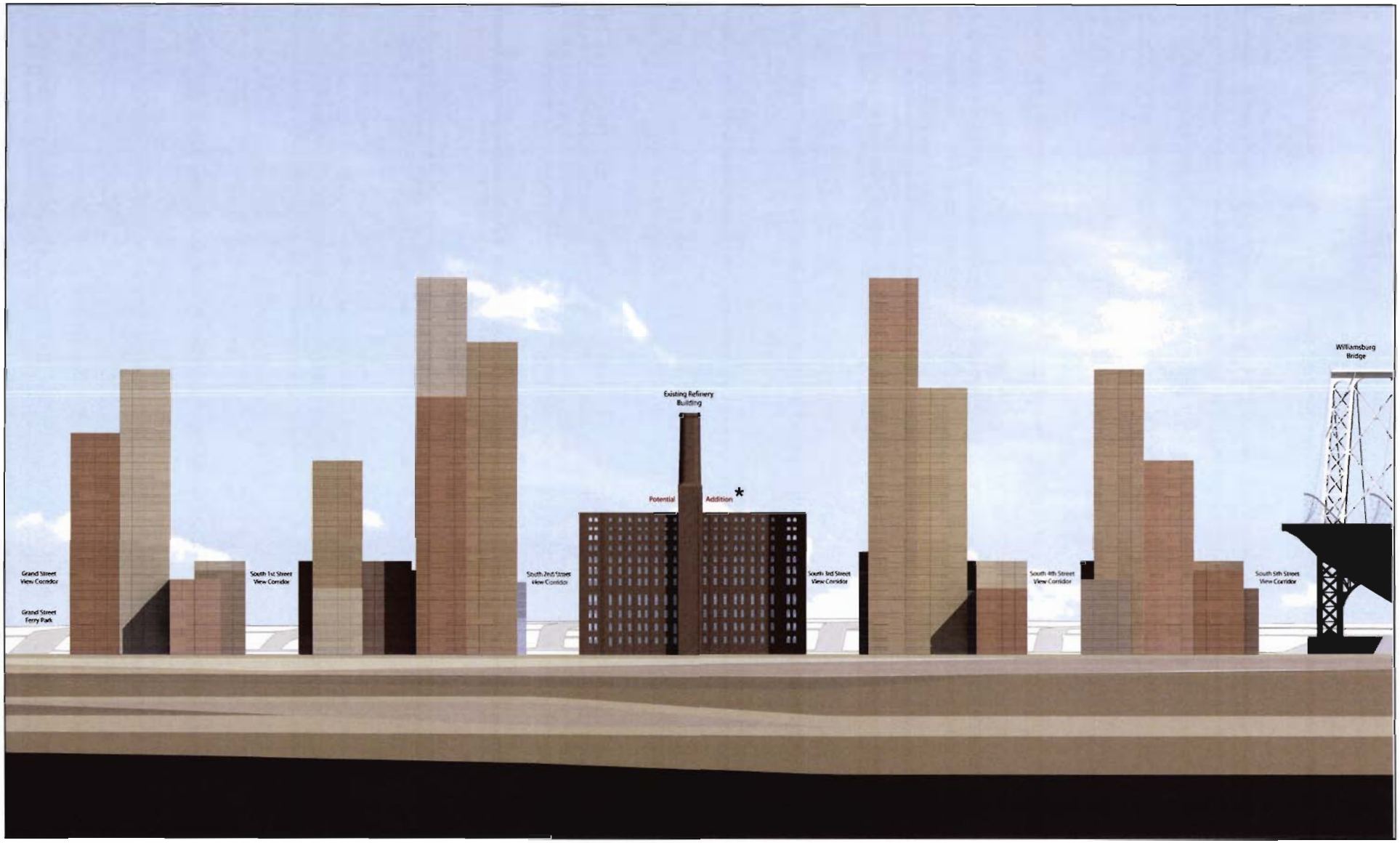
If approved, the proposed actions would allow for the construction of up to 9 new residential structures along four of the waterfront blocks between Grand Avenue and South 5th Street and up to 6 new residential structures on the upland block east of Kent Avenue between South 3rd and South 4th Streets (see Figures 4, 5, and 6). The buildings along Kent Avenue would range in height from approximately 50 to 100 feet. Two of the buildings along the waterfront would reach heights of 300 feet and two would reach 400 feet. The buildings on the upland portion of the site east of Kent Avenue would rise to a maximum height of 90 feet along Kent Avenue and 140 feet elsewhere on the lot. The three buildings which together comprise The Refinery and which are located on the central block of the development between South 2nd and South 3rd Streets, would be reused and converted to some combination of residential, retail/commercial, and community facility uses. As noted above, the program for the reuse of the Refinery building has not been finalized. The project sponsor anticipates adding floors to a portion of the roof of the Refinery building to assist in meeting the project's goals and objectives as discussed below in "Project Goals and Objectives". If the Refinery is designated by the LPC, the project sponsor would have to apply to the LPC for a Certificate of Appropriateness for any addition or modification to the exterior of the Refinery. Ground floor retail/commercial uses would be located along both sides of Kent Avenue. Publicly accessible open space, including an esplanade along the waterfront that would connect to Grand Ferry Park to the north of the site, would be constructed as part of the proposed project, as required by the Zoning Resolution. Additional open space beyond what is required by zoning would be developed between the Refinery building and the waterfront. It is anticipated that the development would be served by water taxi service. Shuttle bus service would also be provided to carry passengers from the proposed development to nearby subway stations.

The proposed actions would facilitate a proposal by the applicant to develop approximately 2,860,000 gross square feet of development above grade, including the reuse of the Refinery building. Approximately 2,640,000 gsf would be dedicated to residential use, up to 120,000 gsf to retail/commercial use, and up to 100,000 gsf to community facility use. The proposed project would create up to approximately 2,400 residential units based on an average units size of 1,100 gsf, depending on the program for the adaptive re-use of the Refinery. There would also be 1,450 accessory parking spaces would be located on the project site, in below-grade parking.

PROJECT GOALS AND OBJECTIVES

Consistent with the abovementioned recently adopted zoning changes in the area of the Williamsburg waterfront and in keeping with the mission of CPC Resources, the proposed project seeks to meet the following objectives:

- Creation of a substantial amount of affordable housing with a high quality design;
- Redevelopment of a former waterfront industrial site into an economically integrated mix of residential, retail/commercial, and community facility uses consistent with the redevelopment of nearby waterfront sites to the north and south and complementary to the existing neighborhood;
- Creation of physical and visual access to the waterfront, including a substantial amount of public open space and a linkage to the existing Grand Ferry Park to the north of the project site; and



* Potential addition would requre a Certificate of Appropriateness from the Landmarks Preservation Commission if the Refinery is designated a New York City landmark.

NOT TO SCALE

DOMINO SUGAR REZONING

Illustrative Rendering – West Elevation
Figure 5

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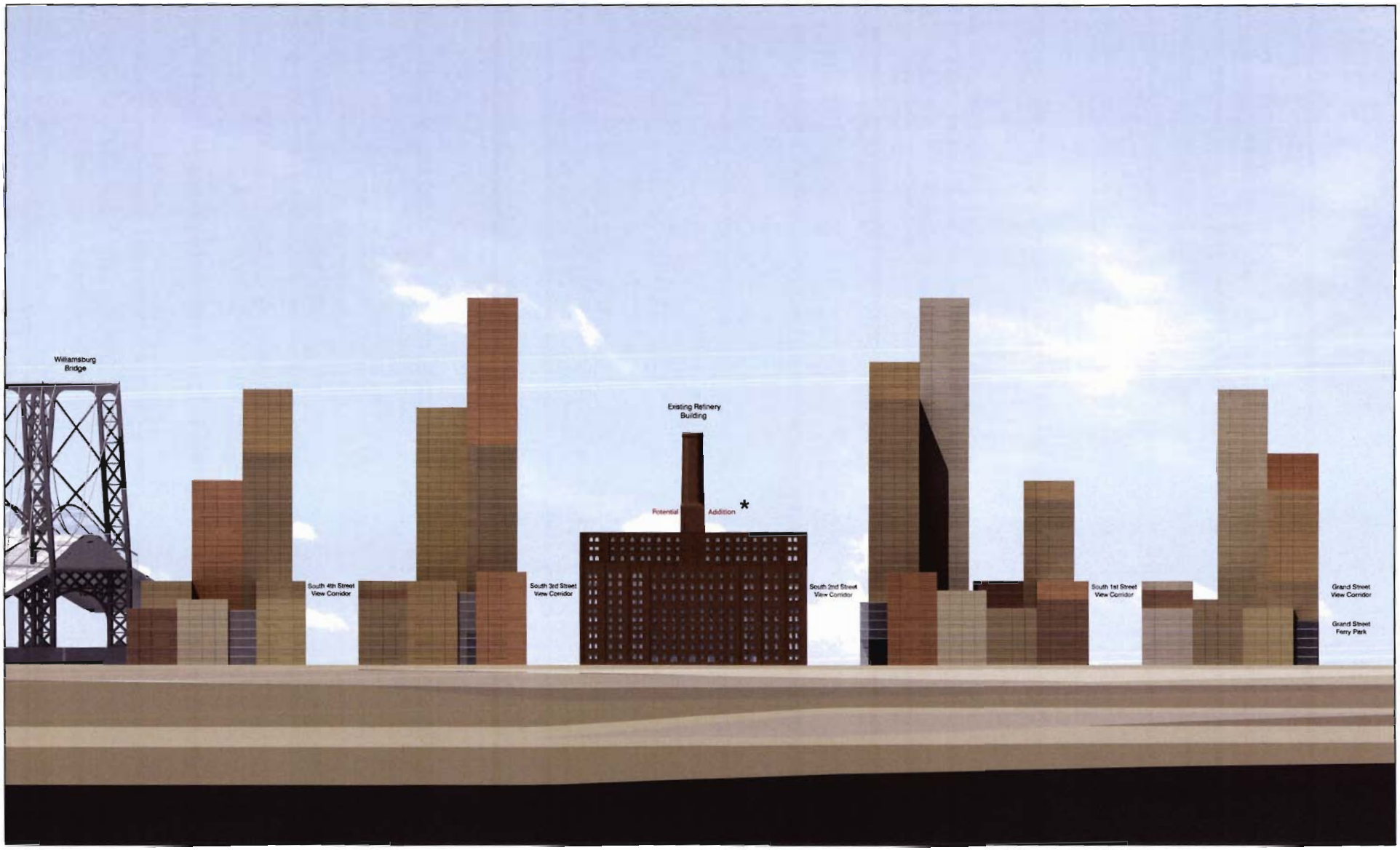

NOT TO SCALE

* Potential addition would requre a Certificate of Appropriateness from the Landmarks Preservation Commission if the Refinery is designated a New York City Landmark.

DOMINO SUGAR REZONING

Illustrative Rendering – East Elevation

Figure 6

- Reuse of the three buildings comprising the structure known as the Refinery building.

PURPOSE AND NEED OF THE PROPOSED ACTIONS

PROJECT SITE

The proposed zoning map change on the project site is required to permit the development of residential, retail/commercial, and community facility uses for the proposed project. The proposed General Large Scale Plan, including waivers of height and setback requirements, is needed in order to redistribute floor area across the entire project site, including both the waterfront and upland parcels, thereby creating a site plan and building layout and design superior to what would be allowed as-of-right under the proposed zoning districts. In order to promote the creation of affordable housing on the project site, the proposed zoning text amendments to ZR 23-922 and ZR 62-35 are proposed to apply the inclusionary housing program. The proposed modification of waterfront access requirements would serve to facilitate an improved open space plan compared to what could be developed as-of-right. The proposed authorization for phased implementation of waterfront access requirements would ensure the orderly development of the Project Site, and the CPC chair certification for waterfront public access and visual corridors would serve to assure compliance with all applicable design controls. As the project site is within the City's Waterfront Revitalization Program boundaries, a Coastal Zone Consistency determination is necessary.

NON-PROJECT REZONING AREA

The proposed M1-2 zoning on one full block and portions of two blocks is necessary to permit the continued operation of the light industrial uses that currently characterize that area while requiring the enclosure of new manufacturing operations and preventing new heavy industrial uses in close proximity to the proposed project's residential uses.

FRAMEWORK FOR ANALYSIS

Construction of the proposed project is expected to occur between 2009 and 2016. Development expected to occur by 2016 as a result of the Greenpoint-Williamsburg Rezoning as presented in the May 2005 FEIS will be considered as part of the No Action condition in this analysis and will be updated based on current field surveys and development proposals for the land use study area. The EIS analysis for each of the technical areas will examine the proposed project's development program based on the land uses, building configurations, and site plans that would be allowed under the proposed actions and the proposed project.

As described above, the proposed actions also include a zoning map amendment for one entire block and portions of two blocks to the east of the project site from M3-1 to M1-2. These blocks are not controlled by the applicant. The M1-2 zoning is proposed because it maintains the permitted density of the existing M3-1 district and more closely reflects the existing light industrial and commercial uses in this area than the current M3-1 zoning. Additionally, M1-2 districts restrict the allowable uses to those that are more compatible with the residential use in adjoining districts. For example, M1-2 districts require that industrial activity be enclosed, which is appropriate for industrial areas in proximity to residential uses. New industrial uses permitted under the proposed M1-2 zoning would be compatible with the nearby residences and noxious uses would be prevented from located on these blocks. The 39 lots within the non-project rezoning area and their current land uses are listed below in Table 1.

Table 1

Existing Uses in Additional Rezoning Area Outside the Development Site*

Block	Lot	Address	Lot Area	Floor Area	Land Use
2390	1	267 Kent Avenue	7,500	9,500	Industrial (metal work)
2390	5	261 Kent Avenue	2,500	2,210	Industrial (waste transfer)
2390	7	259 Kent Avenue	6,125	3,450	Industrial (waste transfer)
2390	10	38 Grand Street	2,600	3,317	Residential (3 DU)
2390	11	40 Grand Street	2,500	2,500	Industrial
2390	39	43 S. 1st Street	5,058	5,058	Industrial (stage design)
2390	41	37 S. 1st Street	5,000	5,000	Industrial (water main repair)
2390	43	33 S. 1st Street	2,917	2,949	Industrial
2403	1	285 Kent Avenue	37,800	44,832	Industrial (electrical contactor), commercial (dance studio, night club)
2403	15	34/40 S. 1st Street	9,500	9,500	Industrial (food distribution)
2403	31	342 Wythe Avenue	8,633	8,625	Industrial
2403	33	67 S. 2nd Street	1,250	3,150	Residential (2 DU)
2403	37	53-59 S. 2nd Street	14,872	0	Vacant Land
2403	41	49 S. 2nd Street	7,400	21,600	Commercial (office)
2415	1	315 Kent Avenue	14,425	14,425	Industrial (food distribution)
2415	6	305 Kent Avenue	11,330	10,938	Industrial
2415	10	291 Kent Avenue	5,063	0	Vacant Land
2415	14	44 S. 2nd Street	2,090	0	Vacant Land
2415	15	46 S. 2nd Street	2,090	0	Vacant Land
2415	16	50 S. 2nd Street	15,450	0	Vacant Land
2415	19	54 S. 2nd Street	3,750	7,000	Industrial
2415	24	64 S. 2nd Street	3,750	3,750	Industrial
2415	26	68 S. 2nd Street	1,875	4,500	Residential (5 DU)/Retail (1,310 sf)
2415	27	354 Wythe Avenue	1,856	0	Commercial (auto sales/repair)
2415	28	356 Wythe Avenue	1,856	0	Commercial (auto sales/repair)
2415	29	360 Wythe Avenue	1,856	0	Commercial (auto sales/repair)
2415	30	360 Wythe Avenue	1,856	0	Commercial (auto sales/repair)
2415	31	53 S. 3rd Street	1,900	0	Commercial (auto sales/repair)
2415	32	45 S. 3rd Street	16,675	13,200	Commercial (auto sales/repair)
2415	36	43 S. 3rd Street	1,500	0	Vacant Land
2415	37	41 S. 3rd Street	1,500	0	Vacant Land

Table 1 (cont'd)
Existing Uses in Additional Rezoning Area Outside the Development Site*

Block	Lot	Address	Lot Area	Floor Area	Land Use
2415	38	37 S. 3rd Street	3,620	11,100	Residential (8 DU)/Retail (approx. 3,000 sf)
2415	40	35 S. 3rd Street	1,875	0	Vacant Land
2415	41	S. 3rd Street	1,875	0	Vacant Land
2415	42	31 S. 3rd Street	1,875	0	Vacant Land
2415	43	29 S. 3rd Street	1,875	0	Vacant Land
2415	114	S. 2nd Street	202	0	Vacant Land
2415	119	S. 2nd Street	2,975	0	Vacant Land
2415	136	41 S. 3rd Street	1,685	2,350	Industrial

Note: * The development site consists of Block 2414, Lot 1 and Block 2428, Lot 1.
Sources: PLUTO 2006; AKRF field visits November 2006.

Because both the existing M3-1 and proposed M1-2 districts have a maximum permitted FAR of 2.0 for manufacturing and commercial uses, this proposed zoning map amendment would not result in an increase in permitted density. The proposed M1-2 district permits light industrial uses and would exclude the heavier industrial uses permitted under M3-1 zoning. Retail uses are permitted under both M3-1 and M1-2 zoning. Most retail uses in both M3-1 and M1-2 districts are limited to 10,000 square feet. M1-2 districts permit certain retail uses that are not allowed in M3-1 districts, including pet stores, department stores, and appliance stores, and transient hotels, among others. Because the proposed M1-2 zoning permits a wider variety of commercial uses than the existing M3-1, a reasonable worst case development scenario will be identified in the Final Scope of Work.

ENVIRONMENTAL REVIEW PROCESS

The Department of City Planning (DCP) as lead agency in the environmental review has determined that the proposed actions and project have the potential to result in significant environmental impacts and, therefore, pursuant to City Environmental Quality Review (CEQR) procedures, has issued a positive declaration requiring that an Environmental Impact Statement (EIS) be prepared in conformance with all applicable laws and regulations, including the State Environmental Quality Review Act (SEQRA), the City's Executive Order No. 91, CEQR regulations (August 24, 1977) and the guidelines of the *CEQR Technical Manual.* This draft scope of work has been prepared in accordance with those laws and regulations and the City's *CEQR Technical Manual.*

In accordance with SEQR and CEQR, this Draft Scope of Work has been distributed for public review. A public hearing has been scheduled for July 31, 2007 at Spector Hall, Department of City Planning, 22 Reade Street, New York, NY 10007 and the period for submitting written comments will remain open for ten days, or until August 10, 2007. Based on comments received during the public comment period, a Final Scope of Work will be prepared to direct the content and preparation of a Draft EIS (DEIS). As the next step in the process, once DCP has determined

that the DEIS is complete, it will be subject to additional public review, in accordance with the CEQR and Uniform Land Use Review Procedure (ULURP) processes with a public hearing and a period for public comment. A Final EIS (FEIS) will then be prepared to respond to those comments. The lead agency will make CEQR findings based on the FEIS, before making a decision on project approval.

As described in greater detail below, the EIS will contain:

- A description of the proposed actions and project and its environmental setting;
- An analysis of the environmental impacts;
- A description of mitigation measures proposed to eliminate or minimize adverse environmental impacts;
- An identification of any adverse environmental effects that cannot be avoided if the proposed project is implemented;
- A discussion of alternatives to the proposed actions and project; and
- A discussion of any irreversible and irretrievable commitments of resources to develop the project.

ENVIRONMENTAL IMPACT STATEMENT (EIS) SCOPE OF WORK

TASK 1: PROJECT DESCRIPTION

This opening chapter of the EIS introduces the reader to the proposed actions and provides the project description from which impacts are assessed. The chapter will contain a project identification; the background and purpose and need for the proposed project and any related actions; a detailed description of the proposed actions, the tax blocks and lots that are affected, and the proposed development program; diagrams to depict the proposed project, a description of any proposed landscaping and streetscapes; and a discussion of the approvals required, procedures to be followed, and the role of the EIS in the approval process. This chapter provides the public and decision-makers a framework from which to evaluate the proposed project against both Build and No Build options. This chapter will describe the Reasonable Worst Case Development Scenario for the properties within the rezoning area that area not controlled by the project sponsor, and it will establish the analytical framework for the analyses included in the EIS.

The project description will include appropriate data from the ULURP application and a graphic presentation of key project elements, such as a site plan, elevations, parking, and circulation plans. The section on required approvals will describe all public actions required to develop the project, including zoning changes and any necessary special permits as well as the ULURP process, a project review schedule, and public hearings. The role of DCP as lead agency for CEQR will be described as well as the purpose of the EIS as a full disclosure document to aid in decision-making. Any need for environmental requirements—e.g., (E) designations—as part of the proposed rezoning action will be described.

TASK 2: LAND USE, ZONING, AND PUBLIC POLICY

The proposed project would directly affect the land use on approximately 11 acres of land on the East River waterfront and most of an adjacent upland block in Williamsburg. This chapter will

analyze the potential impacts of the proposed project on land use, zoning, and public policy. The land use study area will consist of the project site and neighboring areas within a ½-mile radius of the site of the proposed actions. This assessment will also provide a baseline for other analyses in the EIS. The chapter will:

- Provide a brief development history of the project site and study area.
- Describe conditions on the project site, including existing uses and the current zoning.
- Describe predominant land use patterns in the study area, including recent development trends. Study areas will be the blocks immediately surrounding the project site and land uses within approximately ½-mile (see Figure 7).
- Provide a zoning map and discuss existing zoning and recent zoning actions in the study area.
- Summarize other public policies that may apply, such as the New York City Waterfront Revitalization Program, the Greenpoint-Williamsburg Rezoning, and the Williamsburg Waterfront 197-a Plan.
- Prepare a list of other projects expected to be built in the study area by 2016 (i.e., other actions in the future without the proposed project), including projected and potential developments as presented in the Greenpoint-Williamsburg FEIS. Describe the effects of these projects on land use patterns and development trends. Also, describe pending zoning actions or other public policy actions that could affect land use patterns and trends in the study area, including plans for public improvements.
- Describe the proposed actions, the proposed project, and its development program. Provide an assessment of the impacts of the proposed project and projected development on land use and land use trends, zoning, and public policy. Present a map of the proposed zoning changes. Examine the effects related to issues of compatibility with surrounding land use, consistency with zoning and other public policy initiatives, and the effect of the project on development trends and conditions in the area. Policies regarding the waterfront revitalization program, coastal zone management, and historic resources will be discussed in their relevant sections.

TASK 3: SOCIOECONOMIC CONDITIONS

This chapter will examine the effects of the action on socioeconomic conditions in the study area, including population characteristics, increase in economic activity, and the potential displacement of businesses and employment from the proposed action area. The analysis will follow the guidelines of the *2001 CEQR Technical Manual* in assessing the proposed actions' effects on socioeconomic conditions within ¼- and ½-mile study areas (see Figure 8). According to the *CEQR Technical Manual*, the five principal issues of concern with respect to socioeconomic conditions are whether a proposed action would result in significant impacts due to: (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; and (5) adverse effects on a specific industry.

In conformance with the *CEQR Technical Manual* guidelines, the assessment of these five areas of concern will begin with a preliminary screening analysis. As stated below, indirect residential displacement is the only area of socioeconomic impact that is likely to require a detailed analysis.

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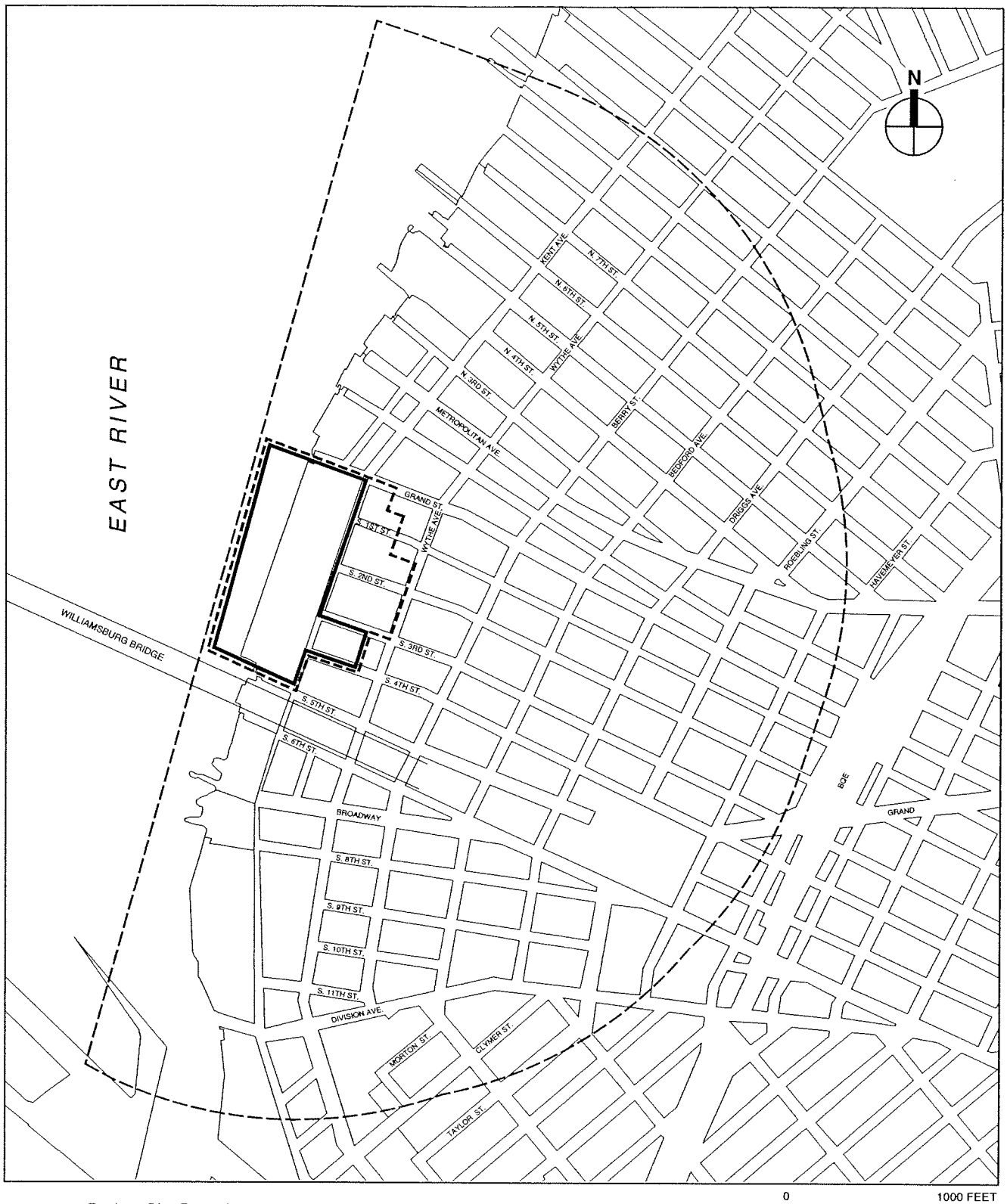

Project Site Boundary

Proposed Rezoning Area Boundary

Study Area Boundary (1/2-Mile Perimeter)

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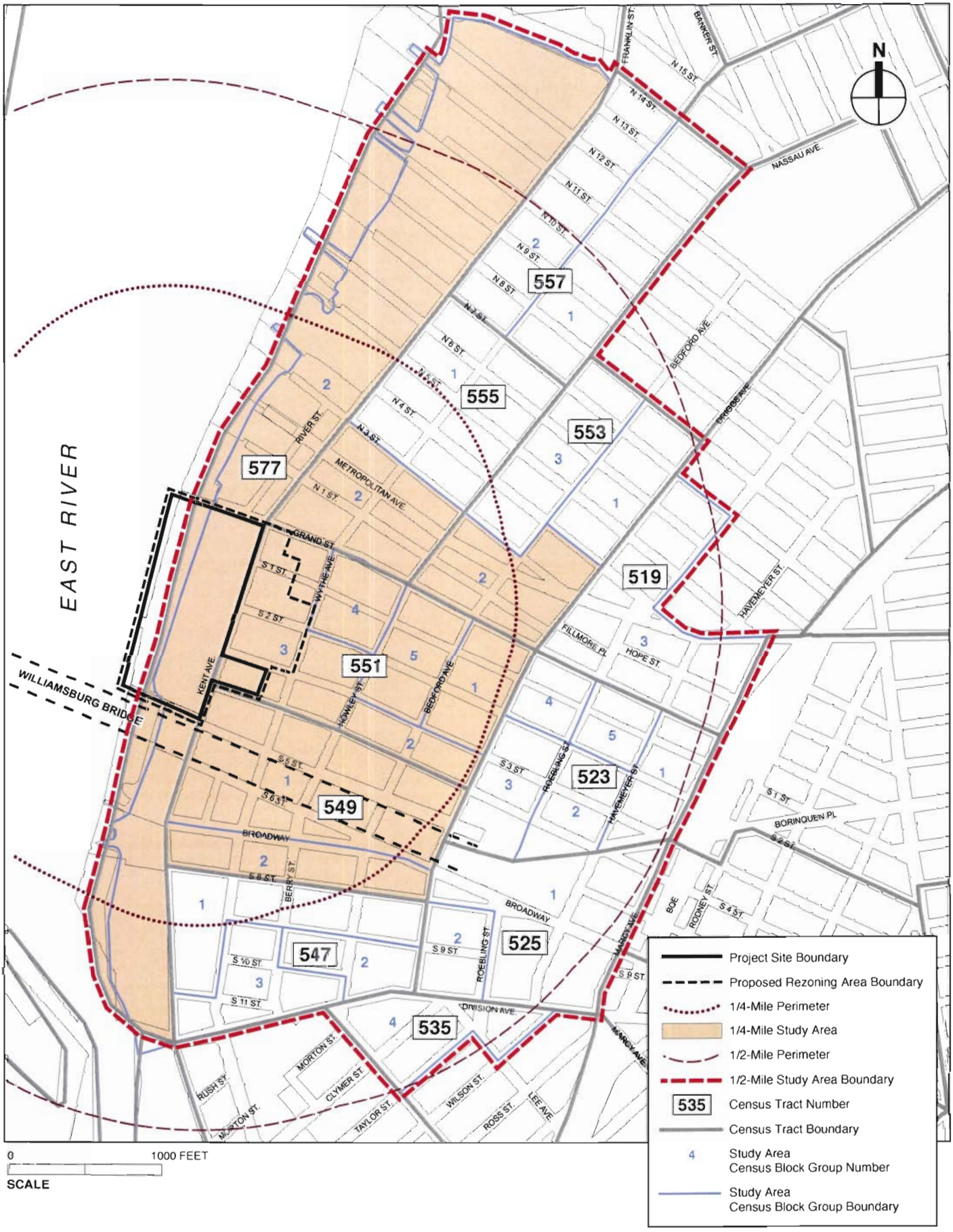
Land Use Study Area
Figure 7



Socioeconomic Conditions Study Areas

Figure 8

DIRECT BUSINESS AND RESIDENTIAL DISPLACEMENT

Because the project site is currently unoccupied, the proposed action would not result in direct business or residential displacement. These areas of potential impact will therefore be addressed in a preliminary analysis and will not require a detailed analysis. The preliminary analyses will be conducted in accordance with the *CEQR Technical Manual* guidelines. It is expected that the additional development that could occur in the rezoning area on sites not controlled by the project sponsor would be potential rather than projected development, and therefore no direct business displacement on those sites.

INDIRECT BUSINESS DISPLACEMENT

According to the *CEQR Technical Manual*, commercial development of 200,000 square feet or less would typically not result in significant socioeconomic impacts. Given that the proposed action would introduce less than 200,000 square feet of commercial development, the issue of indirect business displacement will also be addressed during the preliminary analysis in accordance with the CEQR guidelines.

INDIRECT RESIDENTIAL DISPLACEMENT

In accordance with the guidance presented in the *CEQR Technical Manual*, the detailed analysis for indirect residential displacement will be organized into three components: existing conditions (2007), future without the proposed action (2016), and future with the proposed action (2016).

Existing Conditions

Demographic and economic studies and field investigations will be used to describe existing population and housing conditions in the proposed project area and within the ½-mile study area.

Tasks include:

- Provide current and trend information on population, households, income, and age, based on Census data from 1990 and 2000. Certificate of Occupancy data from the New York City Department of Buildings will be used where available to update the census population to reflect new development in the study area since 2000.
- Discuss housing characteristics, including trends in rents, sales prices, vacancy, and tenure, based on Census data and discussions with local real estate firms.
- Identify populations at risk of displacement by determining the portion of the population below the poverty level and the portion with income levels that are lower than the median for Brooklyn, and the portion of the population living in units not protected by rent control, rent stabilization, or other rent regulated programs.

Future Without the Proposed Action

In conjunction with the land use task, specific development projects that would occur in the ½-mile study area in the future without the proposed action will be identified. Residential and commercial development projected in the study area in the Greenpoint-Williamsburg Rezoning FEIS by 2016 will be considered part of the no-build condition. Changes in population and housing characteristics likely to occur as a result of these actions will be characterized, including: potential increases in population and demographic characteristics of the study area; new residential developments; and changes in rents or sales prices of residential units.

Future With the Proposed Action/Potential Impacts

Following the guidelines of the *CEQR Technical Manual*, the analysis of indirect residential displacement will use study area data (presented in existing conditions) to determine whether the proposed action would have a significant adverse indirect residential displacement impact. If the proposed action introduces or accelerates a trend of changing socioeconomic conditions, and if the study area contains a population at risk, then the action may have a significant adverse impact. This analysis will take into account the housing units and population at risk as well as the affordable housing that would be provided as part of the proposed project.

SPECIFIC INDUSTRIES

Based on the guidelines in the *CEQR Technical Manual*, the preliminary analysis for effects on specific industries will respond to the following issues:

- Whether the proposed action would significantly affect business conditions in any industry or category of businesses within or outside the study area.
- Whether the proposed action would substantially reduce employment or impair viability in a specific industry or category of businesses.

TASK 4: COMMUNITY FACILITIES AND SERVICES

The demand for community facilities and services is directly related to the type and size of the new population generated by development resulting from the proposed action. New workers tend to create limited demands for community facilities and services, while new residents create more substantial and permanent demands. Community facilities other than open space (see Task 5) will be examined in this task.

In accordance with thresholds established in the *CEQR Technical Manual*, the number and type of new residential units expected to be developed as a result of the proposed action would trigger detailed analyses of potential impacts on public schools, libraries, outpatient health care facilities, and publicly funded day care centers.

The City's Police and Fire Departments routinely evaluate the need for changes in personnel, equipment, or facilities based on population, response times, crime levels, or other local factors. Therefore a detailed assessment of service delivery is usually conducted only if a proposed action would directly affect the physical operations of a station house or precinct house. Since the proposed action would not directly affect existing police and fire protection facilities, a detailed assessment is not warranted.

The proposed study area for community facilities would be defined as ½ mile from the proposed action area, but may vary by facility type in accordance with *CEQR Technical Manual* guidelines. The following analyses will be performed:

- Educational Facilities. Identify and locate public schools serving the project site. Assess conditions within the ½-mile study area and the local school district as a whole in terms of enrollment and utilization during the current school year, noting any specific shortages of school capacity. Identify conditions that will exist in the future without the proposed project, taking into consideration projected changes in future enrollment and plans to alter school capacity either through administrative actions on the part of the NYC Department of Education or as a result of the construction of new school space. Analyze future conditions with the proposed project, adding students likely to be generated by the project to the

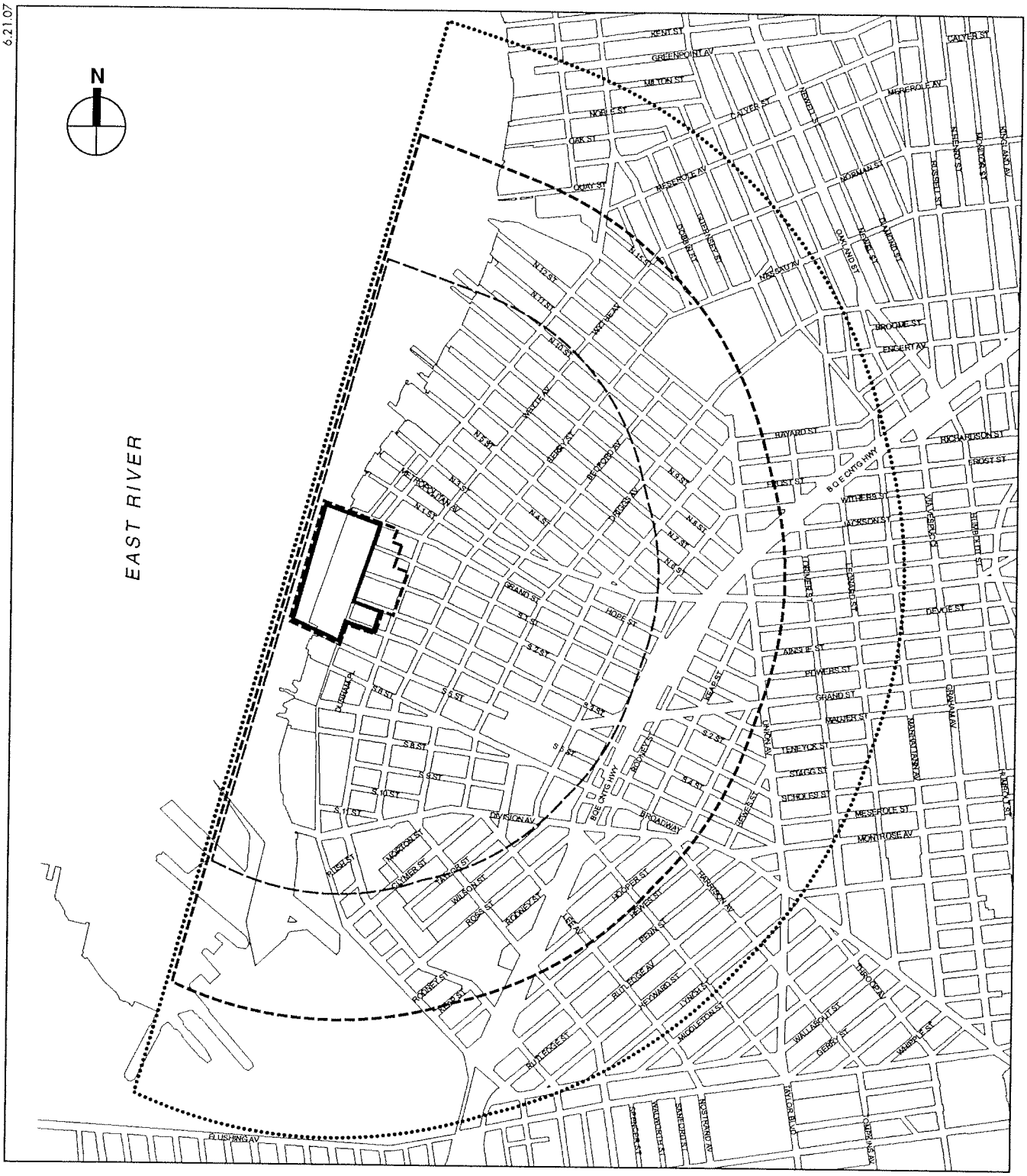
projections for the future without the action. Impacts of the proposed project will be assessed based on the difference between conditions in the future without the proposed project and the future with the proposed project in the 2016 analysis year.

- Libraries. Identify the local public library branch(es) serving the area. Describe existing population served by the branch(es), using information gathered for socioeconomic conditions assessment, information services provided by branch(es), circulation, level of utilization, and other relevant existing conditions. Details on library operations will be based on publicly available information and/or consultation with library officials. For No Build conditions, projections of population change in the area and information on any planned changes in library services or facilities will be described and the effects of these changes on library services will be assessed qualitatively. The effects of the addition of the population resulting from the proposed project will be qualitatively assessed in terms of special programs, facilities, and collections, with input from library branch management staff.
- Health Care Facilities. Identify hospital emergency room services and outpatient ambulatory care facilities (regulated by the NYS Department of Health and Office of Mental Health) within approximately one mile of the project site. Describe each facility in terms of its address, the type of service provided, an indicator of its size, capacity or utilization, and any other relevant existing conditions based on publicly available information and/or consultation with health care officials. For No-Build conditions, projected change in the area's low/moderate-income population and any planned changes in health care facilities or services will be described and the effects of these changes on the operating capacity of the facilities will be assessed. The potential effects on health care facilities of the additional population resulting from the proposed project will be assessed in comparison with the effects of changes expected to occur in the future without the proposed project.
- Day Care Facilities. Identify existing public day care and head start facilities within approximately one mile of the project site. Describe each facility in terms of its location, ages served, number of slots (capacity), existing enrollment and length of waiting list. Information will be based on publicly available information and/or consultation with the Administration for Children's Services (ACS). In the future without the proposed project, information will be obtained on any changes planned for day care programs and facilities within the area. Any expected increases in the number of children under 12 within the income eligibility limitations will be assessed as potential additional demand. The potential effects on day care facilities of the additional children resulting from the proposed project will be assessed in comparison with the effects of changes expected to occur in the future without the proposed project.

The study areas for each of the above analyses are shown in Figure 9.

TASK 5: OPEN SPACE

New residents and workers brought to the area by the proposed project would place added demands on existing open space and recreational facilities. The proposed project would generate more than the CEQR threshold of 200 residents and 500 employees, thereby requiring further assessment of open space. The analysis will consider both passive and active open space resources, requiring two study areas—one that considers the supply and demand for passive open space required by the non-residential population in a ¼-mile study area and one that considers the supply and demand for both passive and active open space required by the



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Community Facilities Study Area
Figure 9

residential population in a ½-mile study area (see Figure 10). A detailed open space analysis will be conducted and will include the following tasks:

- Using 2000 Census data and other data where applicable, calculate the total residential and employee population of the open space study area, which, as per CEQR guidelines, would be defined as the area within a ¼-mile and ½-mile distance for the residential analysis, with the study area boundary adjusted to include all census tracts with at least 50 percent of their area within these study areas.
- Inventory existing active and passive open spaces within the study areas. The condition and usage of existing facilities will be described based on the inventory and field visits. Jurisdiction, features, user groups, quality/condition, factors affecting usage, hours of operation, and access will be included in the description of facilities. Also, the potential for facilities to be affected by direct impacts, such as from shadows cast by the proposed project, will also be assessed. Acreage of these facilities will be determined and total study area acreage calculated. The percentage of active and passive open space will also be calculated.
- Based on the inventory of facilities and study area population, calculate the open space ratio for the residential and employee populations in the study areas and compare to City guidelines to assess adequacy. This is expressed as the amount of open space acreage per 1,000 user population. Open space ratios will be calculated for active and passive open space, as well as the ratio for the aggregate open space.
- Assess expected changes in future levels of open space supply and demand in the Analysis year, based on other planned development projects within the study area. Take account of any new open space and recreational facilities expected in the study area. This analysis will include new populations and open space as expected under the Greenpoint-Williamsburg Rezoning FEIS (May 2005). Open space ratios will be developed for future conditions without the action and compared with existing ratios to determine changes in future levels of adequacy.
- Based on the residential and employee populations and open space acreage added by the proposed project, assess its effects on open space supply and demand. The assessment of proposed project impacts will be based on a comparison of open space ratios with the proposed project and open space ratios in the future without the proposed project for the ½-mile study area. In addition to the quantitative analysis, qualitative analysis will be performed to determine if the changes resulting from the proposed project will result in a substantial change (positive or negative) or an adverse effect to open space conditions.
- If the results of the impact analysis identify a potential for a significant adverse impact, discuss potential mitigation measures.

TASK 6: SHADOWS

ISSUES

This chapter will examine the proposed action's potential shadow effects pursuant to *CEQR Technical Manual* criteria. Generally, shadow impacts could occur if an action would result in new structures or additions to buildings resulting in structures over 50 feet in height that could cast shadows on natural features, publicly accessible open space, or on historic features that are

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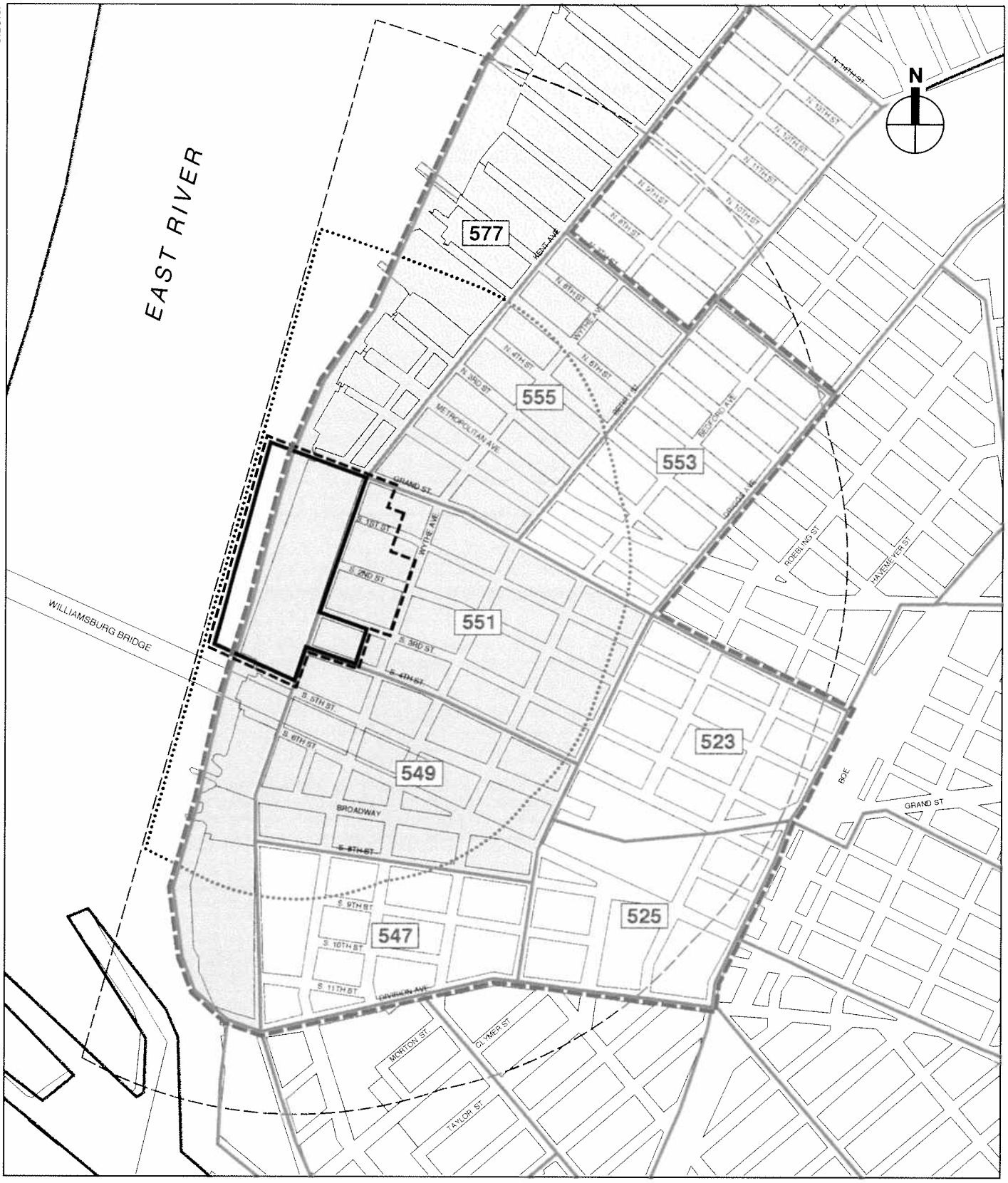


Project Site Boundary
Proposed Rezoning Area Boundary
525 Census Tract Number
Census Tract Boundary
1/4-Mile Perimeter
1/4-Mile Study Area Boundary
1/2-Mile Perimeter
1/2-Mile Study Area Boundary

DOMINO SUGAR REZONING

Open Space Study Areas
Figure 10

dependent on sunlight. The proposed project would include the construction of four residential buildings along the waterfront, two with a maximum height of 300 feet and two with a maximum height of 400 feet, and residential buildings on the east side of Kent Avenue with heights of up to 140 feet. Thus, an analysis of shadows is appropriate.

An analysis of shadows will be prepared focusing on the relation between the incremental shadows created by the proposed project's buildings on any sun-sensitive landscape or activities in the open spaces on and near the project site. These analyses will include the following tasks:

- Identify sun-sensitive landscapes and historic resources within the path of the proposed project's shadows. In coordination with a survey for the open space and historic analyses, map and describe any sun-sensitive areas. For open spaces, map active and passive recreation areas and features of the open spaces such as benches or play equipment.
- Prepare shadow diagrams for time periods when shadows from the new buildings could fall onto existing open spaces as well as open space created as a result of the project. The analysis will also take into account any historic resources identified in the area that may have significant sunlight dependent features such as stained glass windows. These diagrams will be prepared for up to four representative analysis days (March 21/September 21, May 6, June 21, December 21) if shadows from the proposed building would fall onto any of the open spaces or sun-sensitive historic resources on that day.
- Map the shadows from the existing buildings, No Action buildings, and the proposed project. Describe the effect of the incremental shadows from the proposed project on publicly accessible open spaces, project open spaces, as well as any historic resources with significant sunlight dependent features based on the shadow diagrams for each of the analysis dates.
- Create a duration table that will show the entering and exiting times when an incremental shadow would fall on each affected open space or when an historic feature would be affected by a project generated incremental shadow.

TASK 7: HISTORIC RESOURCES

The *CEQR Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. Historic resources include designated New York City Landmarks (NYCLs) and Historic Districts; properties calendared for consideration as NYCLs by the New York City Landmarks Preservation Commission (LPC) or determined eligible for NYCL designation; properties listed on the State and National Register of Historic Places (S/NR) or formally determined eligible for S/NR listing, or properties contained within a S/NR listed or eligible district; properties recommended by the NY State Board for listing on the S/NR; National Historic Landmarks (NHLs); and potential historic resources (i.e., properties not identified by one of the programs listed above, but that appear to meet their eligibility requirements).

On May 22, 2007, LPC calendared three of the buildings on the project site for consideration as a NYCL; those buildings are the Filter, Pan, and Finishing Houses at 292-314 Kent Avenue (collectively referred to as the Refinery). In addition, the New York State Historic Preservation Office (SHPO) has formally determined the portion of the project site complex at 292-350 Kent Avenue (between South 2nd and 5th Streets) to be eligible for S/NR listing. Between 1870 and 1914 sugar refining was the city's most profitable manufacturing industry, and the American

Sugar Refining Company was the most important of the sugar refining firms. Therefore, research will be undertaken for the DEIS to determine whether any of the other buildings on the project site appear to meet the eligibility criteria for S/NR listing and/or NYCL designation. A review of this analysis will be made by LPC and, as appropriate, the SHPO.

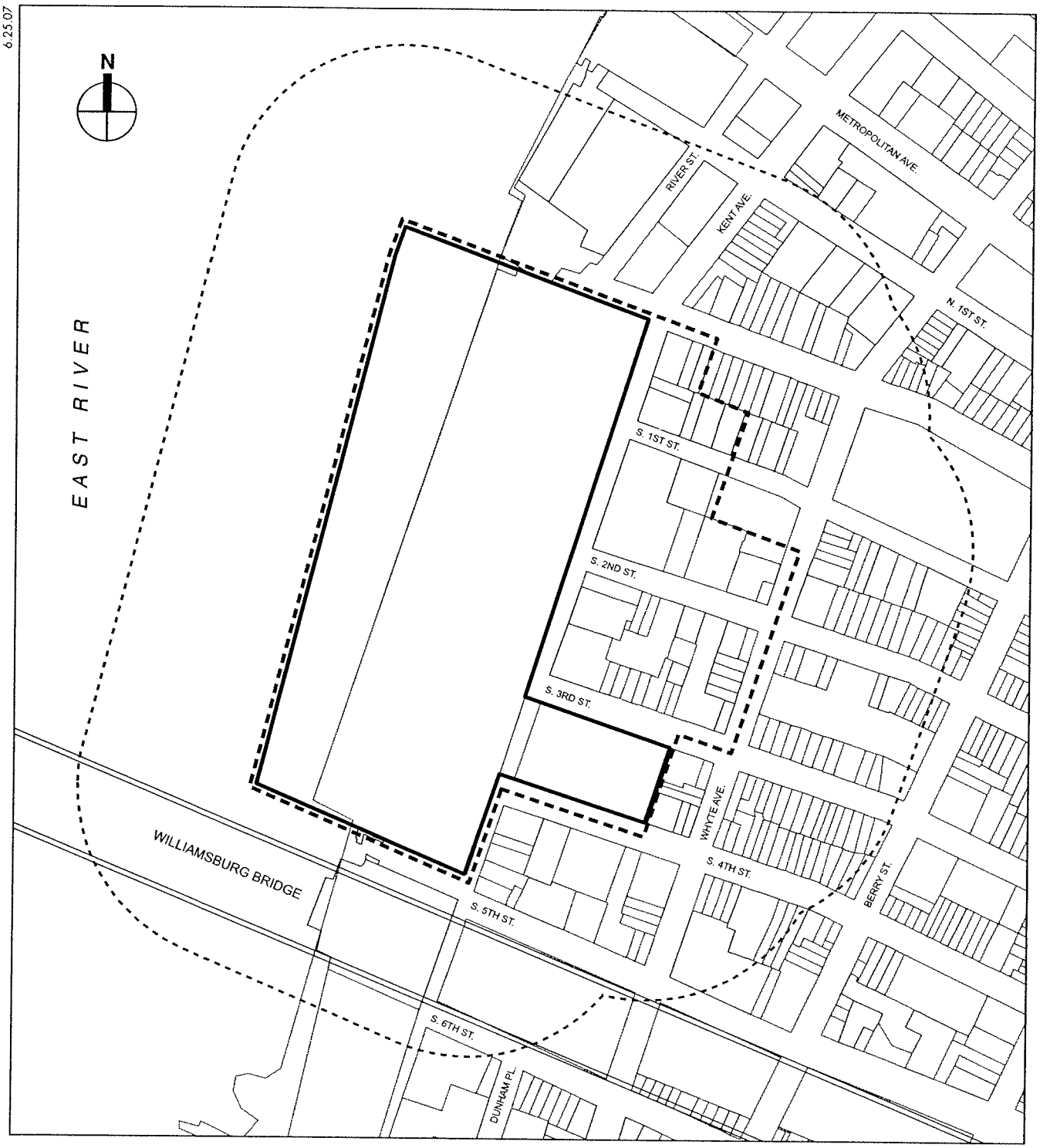
Because the proposed project would result in new in-ground disturbance and the alteration and/or demolition of existing buildings, it has the potential to result in impacts to archaeological and architectural resources. The following tasks will be undertaken as part of the historic resources analysis:

ARCHAEOLOGICAL RESOURCES

- Consult with LPC regarding the potential archaeological sensitivity of the project site and any potential development sites. LPC's review will serve as a basis in determining whether the site warrants further study.
- If LPC determines that the project site may be sensitive for archaeological resources, a Stage 1A Archaeological Assessment will be prepared as directed by LPC for their review and, as appropriate, for review by SHPO. The Stage 1A Archaeological Assessment will identify the potential for the project site to contain precontact-period and/or historic-period archaeological resources.
- Qualitatively discuss any impacts on potential archaeological resources that are expected in the future without the proposed project.
- Describe the proposed project and the potential impact it could have on archaeological resources through subsurface disturbance.
- If applicable, develop mitigation measures to avoid or minimize any adverse impacts on archaeological resources in consultation with LPC and, as appropriate, SHPO.

ARCHITECTURAL RESOURCES

- Prepare a written history and evaluation of the project site complex. This report will assess whether any of the portions of the complex not calendared by LPC or determined eligible for S/NR listing appear to meet the eligibility criteria for NYCL designation and/or S/NR listing.
- Within a 400 foot study area surrounding the project site (see Figure 11), map and briefly describe known architectural resources. These comprise NYCLs and Historic Districts, properties calendared or determined eligible for NYCL designation, NHLs, and properties listed on the Registers or determined eligible for S/NR listing.
- Conduct a field survey of the study area to determine whether there are any potential architectural resources that could be impacted by the proposed project. Potential architectural resources comprise properties that appear to meet the eligibility criteria for NYLC designation and/or S/NR listing. Map and briefly describe any potential architectural resources.
- Qualitatively discuss any impacts on architectural resources that are expected in the future without the proposed project as a result of other expected development projects. This would include any projected or potential developments in the Greenpoint-Williamsburg Rezoning FEIS.



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Historic Resources Study Area
Figure 11

- Describe the proposed project and any additional potential development and the impact it would have on the buildings on the project site. This could include the demolition of existing buildings and the preservation of buildings and other features. Assess the project's potential for indirect impacts on any known or potential architectural resources (e.g., the Williamsburg Bridge, which has been determined eligible for listing on the State and National Registers of Historic Places), including visual and contextual impacts.
- Because the proposed project may involve state or federal funding or subsidies, or require state and federal permitting, potential impacts to historic resources will be evaluated in accordance with state and federal procedures.
- If applicable, develop mitigation measures to avoid any adverse impacts on architectural resources in consultation with LPC and, as appropriate, SHPO.

TASK 8: URBAN DESIGN/VISUAL RESOURCES

The proposed project would substantially alter the appearance of the project site and therefore has the potential to result in impacts related to urban design and visual resources. This analysis will consider the effects of the proposed project and any additional potential development on the character of the surrounding area. In addition, the analysis will consider the effects of the proposed project on views from the Williamsburg Bridge and along the East River. The study area for urban design and visual resources is shown in Figure 12.

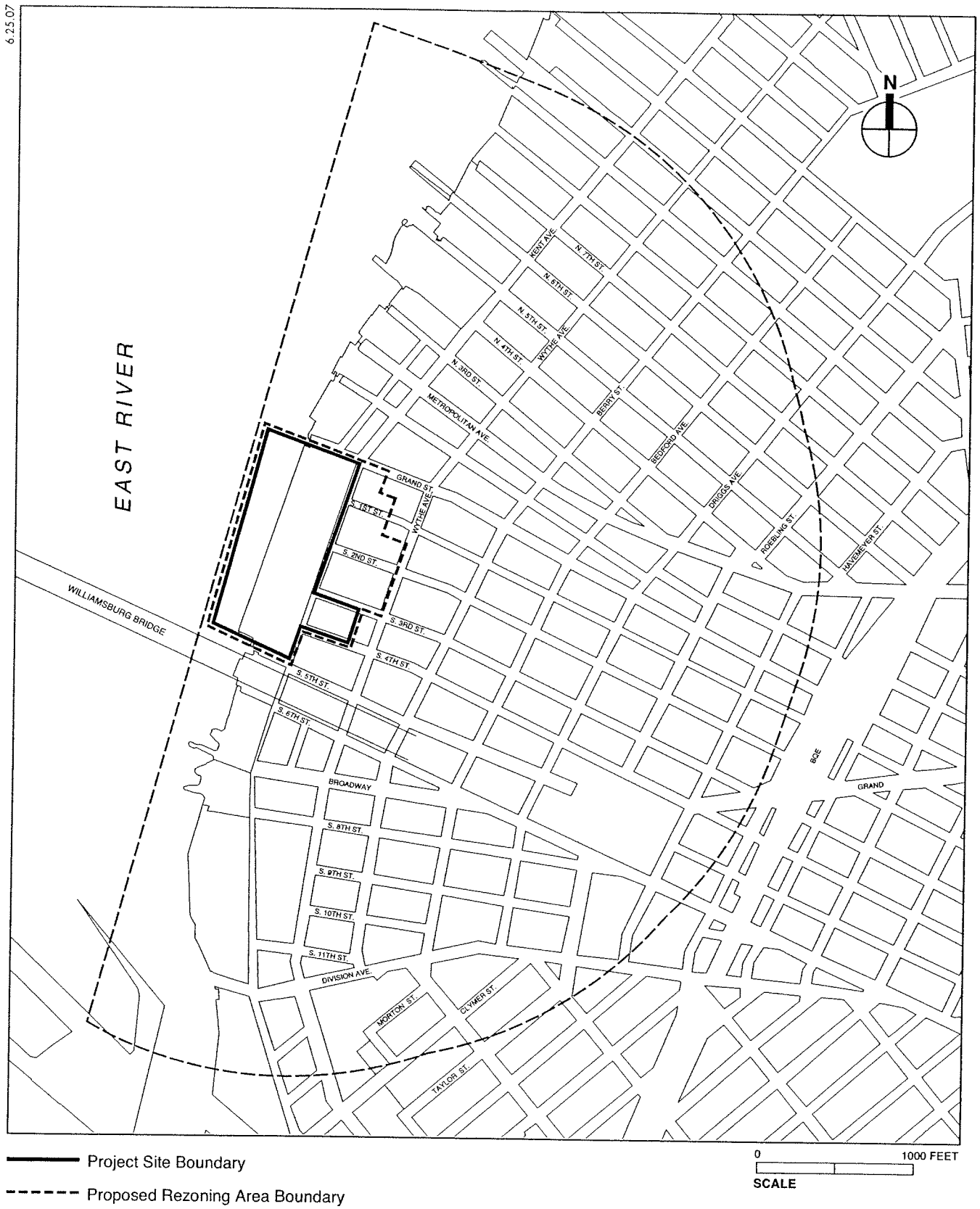
This task will:

- Describe the project area and the existing urban design and visual resources of the study area, using photographs and text as appropriate. Views of the site from Manhattan and from the Williamsburg Bridge will be considered as well as views of the site along Kent Avenue and the east-west view corridors from South 5th to Grand Street.
- Describe the changes expected in the urban design and visual character of the study area that are expected as a result of planned development projects in the future without the proposed project.
- Describe the visual character of the proposed development. Assess the anticipated changes in urban design and visual resources that would result from the proposed project in the study area and evaluate the significance of that change. This analysis would focus on public view corridors to the East River, view corridors along the river, and views from the public walkways on the Williamsburg Bridge.

TASK 9: NEIGHBORHOOD CHARACTER

Neighborhood character is established by a number of factors, such as land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic, and noise. The proposed project could affect the character of the area by introducing a residential development including retail/commercial and/or community facility uses to a site previously used for manufacturing. This chapter of the document will explain those effects in a summary fashion.

Methodologies outlined in the *CEQR Technical Manual* will be used to provide an assessment of neighborhood character. Work items for this EIS task are as follows:



DOMINO SUGAR REZONING

Urban Design and Visual Resources Study Area
Figure 12

- Based on other EIS sections, describe the predominant factors that contribute to defining the character of the neighborhood surrounding the project site, which is marked by a mix of residential, industrial, and retail uses.
- Based on planned development projects, public policy initiatives, and planned public improvements, summarize changes that can be expected in the character of the area in the future without the proposed project. Recent and pending zoning actions, including the Greenpoint-Williamsburg rezoning adopted in May 2005 and several smaller rezonings south of the Williamsburg Bridge, will contribute to substantial changes to neighborhood character in this area.
- Assess and summarize the proposed project's impacts on neighborhood character using the analysis of impacts as presented in other pertinent EIS sections (particularly urban design, historic resources, socioeconomic conditions, noise, and traffic).

TASK 10: NATURAL RESOURCES

The project site lies on the East River waterfront and is mostly developed with shoreline protection measures. The EIS will provide an assessment of natural resources. Any existing natural resources within or in the vicinity of the proposed action area would be identified, including any significant fish habitats in this section of the East River. The proposed project's potential impacts on identified natural resources would be assessed, including both short-term construction effects, as well as any potential long-term effects, including any new outfalls, expected run-off, etc. A discussion of any related permits that may be required would be provided.

This task will include the following:

- Describe the water quality conditions along the East River, including the trend and projection data, with site specific data as may be available through a literature review (e.g., the DEP Harbor Survey). This section will also describe the general hydrodynamic characteristics of the East River, including currents, tidal range, water quality classification, and overall pollutant loads and chemical and biological conditions.
- Review currently available information on aquatic habitats in the study area. This effort will also be undertaken using published literature, including the identification of essential fish habitats. The presence of tidal wetlands will be based on existing New York State DEC tidal wetlands maps.
- There are no significant natural resources issues with respect to terrestrial flora or fauna. Therefore, the site will be characterized based on a review of aerial photography and a field investigation.
- The New York State Natural Heritage Program and the US Fish and Wildlife Service will be contacted to obtain data as to the potential presence of rare or endangered plant or animal species in the area and essential fish habitats, along the East River.
- A projection will be made of natural resources conditions through the 2016 analysis year based on expected future conditions without the proposed project.
- An assessment of potential impacts from the proposed project will be presented analyzing any changes in water coverage, sediment disturbance, water quality, fish, and bird habitats, and terrestrial resources. Impact issues could include additional flow from

outfalls (see also Task 13, "Infrastructure," below), improvements to bulkhead and platform conditions, and any cumulative impacts of the proposed project with respect to other East River waterfront projects to the north and south. Any potential impacts on rare or endangered species or essential fish habitats will be presented. The need for any State or Federal approvals will also be described.

This analysis will also evaluate the potential for impacts due to any combined sewer overflow resulting from the proposed project (see also Task 13, "Infrastructure," below).

TASK 11: HAZARDOUS MATERIALS

This section will examine the potential for impacts related to subsurface contamination, including an evaluation of the existing soil and groundwater conditions in areas that would be affected by the proposed project, including any potential development sites. It will summarize conditions on the sites based on a review of existing Environmental Site Assessments and reports on subsurface investigations. A detailed scope of work follows.

- The land use history of the rezoning area will be described based on an examination of historic maps, atlases, and other historical records.
- The New York State Department of Environmental Conservation and the City's Fire and Building Department records will be examined for records of underground storage tanks.
- Records of other areas of environmental concern—including hazardous waste disposal sites, hazardous waste generators or treatment facilities, and hazardous substance releases—will be obtained through a computer database for all locations within a ½-mile of the site.
- Available information on subsurface conditions (geology and hydrogeology), including any borings performed on or near the site, will be obtained and reviewed.
- All available prior reports of soil or groundwater testing on or adjacent to the property will be reviewed.
- The site and the surrounding study area will be inspected for any evidence of contamination, including the presence of drums or tanks, stained soils, stressed vegetation, and illegally dumped or stored material.
- The potential for contamination of soil and groundwater in the rezoning area, and the need for any site testing, will be assessed based on land use history, examination of tank records, and current site conditions.
- The results of the assessment will be summarized for inclusion in the EIS.
- If there is the potential for significant impacts under the proposed project, the need to perform soil or groundwater sampling as mitigation will be described in the mitigation chapter as well as the need for any restrictive declaration to implement the mitigation.

TASK 12: WATERFRONT REVITALIZATION PROGRAM

The project site is located within the City's coastal zone. This task will assess the project's consistency with the City's Local Waterfront Revitalization Program (LWRP). Adopted under the federal Coastal Zone Management Act of 1972, the LWRP is administered by the City

Planning Commission acting as the City Coastal Commission, and consists of 10 policies that address such issues as water dependency, flooding, erosion, natural resources, water quality, and public access.

TASK 13: INFRASTRUCTURE

The proposed project will place additional demands on the infrastructure systems serving the area. This section will analyze the demand for water and energy, and the generation of sewage and stormwater. This chapter of the EIS will include:

WATER SUPPLY

- The existing water distribution system serving the proposed action area will be described based on information obtained from the New York City Department of Environmental Protection's (NYCDEP) Bureau of Water Supply and Wastewater Collection.
- Project water demand for the proposed project. The effects of the incremental demand on the City's water supply system will be assessed to determine if there would be impacts to water supply or pressure.

STORM WATER AND SANITARY SEWERS

- Describe the existing sewer system serving the development sites based on information obtained from the New York City Department of Environmental Protection (DEP). The existing flows to the Newtown Creek Water Pollution Control Plant (WPCP) will be obtained for the latest 12-month period. The average annual monthly flow will be presented.
- Estimate sanitary sewage generation for the proposed project. The effects of the incremental demand on the system will be assessed to determine if there will be any impact on operations of the WPCP. The analysis will also include an examination of combined sewer overflow (CSO) events.

TASK 14: SOLID WASTE AND SANITATION SERVICES

The proposed project includes new development that would require sanitation services. This chapter will provide an estimate of the additional solid waste expected to be generated by the proposed project and assess its effects on the City's solid waste and sanitation services.

- Describe existing and future New York City solid waste disposal practices, including the collection system and disposal methods.
- Estimate existing solid waste generation and solid waste generation in the future without the proposed project.
- Project solid waste generation by the proposed project based on CEQR guidelines.
- Assess the impacts of the proposed project's solid waste generation on the City's collection needs and disposal capacity.

TASK 15: ENERGY

According to the *CEQR Technical Manual*, actions resulting in new construction would not create significant energy impacts because all new structures requiring heating and cooling are subject to the New York State Energy Conservation Code, which reflects State and City energy policy. Therefore, a detailed energy assessment is not required. For CEQR analysis purposes, energy analysis focuses on an action's consumption of energy. This chapter will describe the energy systems that would supply the proposed project with electricity and/or natural gas. This will include descriptions of the capacity and existing demand of the entire systems, and of the distribution networks serving the project site.

TASK 16: TRAFFIC AND PARKING

The proposed actions would allow a project with a substantial number of residential units as well as potential retail/commercial and community facility uses and waterfront open space. These uses would generate additional vehicular travel and increase demand for parking, as well as pedestrian traffic and subway and bus riders. These new trips have the potential to affect the area's transportation systems. As the new uses would replace former manufacturing uses at the site, certain transportation demands formerly generated by the site's uses would also be eliminated.

The traffic analysis under this task will be an important focus of the EIS and will examine 42 intersections in the traffic study area (see Figure 13) for the potential for the proposed project to generate significant traffic impacts. In addition, the analysis will examine potential increases in the parking demand.

Based on preliminary estimates, the proposed action is expected to generate more than 50 additional (net) vehicular trips in the weekday AM, midday, and PM peak hours. As the number of vehicle trips exceeds the 50 vph CEQR threshold requiring detailed analysis in the weekday AM, midday, and PM peak periods, the EIS will analyze all three peak periods in detail. Thus, the EIS will provide a detailed traffic analysis for the weekday AM, midday, and PM peak hours, focusing on those intersections handling the highest concentrations of project-generated demand.

A detailed scope of work follows.

- Define a traffic study area consisting of intersections to be analyzed within the proposed action area (i.e., the primary traffic study area) and along major routes leading to and from the area, i.e., the secondary traffic study area (see the proposed study area and intersections in Figure 13).
- Conduct traffic data collection and reduction. The traffic count program will include current manual intersection turning movement counts at the study area intersections. Also where available, data from the Greenpoint-Williamsburg Rezoning FEIS will be consulted as a secondary source to supplement the traffic count data. In addition, vehicle classification counts, automatic traffic recorder (ATR) counts, and an inventory of existing roadway geometry and traffic control will be performed. Travel time and delay runs will be conducted to support air quality mobile source analyses. Official traffic signal timing and phasing will be obtained from the New York City Department of Transportation (NYCDOT) for incorporation into the capacity and level of service analyses.



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Traffic Analysis Locations
Figure 13

- Conduct travel speed and delay runs and vehicle classification counts along key routes in the study area as support data for air quality and noise analyses. These speed-and-delay runs and vehicle classification counts will be conducted in conjunction with the traffic volume counts.
- Inventory physical data at each of the analysis intersections needed for capacity analyses, including street widths, number of traffic lanes and lane widths, pavement markings, turn prohibitions, typical parking regulations, and signal phasing and timing data.
- Assess vehicle/pedestrian safety conditions. Obtain the most recent three year accident data from the New York State Department of Transportation (NYSDOT) for the intersections in the vicinity of project site. Summarize the accident data and determine if any of the intersections are classified as a high accident location based on the CEQR criteria. If high accident locations are identified, recommend mitigation/improvement measures to alleviate the safety impacts.
- Determine existing traffic operating characteristics at each analysis intersection including capacities, volume-to-capacity (v/c) ratios, average vehicle delays, and levels of service (LOS) per traffic movement, per intersection approach, and per overall intersection using Highway Capacity Software (HCS) Version 4.1f. 2000 Highway Capacity Manual procedures will be used. Allowances for any on-going construction or temporary road closures will be made.
- Based on available sources, U.S. Census data, and standard references, estimate the travel demand characteristics of the existing uses on the project site. This will include daily and hourly person trips, and a modal distribution to estimate trips by auto, taxi, and other modes (refer to discussion of transit and pedestrians for more discussion of other modes). A truck trip generation will be also be conducted, and any current street improvements as part of the Kent Avenue/Franklin Street Reconstruction Project will be presented.
- Compute future No-Action traffic volumes (year 2016) based on the CEQR Technical Manual recommended background growth rate of 1.0 percent for the study area and the volume of traffic expected to be generated for significant development projects anticipated to be in place by the proposed Analysis year for the proposed action. Intersection volume-to-capacity (v/c) ratios, delays, and LOS will also be determined. These data will rely on the projections presented in the above-referenced documents.
- Using the same transportation planning assumptions as for No-Action conditions, estimate the travel demand characteristics of the proposed project (the net change in uses).
- Determine the volume of vehicle traffic expected to be generated by the proposed project and assign that volume of traffic in each analysis period to the approach and departure routes likely to be used. Prepare traffic volume networks for the future condition under the proposed project for each analysis period.
- Determine the resulting v/c ratios, delays, and LOS for the future with the proposed project (year 2016) and identify any significant traffic impacts based on the guidelines of the City's CEQR Technical Manual.

- If significant traffic impacts are identified, evaluate traffic mitigation, as necessary.
- Assess parking conditions. A parking accumulation estimate will be prepared to determine the adequacy of the proposed parking. In addition, as per CEQR Technical Manual criteria, on-street parking regulations in the vicinity of the project site will be inventoried as presented in the chapter.

TASK 17: TRANSIT AND PEDESTRIANS

The proposed action is expected to generate a net increase of more than 200 subway and bus trips, the threshold for detailed transit analysis, in the weekday AM and PM peak hours. Subway and bus modes will be examined to determine existing, No Build, and Build conditions. As with traffic, the Greenpoint-Williamsburg Rezoning FEIS (May 2005) will serve as a guide in this analysis. This analysis will be conducted for conditions both with and without the proposed shuttle bus service from the project site to the subway. Specific tasks are as follows:

TASK 17A TRANSIT

- A description of nearby transit facilities and a characterization of subway and bus ridership levels, along with a discussion of key pedestrian routes would be provided. A detailed analysis of control areas and pedestrian circulation elements will be conducted at the Marcy Avenue (J/M/Z) and Bedford Avenue (L) Stations, the nearest stations to the project site that provide rapid transit service to employment centers in Manhattan. It is expected that since the project site is more accessible to nearby bus routes, a substantial portion of subway riders would use the B61 bus to connect with the Bedford Avenue Station, and several other bus routes would be used to travel to other destinations in Brooklyn and Queens. Therefore, a detailed analysis of peak bus loading conditions will be conducted.
- Determine future No-Action conditions and volumes under the proposed project at these analysis locations using background growth rates for the stations and action-generated transit riders based on trip generation assumptions of the proposed project.
- If significant impacts are identified, propose mitigation measures.

TASK 17B PEDESTRIANS

- Assess pedestrian conditions. A detailed pedestrian analysis of four nearby intersections will be conducted. If warranted, an analysis of on-street elements adjacent to the Bedford Avenue Station, where the majority of subway trips are anticipated, would be conducted.
- Determine the existing capacities and LOS at these locations according to CEQR Technical Manual and/or New York City Transit design criteria.
- Determine future No-Action conditions and volumes under the proposed project at these analysis locations using background growth rates and trip generation assumptions of the proposed project.
- If significant impacts are identified, propose mitigation measures.

TASK 18: AIR QUALITY

The air quality studies for the proposed project will include mobile, stationary, and industrial source analyses. The mobile source air quality impact analysis will have to address two distinct issues:

- What effect will traffic-generated emissions have on pollutant levels (i.e., carbon monoxide concentrations) at locations within the adjacent study area; and
- Will the proposed project be consistent with the applicable State Implementation Plan (SIP) for the area?

The stationary source air quality impact analysis will determine the effects of emissions from any proposed heating, ventilating, and air conditioning (HVAC) systems on pollutant levels (i.e., sulfur dioxide, carbon monoxide, particulate, and/or nitrogen dioxide concentrations). In addition, the proposed project would involve the construction of new residential buildings in an area adjacent to existing industrial/manufacturing uses. Therefore, an analysis to examine the potential for impacts on residents of the proposed project from industrial emissions will have to be performed.

Using computerized dispersion modeling techniques, the effects of both project-generated traffic on carbon monoxide (CO) levels at critical intersection locations will be determined, and, if necessary, where significant project impacts are predicted to occur, in conjunction with the traffic studies, cost effective, feasible traffic measures will be developed to alleviate those impacts.

Stationary source air quality issues relate to the project's HVAC systems. In addition, the *CEQR Technical Manual* requires an assessment of any actions that could result in the location of residential developments within 1,000 feet of a large emission source (e.g., a power plant) or within 400 feet of commercial, institutional, or large-scale residential developments where the proposed structure would be of a height similar to or greater than the height of an existing emission stack. Impacts will be predicted on the proposed project from the existing North 1st Street power plant operated by the New York Power Authority. The EIS will assess stationary source impacts using refined dispersion modeling.

The tasks involved in the air quality analysis are as follows:

Mobile Source Analyses

- Gather existing air quality data. Collect and summarize existing ambient air quality data for the study area (vehicle speeds, vehicle classifications, etc.). Specifically, ambient air quality monitoring data published by the New York State Department of Environmental Conservation (NYSDEC) will be compiled for the analysis of existing conditions.
- Determine receptor locations for microscale analysis. Select critical intersection locations in the study area, and outside the study area, based on data obtained from the project's traffic analysis as well as traffic planners and engineers for the project. Multiple receptor sites will be analyzed at each intersection. It is assumed that at least three intersections would be analyzed.
- Select dispersion model. EPA's CAL3QHC screening model will be used for less congested locations. EPA's CAL3QHCR refined intersection CO model will be used at intersections that are found to exceed CO standards or de minimis criteria using the

CAL3QHC screening model. For this analysis, we will use five years (1998-2002) of meteorological data from La Guardia Airport and concurrent upper air data from Brookhaven, New York for the simulation program.

- Select emission calculation methodology and "worst-case" meteorological conditions. Vehicular cruise and idle emissions for the dispersion modeling will be computed using EPA's MOBILE6.2 model. For the "worst-case" analysis (at screening locations), conservative meteorological conditions to be assumed in the dispersion modeling are a 1 meter per second wind speed, Class D stability, and a 0.70 persistence factor.
- Select appropriate background levels. For the microscale carbon monoxide analysis, appropriate background levels for the study area will be obtained from the New York City Department of Environmental Protection (NYCDEP), or from the closest NYSDEC ambient air quality monitoring station from the project site.
- At each mobile source microscale receptor site, calculate maximum 1- and 8-hour carbon monoxide concentrations for existing conditions, the future conditions without the project, and the future conditions with the project. Concentrations will be determined for two peak periods.
- Assess the potential impacts associated with proposed parking facilities. Information on the potential design of the garages will be employed to determine potential off-site impacts from these vented emissions for the project's build years A temperature of 51°F will be assumed in the analysis, and a point source screening analysis will be used. Cumulative impacts from on-street sources and emissions from the parking facilities will be calculated where appropriate. Compare future CO pollutant levels with standards and applicable de minimis criteria, to determine potential significant adverse project impacts.
- Analyze the potential effects of CO emissions and PM10 and PM2.5 from elevated vehicular roadways in close proximity (i.e., the elevated Williamsburg Bridge approach) to the proposed project.
- Analyze the potential effects of CO emissions from the proposed water taxi service and conduct a cumulative analysis with other mobile sources, if necessary.
- Examine mitigation measures. Analyses will be performed to examine and quantify ameliorative measures to minimize any significant adverse impacts of the proposed project.
- Determine the consistency of the proposed project with the strategies contained in the SIP for the area. At any receptor sites where violations of standards occur, analyses would be performed to determine what mitigation measures would be required to attain standards.

Stationary Source Analyses

- Assess the potential impacts associated with the emissions from the proposed project's buildings. A detailed stationary source analysis using EPA's AERMOD dispersion model will be performed. Five years of current meteorological data comprising surface data from La Guardia Airport and upper air data from Brookhaven, New York, will be used for the simulation modeling. Concentrations of nitrogen dioxide, sulfur dioxide, CO and particulate matter (PM10 and PM2.5) will be determined. Predicted values will

be compared with ambient air quality standards and NYCDEP/NYSDEC PM2.5 interim guidance criteria. In the event that violations of standards or significance thresholds are predicted, examine design measures to reduce pollutant levels to within these levels.

- Analyze the potential impacts from large nearby sources of emissions. Impacts will be predicted on the proposed project from the existing North 1st Street power plant operated by the New York Power Authority.

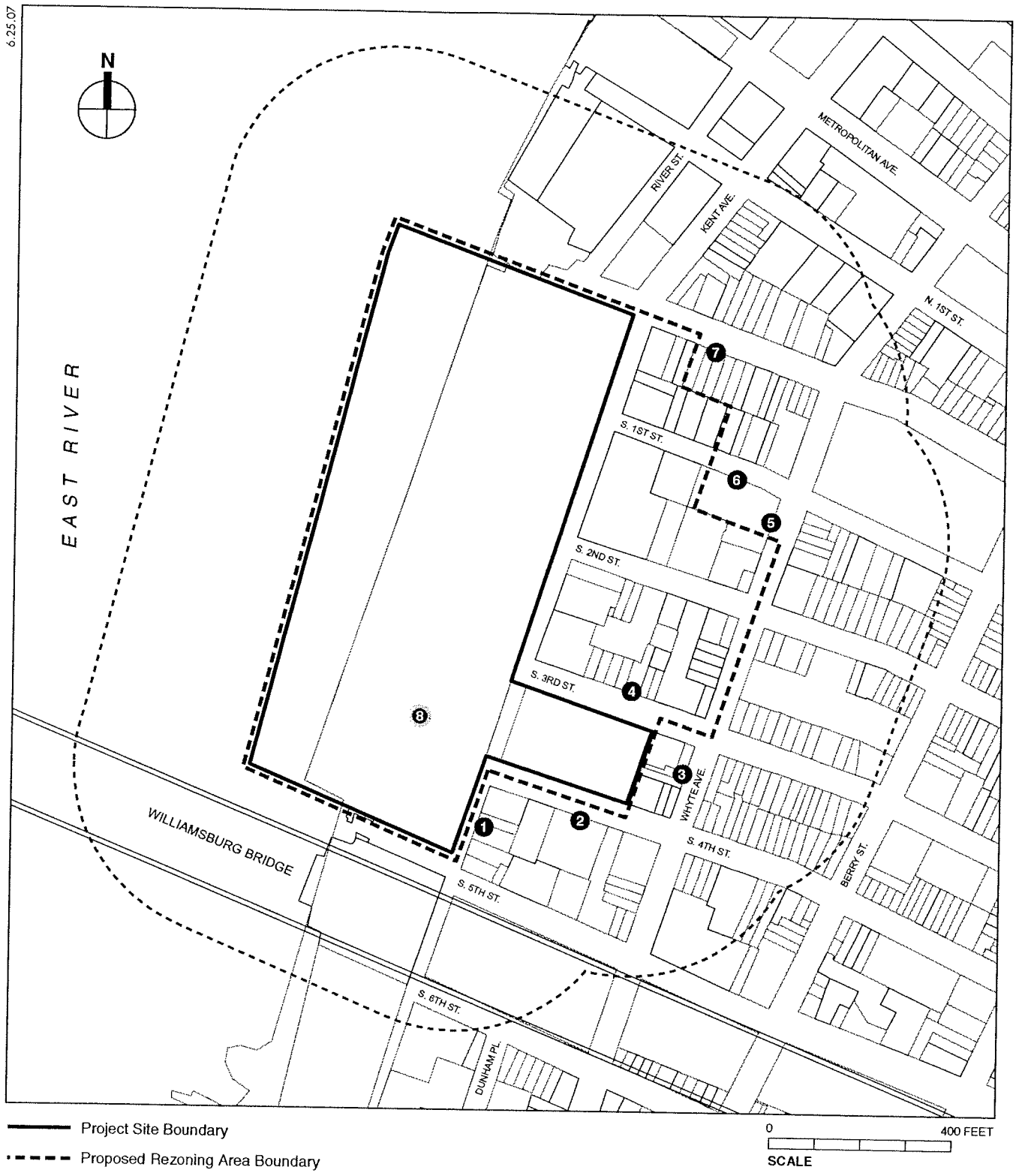
Industrial Sources

- A field survey will be performed to determine if there are any manufacturing or processing facilities within 400 feet of the proposed project. The NYCDEP's Bureau of Environmental Compliance (BEC) files will be examined to determine if there are permits for any industrial facilities that are identified. A review of federal and state permits will also be conducted. Based upon this information a determination will be made of whether further detailed analysis is necessary. The AERMOD dispersion model screening database will be used to estimate the short-term and annual concentrations of critical pollutants at the potential receptor sites. Predicted worst-case impacts on the project will be compared with the short-term guideline concentrations (SGC) and annual guideline concentrations (AGC) reported in the NYSDEC's DAR-1 AGC/SGC Tables (December 2003) to determine the potential for significant impacts. In the event that violations of standards are predicted, measures to reduce pollutant levels to within standards will be examined. A health risk assessment will also be performed to determine any public health impacts from these emissions on future residents.

TASK 19: NOISE

The noise analysis will examine impacts of ambient noise sources (e.g., the Williamsburg Bridge and the traffic along Kent Avenue) on the proposed residential uses and the impacts of project-generated traffic on noise-sensitive land uses nearby. The noise descriptors will describe the noise environment and the impact of the proposed project following current City criteria regarding noise descriptors. Consequently, where and when appropriate, the L_{10}, day-night (L_{dn}), and/or 1- and 24-hour equivalent ($L_{eq(1)}$ and $L_{eq(24)}$) noise levels will be examined. The tasks are as follows:

- Select receptor sites analyzed at approximately 8 locations where there is the greatest potential for impacts from ambient noise levels (see Figure 14). Elevated receptors will be analyzed.
- Determine existing noise levels based on noise monitoring. Take measurements during the following time periods—weekday AM, midday, and PM. Record hourly Leq, L1, L10, L50, L90, Lmax, Lmin values. Measured noise levels will be supplemented by mathematically modeled values, where necessary.
- At each receptor, determine noise levels both with and without the proposed project using existing noise levels, acoustical fundamentals, and mathematical models. The methodology used will allow for variations in vehicle/truck mixes during the critical analysis periods.
- Compare existing and future noise levels both with and without the proposed project, with various noise standards, guidelines and other noise criteria, including New York City Ambient Noise Quality Criteria, New York City CEQR Noise Standards, and New



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Noise Receptor Locations
Figure 14

York City Noise Performance Standards. In addition, compare future noise levels with the proposed project with future noise levels without the proposed project to determine project impacts. (Based on the criteria contained in the CEQR Technical Manual, a change of 3 dBA or more will be considered significant impact.)

- Examine traffic analysis to determine the potential for significant noise impacts from mobile sources.
- Describe window/wall construction and ventilation schemes for future buildings to show whether interior noise levels will meet City standards.
- Assess measures to mitigate identified noise impacts as necessary.

TASK 20: CONSTRUCTION IMPACTS

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. The likely construction program and schedule for development at the project site will be described, including phasing. This impact assessment will be a screening analysis of potential impacts based on the *CEQR Technical Manual* with an analysis of the effects of construction activities, including the demolition of buildings, excavation and foundation work, construction of new buildings, and landscaping.

The EIS will assess the potential for impacts during the construction period based on detailed construction schedules, phasing plans, and staging plans developed for the specific development program, and will include quantitative analyses of potential traffic and transportation, air quality, and noise impacts. The technical areas proposed to be analyzed in the EIS include:

- Traffic and Transportation. This assessment will consider the temporary losses in lanes, walkways, and other transportation services, and increases in vehicles from construction workers and equipment.
- Parking. This assessment will consider the loss of on-street parking due to construction activity.
- Air Quality. Analyze direct emissions from demolition and construction site activity, including fugitive dust and on-site diesel equipment. Analyze potential effects from increases in mobile source emissions of trucks and worker vehicles at nearby sensitive receptors and congested locations, and from potential long-term traffic diversions. Discuss measures and emission reduction strategies to reduce impacts.
- Noise. Discuss noise from the construction activity, including effects on nearby sensitive receptors. Discuss the potential for vibrations caused by construction activities to damage buildings and other resources, and, if necessary, mitigation measures to minimize vibrations.
- Hazardous Materials. In coordination with the hazardous materials task described above, summarize actions to be taken during construction to limit exposure of construction workers, residents, and the environment to potential contaminants.
- Socioeconomic Conditions. This assessment will consider whether construction conditions would affect access to existing businesses, the potential consequences

concerning their continued viability, and the potential effects of their loss, if any, on the character of the area.

- Historic Resources. In coordination with the work performed for historic resources above, summarize actions to be taken during project construction to protect any adjacent historic resources from potential construction impacts.

TASK 21: PUBLIC HEALTH

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, hazardous materials, construction and natural resources. A public health assessment may be warranted if a proposed action results in a) increased vehicular traffic or emissions from stationary sources resulting in significant air quality impacts; b) increased exposure to heavy metals and other contaminants in soil/dust resulting in significant impacts, or the presence of contamination from historic spills or releases of substances that might have affected or might affect ground water to be used as a source of drinking water; c) solid waste management practices that could attract vermin and result in an increase in pest populations; d) potentially significant impacts to sensitive receptors from noise and odors; or e) vapor infiltration from contaminants within a building or underlying soil that may result in significant hazardous materials or air quality impacts. Based on the findings of the tasks discussed above, the EIS will provide an assessment of potential public health impacts, following the guidelines presented in the *CEQR Technical Manual.*

TASK 22: ALTERNATIVES

The purpose of an alternatives section in an EIS is to examine development options that would tend to reduce action-related impacts. The alternatives are usually defined when the full extent of the proposed action's impacts is identified, but at this time it is anticipated that they will include the following:

- No Action Alternative, which assumes a scenario in which the project site is not rezoned and the buildings on the site remain vacant;
- An as-of-right alternative that assumes the continuation of the existing M3-1 zoning on the site and the reoccupancy and/or demolition and redevelopment of the site under that zoning;
- An alternative with zoning map amendment for the Non-Project Rezoning Area to i) M1-4/R6A for all of Block 2415 and the M3-1 zoned portion of Block 2403; ii) and a change to M1-4/R6B for the M3-1 zoned portion of Block 2390; and
- Other possible alternatives that may be developed in consultation with DCP during the EIS preparation process.

For technical areas where impacts have been identified, the alternatives analysis will determine whether these impacts would still occur under each alternative.

TASK 23: MITIGATION MEASURES

Where significant proposed action impacts have been identified in Tasks 2 through 21, measures to mitigate those impacts will be described. These measures will be developed and coordinated

with the responsible City/State agencies as necessary. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

TASK 24: SUMMARY CHAPTERS

UNAVOIDABLE ADVERSE IMPACTS

Any significant impacts for which no mitigation can be put forth or implemented will be presented as unavoidable adverse impacts.

GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTION

Describe any growth-inducing aspects of the proposed project, focusing on whether it is expected to trigger further development.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

This section summarizes the proposed action and its impacts in terms of the loss of environmental resources, both in the immediate future and the long term.

TASK 25: EXECUTIVE SUMMARY

The executive summary will utilize relevant material from the body of the EIS to describe the proposed actions, their environmental impacts, measures to mitigate those impacts, and alternatives to the proposed actions. ✷