Chapter 29: Response to Comments on the Draft Scope of Work and DEIS

A. INTRODUCTION

This chapter summarizes and responds to all substantive comments on the Draft Scope of Work (Draft Scope) and the Draft Environmental Impact Statement (DEIS) for the Halletts Point Rezoning made during the public review period. For the Draft Scope, these consist of oral comments received during the public scoping meeting held by the New York City Planning Commission (CPC) on December 13, 2012. Written comments on the Draft Scope were accepted through the public comment period, which ended on December 26, 2012. For the DEIS, comments consist of spoken or written testimony submitted at the public hearings held by the CPC on July 10, 2013 and July 24, 2013. Written comments were accepted through the public comment period, which ended on August 5, 2013. Written comments received on the DEIS and Draft Scope are included in **Appendices I** and **J**, respectively.

Sections B and D list the elected officials, community boards, government agencies, organizations, and individuals who commented on the DEIS and Draft Scope, respectively. Sections C and E summarize and respond to the substance of these comments on the DEIS and Draft Scope, respectively. The organization and/or individual that commented are identified after each comment. These summaries convey the substance of the comments but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the Draft Scope and the DEIS. Where more than one commenter expressed a similar view, the comments have been grouped and addressed together.

Where relevant and appropriate these edits, as well as other substantive changes to the DEIS, have been incorporated into the Final Environmental Impact Statement ("FEIS").

B. LIST OF ELECTED OFFICIALS, ORGANIZATIONS, AND INDIVIDUALS WHO COMMENTED ON THE DEIS

ELECTED OFFICIALS AND COMMUNITY BOARD

1. Queens Borough President Helen Marshall, recommendation dated July 8, 2013 (QBP)
2. Queens Community Board 1, recommendation dated May 23, 2013 (CB1)

PUBLIC AGENCIES

3. United States Environmental Protection Agency Region 2, written submission dated July 23, 2013 (EPA)

ORGANIZATIONS AND INTERESTED PUBLIC

4. Claudia Coger, President of the Astoria Houses Tenants' Association, oral comments, July 10, 2013 (Coger)
5. Phil Konigsberg, oral comments, July 10, 2013 (Konigsberg)

6. Hellenic-American Neighborhood Action Committee (HANAC), oral comments delivered by John Napolitano, July 10, 2013, written submission dated July 10, 2013 (HANAC)
7. New York City Housing Partnership, oral comments delivered by Daniel Martin, President, July 10, 2013 (NYCHP)
8. Bishop Mitchell Taylor, President of East River Development Alliance, oral comments, July 10, 2013 (Taylor)

C. COMMENTS AND RESPONSES ON THE DRAFT ENVIRONMENTAL IMPACT STATEMENT

PROJECT DESCRIPTION / GENERAL

Comment 1: I support this project because it will breathe new life into the neighborhood by introducing more people, more resources, jobs, and better housing options (Taylor).

I support the Halletts Point project. The developer has been respectful of community input and this project will be good for the community. (Coger)

The development team is very interested in doing the right thing for the community for the right purpose; the New York City Housing Partnership supports this. (NYCHP)

The large affordable housing component in the project is welcome news for the Astoria community. We urge the City Planning Commission to support this application. (HANAC)

EPA believes that the proposed project, on the whole, will add value by: increasing affordable housing availability; increasing market-rate housing availability; enhancing usage of the waterfront property via the planned esplanade; enhancing retail availability including a supermarket; and by the general enhancement of an underutilized waterfront property. (USEPA)

Response: Comment noted.

Comment 2: The changes made to the project, as a result of meetings with community residents and leaders, the community board, local elected officials and the Office of the Queens Borough President, clearly indicate that the applicant has been responsive to concerns and issues that were raised. (QBP)

Response: Comment noted.

Comment 3: The applicant must adhere to the commitment to hire local residents including Astoria Houses residents and using local businesses for jobs, goods and services during construction and wherever possible in the period after construction is complete. (QBP)

Response: Although it is the Applicant's intention to develop a jobs program to support local hiring, hiring preferences or requirements are outside of the scope of this project's environmental review.

Comment 4: When housing construction is completed, the applicant must, as promised, work with local community service organizations to assist Astoria Houses residents in obtaining housing within the new development. (QBP)

Response: It is the Applicant's intention to provide preference for NYCHA and community residents in the proposed affordable units, subject to the applicable affordable housing financing program requirements. Under the Inclusionary Housing Program, affordable units will have a 50 percent community preference (Queens Community Board 1 residents) and HPD has stated that of this amount half of these units could be allocated to existing NYCHA Astoria Houses residents.

Comment 5: There is a great need in this area for a community center that will provide recreational, after-school, and cultural programs for residents of all ages. The applicant should work with the community to address the need for recreational, after-school, and cultural programs in the area. (QBP)

The developer (Halletts A Development Co., LLC) should provide a Youth Center facility, similar to the Variety Boys & Girls Club at 21-17 30 Rd. in Astoria, with indoor multi-use facilities. This facility should be separate and distinct from the proposed school building. (CB1)

I encourage the City and elected officials to hold stakeholders and developers accountable to the needs of this peninsula and provide the resources that the Astoria Houses community needs. (Coger)

Response: CEQR does not require an assessment of the need for community or youth centers; however, Chapter 5, "Community Facilities," does assess the potential effects of the proposed project on community facilities such as schools, child care facilities, and libraries, as well as direct effects on police and fire protection services. As discussed in Chapter 5, there would be a potential significant adverse impact on public elementary schools requiring mitigation. Mitigation for this potential impact in the form a new public school building is proposed in Chapter 22 of the FEIS. It is the Applicant's position that the proposed school could provide space for recreational, after-school, and cultural programs for the surrounding area. The Applicant would be pleased to facilitate discussion between community groups and the Department of Education (DOE) regarding use of the proposed school for community and youth programming.

Comment 6: The Restrictive Declaration should memorialize the proposed mass transit amenities (i.e., Comfort Station for the Bus Depot). (CB1)

Response: As discussed in Chapter 1, "Project Description," the proposed project would include a bus layover area along 2nd Street adjacent to Building 1 for the Q18,

Q102, and Q103 bus routes, and potentially other routes in the future. Preliminary discussions have taken place between the Applicant and the Metropolitan Transportation Authority Bus Company (MTA Bus Company) on increasing bus service and/or extending routes as the project sites become occupied, as well as providing a comfort station in close proximity to the bus layover area for bus drivers. The provision of this comfort station is dependent on future demand and planning by MTA Bus Company for expanded services in the study area and thus is not included in the Restrictive Declaration.

Comment 7: The Restrictive Declaration should memorialize the proposed waterfront amenities (i.e., the open spaces, replace the railing on the NYCHA esplanade, boardwalk design and the restoration of the Halletts Point playground). (CB1)

Response: Comment noted. As stated in Chapter 1, "Project Description," the Restrictive Declaration would require the development of the proposed project substantially in conformance with the approved plans, including the proposed waterfront open space. In addition, the FEIS has been updated to include in Chapter 1 a description of the proposed open space public realm improvements including 1) the replacement of the sea railing along the waterfront from Halletts Point Playground to Hallet's Cove Playground, in response to a community request, and 2) future maintenance of the Halletts Point Playground in perpetuity. In addition, the proposed partial open space mitigation in the form of refurbishments to Halletts Point Playground is described in Chapter 22, "Mitigation," of the FEIS. The proposed open space public realm improvements and mitigation as described in the FEIS will also be included in the Restrictive Declaration.

Comment 8: The project should increase, upgrade, and improve infrastructure, including City services (i.e., Police, Fire, and Sanitation). (CB1)

Response: As discussed in Chapter 5, "Community Facilities and Services," the proposed project would not result in any significant adverse impacts to police and fire services, and therefore improvements to these services to address project impacts are not warranted. The New York City Police Department and New York City Fire Department continually reevaluate their staffing and resource needs, and would be expected to do so as the proposed project is developed. As discussed in Chapter 13, "Solid Waste and Sanitation," the proposed project would not result in any significant adverse impacts to solid waste and sanitation services. As discussed in that chapter, the proposed project would be expected to generate a minimal increase in solid waste that is not expected to overburden the New York City Department of Sanitation (DSNY) or private carter solid waste handling services.

Comment 9: The DEIS states that community meetings were held where local residents had the opportunity to voice their concerns for the project and wherever possible,

those concerns were addressed through project modifications. The concerns raised, as well as any correlating solutions, should be included in the FEIS. (USEPA)

Response: The proposed project has been developed in close consultation with NYCHA, Astoria Houses tenants, elected officials, the Department of City Planning (DCP), the Department of Parks and Recreation (DPR), and other community stakeholders. These consultations, many of which were done before the ULURP application was finalized, have informed several aspects of the proposed project. The overall site planning for the proposed project is the result of close coordination with NYCHA regarding the long-term master planning for the Astoria Houses campus, as discussed in Chapter 1, "Project Description." The intention to provide senior housing units as part of the affordable housing component of the proposed project is the result of community comments at early public meetings requesting such housing. The height of the proposed buildings presented in the EIS is lower than originally proposed as a result of discussions with DCP. The proposed retail, including the proposed supermarket and the small retail spaces, were developed in response to community concerns that the area is currently lacking in neighborhood goods and services. The design of the proposed project's waterfront open space, which was developed with and extensively reviewed by DCP and DPR, is intended to provide open, integrated connections to the surrounding community and adjacent parks. The proposed open space provides five new upland connections to 1st Street (more than are required by zoning) and connections to adjacent parks. In addition, as described in Chapter 1 of the FEIS, in response to community concerns about the railing along the Hallet's Cove Esplanade, the proposed project would replace the existing dilapidated railing with a new railing. Lastly, in response to community concerns regarding the reopening of Astoria Boulevard, the Applicant has engaged the New York City Department of Transportation (DOT) in discussions about potential measures that could be implemented to calm traffic along the reopened street as discussed in Chapter 15, "Transportation," of the FEIS.

Comment 10: The DEIS did not include a dedicated section addressing Children's Health, nor was the relevant information sufficiently included throughout the document. A dedicated Children's Health section should be included in the FEIS and the evaluation included should be of greater scope and detail than that which was included in the DEIS. (USEPA)

Response: As discussed in Chapter 16, "Air Quality," Chapter 18, "Noise," and Chapter 21, "Public Health," the assessments of these technical areas identified no significant adverse impacts as a result of the proposed project. As such, the proposed project would not result in any environmental health and safety risks that may disproportionately affect children. The proposed project would include several features that could support the health of the surrounding community, including children. The proposed project includes measures to clean up potential

hazardous material concerns at an underutilized industrial site and would also promote green space on remediated, formerly vacant and underutilized land through planting of new trees and the creation of publicly accessible open space. As discussed in Chapter 2, "Land Use, Zoning, and Public Policy," these measures would be supportive of the policies of PlaNYC and the *Comprehensive Waterfront Plan*. As noted in Chapter 1, "Project Description," the proposed project includes a request to include the entire Halletts Point peninsula in the Food Retail Expansion to Support Health (FRESH) Program, which would facilitate the siting of a full service supermarket in Building 1 and would include incentives for the location of other supermarkets in the surrounding area. This would support the goals of the City's FRESH program by encouraging the development and retention of convenient, accessible stores that provide fresh meat, fruit and vegetables in underserved communities. As discussed in Chapter 2, "Land Use, Zoning, and Public Policy," and Chapter 6, "Open Space," the proposed project would create approximately 2.43 acres of publicly accessible open space, including a waterfront esplanade and upland connections, which would be supportive of the City's Waterfront Revitalization Program (WRP) goals and the PlaNYC goal of creating new open space. The proposed project would increase the overall supply of open space acreage in the study area and would improve conditions at nearby open spaces by replacing the sea railing around Hallet's Cove Esplanade as discussed in the Chapter 1, "Project Description," of the FEIS and by undertaking capital improvements at Halletts Point Playground, as described in Chapter 22, "Mitigation," of the FEIS, which would increase the quality and utilization of this active open space resource.

Comment 11: The DEIS has a number of significant components that have not been finalized such as whether or not a school will be built on the Astoria House campus and whether or not Building 8 will be built. Since both actions are significant in size and potential impact, EPA encourages the applicant to create a supplemental EIS when and if those projects or any other related project that is part of the Halletts Point Large Scale Development Area that may have significant impacts, come to fruition. (USEPA)

Response: As part of the land use approvals for the proposed project, the Large-Scale General Development (LSGD) Plan establishes zoning envelopes within which the buildings must be constructed and includes limitations on maximum floor area for the proposed buildings. This EIS assesses the maximum floor area and zoning envelopes that would be allowed under the LSGD, including the potential school and Building 8, and thus has considered the overall environmental effects of the proposed project and has fully disclosed the worst-case cumulative impacts on the environment. The need for any supplemental environmental review would be assessed in the future at the time any proposed

modifications to the project that are outside the scope of the currently proposed discretionary land use approvals are considered.

Comment 12: EPA disagrees with the decision to request the Mayoral Override of street tree planting requirements and with the EIS assertion that the elimination of the requirement would not affect the EIS analysis. Increasing the amount of street trees within the LSGD Area would help mitigate a number of the impacts associated with the project, including air pollution from the construction phase of the project as well as emissions associated with the expected increase in traffic once the project is completed. Street trees can also help address the noise impacts from the project due to their natural noise absorbing and blocking qualities. (USEPA)

Response: As described in Chapter 1, "Project Description," under the street tree planting requirements of the Zoning Resolution, street trees would need to be planted along all street frontages of the affected zoning lots. With the proposed override, the project would comply with the street tree planting requirements along the street frontage of each new building site, but would not plant street trees along the entire frontage of the existing Astoria Houses Campus, much of which is already tree-lined, as noted in Chapter 10, "Natural Resources." The proposed project would also plant new trees within the proposed waterfront open space and along the reopened Astoria Boulevard to replace trees that may be removed by the new street connecting segment. Although the Mayoral Override would waive the requirement that street trees be planted around the entire street frontage of the Astoria Houses campus, the campus already has many mature trees and its sidewalks are largely tree-lined. The mayoral override for street tree planting would not materially affect any of the EIS analyses as it would not affect the overall floor area of the proposed project, its location, or the zoning envelopes of the proposed buildings.

As discussed in Chapter 16, "Air Quality" and Chapter 20, "Construction," the EIS assesses the potential air quality impacts of the proposed project due to stationary sources (e.g., emissions from on-site fuel combustion for heat and hot water systems), mobile sources (e.g., vehicle trips generated by the project), and construction activities. The proposed project would not result in any significant adverse stationary source, mobile source, or construction air quality impacts, and therefore no mitigation for air quality is warranted. During construction activities, the proposed project would implement an emissions reduction program for all construction activities, which would include the use of equipment meeting the EPA's Tier 3 emissions standard for all nonroad construction equipment with a power rating of 50 hp or greater. The use of Tier 3 equipment would reduce air pollutant emissions of the proposed project's construction activities compared to equipment meeting earlier EPA standards.

As discussed in Chapter 18, "Noise," the proposed project would not result in any significant adverse noise impacts during operation of the proposed project.

Although the proposed project would result in significant adverse noise impacts during the construction period (see Chapter 20, "Construction"), these impacts would be temporary and mitigation measures have been identified to partially mitigate these impacts (see Chapter 22, "Mitigation").

Comment 13: A consolidated section addressing stormwater reduction techniques and specifically Low Impact Development (LID) should be included in the Final EIS. LID is an approach to land development (or re-development) that works with nature to manage stormwater as close to its source as possible. LID employs principles such as preserving and recreating natural landscape features, minimizing impervious surfaces to create functional and appealing site drainage that treat stormwater as a resource rather than a waste product. (USEPA)

Response: Stormwater management for the proposed project is discussed in Chapter 12, "Water and Sewer Infrastructure." However, the FEIS has been updated to include a consolidated discussion of the proposed project's stormwater management features, including stormwater reduction and other LID techniques, in Chapter 1, "Project Description." The proposed project would increase the pervious area on the WF Parcel, and would include a pervious boardwalk within the proposed esplanade. Stormwater best management practices (BMPs) for the proposed project would be implemented as required during the New York City Department of Environmental Protection (DEP) site connection approval process. BMPs, as described in Chapter 12, "Water and Sewer Infrastructure," could include on-site detention facilities (rooftop detention, underground storage tanks or tanks within the buildings) and stormwater infiltration areas on the project site (see Figure 12-5). The selection of BMPs would be subject to the final design of the proposed buildings during the DEP site connection approval process. Similar to Low Impact Development practices, these stormwater measures would improve water quality and reduce peak storm flows from the project site. In addition, post-construction stormwater management measures that would be integrated into the proposed project as part of the project's Stormwater Pollution Prevention Plan (SWPPP) could include measures such as underground detention, infiltration practices and vegetated areas.

NATURAL RESOURCES

Comment 14: The DEIS does not demonstrate communication with the National Oceanic and Atmospheric Administration (NOAA). The lead agency for the project is responsible for ensuring that they have address potential impacts to any threatened or endangered species in the East River as a result of the project. A concurrence letter or a Section 10 "No Effect" determination should be made and documented in order to ensure compliance with the Endangered Species Act. Likewise, the lead agency should communicate with NOAA to determine whether or not an Essential Fish Habitat (EFH) assessment is warranted. (USEPA)

Response: Through Informal Section 7 Consultations with USFWS and NOAA-NMFS, both agencies concurred with the determination of no effect to federally listed species (Appendix C-2). The proposed project would likewise have no significant adverse impact to EFH within the East River. Between the Draft and Final EIS and at the request of HPD, informal consultation with NOAA-NMFS was initiated to request the agency's concurrence with this determination of no effect to EFH, but a response was not received before publication of the FEIS. Concurrence from NOAA-NMFS regarding effects to EFH is not required for completeness of the FEIS under CEQR, but will need to be acquired prior to the disposition of NYCHA property, pursuant to Section 18 of the U.S. Housing Act of 1937, which is subject to approval from HUD and review under NEPA. Although unlikely, there is the potential of NOAA-NMFS coming to a different conclusion and, as a result, triggering a need for a SEIS prior to HUD issuing its Record of Decision on the Section 18 application.

TRANSPORTATION

Comment 15: The applicant should continue discussions with transit officials to bring new and expanded service into the area to meet the demand that is needed for existing and future residents of the Hallets Cove area. (QBP)

Response: Comment noted. As discussed in Chapter 1, "Project Description," preliminary discussions have taken place between the Applicant and the MTA Bus Company on potentially increasing bus service and/or extending routes as the project sites become occupied. Chapter 15, "Transportation," of the DEIS identified a potential bus line haul impact which triggered these discussions.

Comment 16: The Restrictive Declaration should memorialize the proposed street traffic calming controls (i.e., narrowing of Astoria Boulevard between 1st and 8th Streets). (CB1)

Response: The New York City Department of Transportation (NYCDOT) has been consulted regarding potential traffic calming measures for the new connecting street segment on Astoria Boulevard. As discussed in Chapter 15, "Transportation" of the FEIS, a traffic calming plan is being developed in consultation with NYCDOT to ensure that the most appropriate design is implemented that will slow vehicular traffic on for this street segment. The exact measures that will be utilized will depend on the final design of the street; however, it is expected that parking would be added along this street, depending on required street widths and the location of existing mature trees.

Comment 17: The Developer should institute perpendicular parking on 27th Avenue. (CB1)

Response: The DEIS found no potential for parking impacts from the proposed project. Any determination of the appropriateness of implementing perpendicular parking along 27th Avenue would be made by NYCDOT after careful evaluation of the available width of the street and the needs of general traffic,

bicycle traffic, bus traffic, and parking needs of the community. However, the Applicant has investigated the feasibility of perpendicular parking in response to the community board's comments. Based on a preliminary evaluation, it appears that the curb-to-curb space along 27th Avenue would be insufficient to accommodate perpendicular parking along with the existing bike lanes and travel lanes.

CONSTRUCTION

Comment 18: There should be continuation of meetings with local community, community board, elected officials and relevant city agencies during the course of construction to address any issues including traffic congestion that may arise during construction. (QBP)

The Restrictive Declaration should memorialize the proposed monitoring of construction traffic for safety and congestion. (CB1)

Response: As discussed in Chapter 20, "Construction," there would be a field representative designated to serve as the contact point for the community and local leaders during the construction of the proposed project. The representative would be available to meet and work with the community to resolve concerns or problems that arise during the construction process, including concerns regarding construction traffic congestion in the surrounding area. In addition, the restrictive declaration for the proposed project will require the presence of an environmental monitor to ensure the implementation of project commitments related to construction site activities.

ENVIRONMENTAL JUSTICE

Comment 19: The Environmental Justice (EJ) analysis should go beyond a cursory statement, as is the case with the DEIS, that the impacts on these populations are no different from the non-minority populations. The proposed project, during both its construction and built period, will significantly reduce the availability and accessibility of open space, especially for active recreation, in the project area. While the DEIS describes mitigation actions to preserve some open space for passive recreation and viewing, open space for active recreation impacts remain unmitigated. The high rates of childhood asthma hospitalization make Halletts Point minority and low-income residents uniquely vulnerable to the impacts of increased traffic congestion and construction air pollution. (EPA)

Response: The environmental justice analysis presented in the EIS has been prepared in conformance with Executive Order 12898 and the Council on Environmental Quality (CEQ) guidance. The DEIS analyzes, for each technical area where the project may result in significant adverse impacts, whether those impacts would be disproportionately high and adverse on minority and low-income populations, taking into account that impacts to minority or low-income populations may be different from impacts on the general population. It is

recognized that environmental justice communities, particularly low-income populations, may be at risk for greater exposure to health risk factors (such as air pollution) and have less access to health care resources and health food options. The proposed project would not result in any significant adverse air quality or public health impacts which would have the potential to disproportionately burden minority or low-income populations. While the exact causes of respiratory illnesses vary, National Ambient Air Quality Standards (NAAQS) have been established to protect human health, including vulnerable populations. As discussed in Chapter 16, "Air Quality," the project would not cause an exceedance of the NAAQS and therefore would not have adverse health effects on any populations, including those that are minority or low-income. In addition, the proposed project would implement an emissions reduction program during construction activities and would not result in any significant adverse impacts to air quality due to construction, as discussed in Chapter 20, "Construction."

As discussed in Chapter 6, "Open Space," and Chapter 28, "Environmental Justice," the proposed project would result in substantial open space benefits, in the form of approximately 2.43 acres of newly created publicly accessible open space, including a waterfront esplanade and upland connections. The proposed project would not result in any decreases to existing open space resources and, in fact, would increase the overall supply of open space acreage in the study area. In addition, the proposed project would improve conditions at nearby open spaces by replacing the sea railing around Hallet's Cove Esplanade and by undertaking capital improvements at Halletts Point Playground, which would increase the quality and utilization of this active open space resource. Moreover while not considered publicly accessible open space under *CEQR Technical Manual* guidance, the NYCHA Astoria Houses Campus on the project site includes approximately 2.5 acres of open space, including several playgrounds and two basketball courts, along with areas with benches for seating, that is available to its residents (as discussed in Chapter 6, "Open Space). The open space resources serving the project site are also available to the study area's minority and low-income residents. It should also be noted that the project site and surrounding area is not unique in being underserved by open space, as many areas of the city are underserved by open space based on the city's open space planning goals. In fact, according to the *CEQR Technical Manual* there are underserved neighborhoods in every borough.

As discussed in Chapter 22, "Mitigation" of the FEIS, measures to address the impact related to open space utilization levels were explored by the Applicant in consultation with the lead agency, DCP, and DPR between the DEIS and FEIS, and are identified in the FEIS. In order to address the significant adverse impact on open space, the Applicant would be required to complete capital improvements to Halletts Point Playground, including resurfacing the existing blacktop, restriping play areas, painting and repairing benches, and replacing

basketball backboards and baseball backstops. These improvements would increase the utility of Halletts Point Playground and its capacity to meet the open space needs, in particular the active open space needs, of the study area, and would therefore constitute partial mitigation of the potential significant adverse impact on open space. In addition to the proposed on-site open space improvements, as described in Chapter 1 of the FEIS, the proposed project would implement two off-site public realm improvements: 1) the replacement of the sea railing along the waterfront from Halletts Point Playground to Hallet's Cove Playground, in response to a community request, and 2) future maintenance of the Halletts Point Playground in perpetuity.

Comment 20: Halletts Point residents are also more vulnerable than the general population to construction-related traffic congestion and public safety barriers to accessing neighborhood services such as health and food. (EPA)

Response: As discussed in Chapter 5, "Community Facilities," the proposed project would not result in the creation of a sizeable new neighborhood where none existed before, as it is located within the Astoria neighborhood of Queens adjacent to the NYCHA Astoria Houses Campus. Therefore, a detailed analysis of indirect effects on health care facilities was not warranted. Although an analysis of health care facilities was not warranted under CEQR, it should be noted that medical facilities, including doctors' offices or walk-in urgent care facilities, could be accommodated in the proposed project's ground-floor retail space if there is interest from the operators of such facilities. As discussed in Chapter 20, "Construction," access to local businesses and neighborhood services would be maintained throughout the project's construction. Maintenance and Protection of Traffic (MPT) plans would be developed, reviewed, and approved by the New York City Department of Transportation's (NYCDOT) Office of Construction Mitigation and Coordination (OCMC) for curb lane and sidewalk closures as well as equipment staging activities. It is expected that traffic and pedestrian flow along all surrounding streets would be maintained throughout the construction period. In addition, the proposed project would implement an emissions reduction program during construction activities and would not result in any significant adverse impacts to air quality due to construction, as discussed in Chapter 20, "Construction." The proposed project also includes a number of elements that could support and improve the overall health of the surrounding community. For instance, as described in Chapter 1, "Project Description," the proposed project includes a request to include the entire Halletts Point peninsula in the Food Retail Expansion to Support Health (FRESH) Program, which would facilitate the siting of a full service supermarket in Building 1 and would include incentives for the location of other supermarkets in the surrounding area. This would support the City program's goal of encouraging the development and retention of convenient, accessible stores that provide fresh meat, fruit and vegetables in underserved communities. The supermarket is

expected to be located in the first building constructed under the proposed project and thus could serve the existing surrounding community prior to the project's full completion.

URBAN DESIGN AND VISUAL RESOURCES

Comment 21: EPA is concerned that the current development plans will not achieve a sufficient level of urban integration between the new construction and the existing Astoria Houses campus as is indicated in the DEIS. The mitigation measures that have already been established since the publication of the DEIS should be included in the FEIS with a specific discussion of how the development will strive to integrate Halletts Point as a single community and address the specific recreational and health needs of the existing residents. (EPA)

Response: The proposed project would incorporate several means of integration with the existing surrounding community. As noted in Chapter 1, "Project Description," the proposed project is intended to transform a largely underused industrial waterfront area that is currently closed to the community into a new mixed-use development. The proposed project would provide for income diversity within the project site by including market-rate and affordable housing in the proposed buildings on the Waterfront (WF) and Eastern Parcels and by introducing new market-rate and affordable housing (including potentially senior housing) to the NYCHA Parcel.

The design of the proposed open space has been developed in consultation with DCP and DPR and, as discussed in Chapter 1, "Project Description and Chapter 6, "Open Space," is intended to provide greater connectivity and physical integration between the waterfront and the existing street network with five new upland connections. The proposed open space would also provide connections to the adjacent Whitey Ford Field and Halletts Point Playground, which in turn connect to the Hallet's Cove Esplanade, the interior pathways in the Astoria Houses Campus, and the larger Queens waterfront greenway. The proposed reconnection of Astoria Boulevard and the replacement of the railing along the Hallet's Cove Esplanade would facilitate a reconnection of the Astoria Houses campus with existing greenway and street networks and may facilitate future bus service along Astoria Boulevard within the campus. Finally, the proposed project would introduce new facilities to the community that would foster integration and pedestrian traffic, including local retail/neighborhood services, a supermarket, and potentially a public school. The proposed supermarket and local retail would attract customers from the surrounding community to both the Astoria Houses campus and the new buildings on the Eastern and WF Parcels.

MITIGATION

Comment 22: Greater detail should be provided in the Final EIS regarding the type of school that may be built. (EPA)

Response: The proposed school could serve students from the proposed project and the surrounding area. Chapter 22, "Mitigation" of the EIS discusses the proposed school mitigation as a public school serving kindergarten through grade 8. The proposed school would fully mitigate the potential significant adverse impact to public elementary schools (kindergarten through grade 5), and based on discussions with the School Construction Authority (SCA) was expanded to include seats for grades 6 through 8, even though the proposed project would not result in a significant adverse impact to public intermediate schools. It is contemplated that the school mitigation would be a public school serving the needs of the local area.

MISCELLANEOUS

Comment 23: I suggest that the housing in the project be smoke-free, either all of the units or a segment of the units. (Konigsberg)

Response: Comment noted. The rules and regulations for tenants of the proposed housing units would be developed in the future when the units are operational.

D. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DRAFT SCOPE OF WORK

1. Graham Cavanagh, written submission (Cavanagh)
2. Claudia Coger, President of the Astoria Houses Tenants' Association, oral comments, afternoon and evening sessions on December 13, 2012 (Coger)
3. Delroy Dawkins, Service Employees International Union, Local 32BJ, oral comments, evening session on December 13, 2012, and written submission dated December 13, 2012 (Dawkins)
4. Kay Skye Donald, written submission dated December 4, 2012 (Donald)
5. Kimberly Elliott, oral comments, afternoon and evening sessions on December 13, 2012 (Elliott)
6. Katie Ellman, Green Shores NYC, oral comments, afternoon session on December 13, 2012 (Ellman)
7. Justin Green, local business--Build It Green, oral comments, afternoon session on December 13, 2012 (Green)
8. Viola Hamilton, oral comments, afternoon session on December 13, 2012 (Hamilton)
9. Crystal Harris, oral comments, afternoon session on December 13, 2012 (Harris)
10. Allen Herzog, oral comments, afternoon session on December 13, 2012 (Herzog)
11. Garrett Huger-Love, oral comments, afternoon and evening sessions on December 13, 2012 (Huger-Love)
12. Maryam Khabbazian, written submission dated December 10, 2012 (Khabbazian)
13. Richard Khuzami, oral comments, afternoon session on December 13, 2012 (Khuzami)

14. Paul Leach, representing Reality House, oral comments, afternoon session on December 13, 2012 (Leach)
15. Eric Mathews, oral comments, evening session on December 13, 2012 (Mathews)
16. Aiysha Mayo, oral comments, evening session on December 13, 2012 (Mayo)
17. Ronnie Minor, oral comments, afternoon and evening sessions on December 13, 2012 (Minor)
18. Lenny Reisner, written submission dated December 14, 2012 (Reisner)
19. Andre Stith, oral comments, afternoon session on December 13, 2012 (Stith)
20. Bishop Mitchell Taylor, President of East River Development Alliance, oral comments, afternoon session on December 13, 2012 (Taylor)
21. Natalie Vichnevsky, written submission dated December 9, 2012 (Vichnevsky)
22. Rahshiela White, oral comments, evening session on December 13, 2012 (White)

E. COMMENTS AND RESPONSES ON THE DRAFT SCOPE OF WORK

GENERAL

Comment 1: We want to make sure that what the community has desired—a supermarket, improved services, infrastructure improvements, affordable housing for seniors—is most certainly engraved in ink and stone. (Coger)

The supermarket and school must be built as part of the project. (Minor)

Response: As described in the Draft Scope of Work, the proposed project contemplates a supermarket as well as a mixed-income residential component that includes affordable housing with potential for senior housing, as part of its program. The Draft Scope discusses proposed roadway and transit improvements as well as infrastructure improvements to water mains, and stormwater/sanitary sewer infrastructure. As outlined in the Draft Scope and per the 2012 *CEQR Technical Manual* guidance, the DEIS will assess the demand of the proposed project on other local services such as schools (Task 5: Community Facilities and Services). If the proposed project results in the potential for significant adverse impacts, the DEIS will disclose this potential for impact and identify measures that could be implemented to avoid or minimize the potential significant adverse impacts.

Comment 2: From the very inception of this project, the developers came to Astoria Houses, engaged the current tenants association, along with other community folks to explain the idea of development on the waterfront with the opportunity, if given, to also developing on the Astoria Houses Campus. That was a unique idea because often, development happens on the geographic footprint of the site but

nothing happens in the surrounding area. Are all the things in place? No, but those things can be ironed out as the process goes on. (Taylor)

Response: Comment noted.

Comment 3: When is the affordable housing to be built; will it be built last; how long will the community have to wait? (Green)

Response: As described starting on page 3 in the Draft Scope of Work, construction of the affordable housing units would be linked with the construction of the market-rate units as construction progresses on Sites 1-7. Table 1 in the Draft Scope presents the currently contemplated breakdown of affordable units on development sites.

Comment 4: In what ways has the project considered reducing its environmental impacts? (Cavanagh)

Response: As stated in the Draft Scope of Work, the purpose of the EIS is to analyze the potential environmental impacts of the proposed project. If the EIS analysis finds that the proposed project has the potential to result in significant adverse impacts, then mitigation measures would be identified. In accordance with CEQR and NEPA guidance, if the EIS analysis finds that the proposed project has the potential to result in significant adverse impacts, then alternatives to the proposed project that minimize or avoid such an impact would be considered as part of the alternatives analysis and compared with how well they would meet the goals and objectives of the proposed project (Task 23: Alternatives).

Comment 5: What effect will these tall buildings have on radio and TV reception? (Herzog)

Response: As noted in the Draft Scope, the *2012 CEQR Technical Manual* will be used as the framework for the technical areas of assessment and the methodologies to determine the effects of the proposed project. This is outside the scope of this project's environmental review.

FLOODPLAIN PLANNING

Comment 6: What precautions will be taken regarding disaster mitigation and response (particularly relevant for any waterfront property)? (Cavanagh)

It is irresponsible to plan to build within the floodplain. (Donald, Vichnevsky)

When planning for the future, it is imperative that we plan beyond the 100-year flood because the standards at which we currently measure the frequency of flood and severity are outdated.There is nothing to stop these buildings from being destroyed by flooding, endangering human life if an event occurs. (Donald)

The project site is not suitable for this development, especially after reviewing the New York City storm surge map. In the long term, people will be impacted by the environmental side effects of the project. (Khabbazian)

Existing studies using GIS, surveys, and land use trends need to incorporate the impacts from flooding as a result of Hurricane Sandy. (Reisner)

Will the project take into account flood mitigation measures? (Green, Reisner)

The DEIS needs to take a hard look at what impacts the development would have on shorefront protection in the event of climate change, as well as how the development would interact with rising sea levels and storm surges. (Reisner)

If proper climate change adaptation is not built into this coastal development, storm surges will continue to be a severe strain on tax dollars and all municipal and federal funding. (Vichnevsky)

Building in this area, will force flood water back into areas that are not protected. How will those areas be protected? (Green)

The following measures should be considered to address flooding: permeable surfaces wherever possible to assist with water retention; terracing of the surrounding landscape and runoff pathway to channel water; waterproofing all street-level facades; relocating any HVAC sources, electrical generators, or other vital mechanical uses either above ground level or in highly waterproof areas to mitigated the potential loss of power, heat, and hot water. (Cavanagh)

Development in this area should consist of commercial or retail businesses that would benefit from the waterfront environment. As long as they are built to new standards ensuring that the buildings can withstand major flooding. (Donald)

Response: The Final Scope has been revised to discuss the proposed project's planning for floodplain consistency and sea level rise resiliency. The potential for flooding and the project's design response, both in the current and potential future conditions, will be described in the DEIS in Task 1: Project Description and assessed for impacts in Task 10: Natural Resources, Task 12: Water and Sewer Infrastructure, and Task 17: Greenhouse Gas Emissions. The 8-step process for development within the 100-year floodplain is also a requirement for the federal actions associated with the proposed project. This process, required through Executive Order 11988, will be followed for the DEIS and will identify the measures to be taken to avoid adverse impacts to life and property.

Comment 7: The DEIS must address water-related mitigation measures, increased water retention, alternative energy, and emergency plans in worst-case scenarios specifically during the construction phase. (Reisner)

Response: The *2012 CEQR Technical Manual*, as stated in the Draft Scope, will be used as the framework for the technical areas of assessment and the methodologies to determine the effects of the proposed project. Task 12: Water and Sewer

Infrastructure, Task 17: Greenhouse Gas Emissions, and Task 20: Construction will assess the project-related impacts rasied by the above comment. Where the proposed project may result in significant adverse impacts, the DEIS will identify potential mitigation measures that will address or minimize those disclosed impacts.

Comment 8: The proposed residents, which would include seniors and children, will be vulnerable and primary victims in emergency cases. In addition, the affordable housing component will leave people vulnerable who cannot meet the expense of insurance or damages caused by hurricanes. (Khabbazian, Vichnevsky)

Response: The purpose of this environmental review is to assess the effects of a proposed action under a reasonable worst-case condition. Following CEQR guidance, if the analysis indicates the potential for significant adverse impacts, the DEIS will identify potential measures or alternatives that would address or minimize the impacts under this reasonable worst-case condition. While the proposed project will account for changes to floodplain and climate change planning, it is outside the scope of the environmental review to analyze the expense of insurance or damages caused by hurricanes and severe weather events. The developer would be required to purchase and maintain flood insurance on all proposed buildings located wholly or partially within the 100-year floodplain.

Comment 9: There are other areas in the city that would be more suitable for this type of development. For example, there are many brownfield sites that could be cleaned and made suitable for this kind of mixed development without endangering individuals to floods. (Donald)

The proposed development could be beneficial in any other area and is not specific to Halletts point. (Khabbazian)

Housing is not a water-dependent use. A better use of the waterfront is recreation, a natural barrier, and mediators of storm water and areas for the regeneration of native plants that clean the air and filter the water. The residential use should be re-sited to inland areas where the development would be safer and more resilient to the effects of severe storms. (Vichnevsky)

Response: The EIS will evaluate the environmental impacts associated with the program as proposed. As described in the Draft Scope and per CEQR and NEPA guidance, should the proposed project result in potential significant adverse impacts, the EIS will identify alternatives to the proposed project that have the potential to reduce or eliminate a proposed project's impacts, while considering the goals and objectives of the proposed actions. This environmental review is not intended to compare the relative merits of the proposed program at another location not currently contemplated. In addition, HUD's 8-step process for development within the 100-year floodplain (Executive Order 11988), including the required public noticing will be followed and summarized in the DEIS.

ANALYSIS FRAMEWORK

Comment 10: The DEIS must include an analysis of the No Build condition with climate change so that the With-Build scenario with climate change can be analyzed. (Reisner)

Response: As described in Task 17: Greenhouse Gas Emissions of the Draft Scope the analysis will include relevant background information on climate change. However, since the contribution of any single project's emissions to climate change itself is infinitesimal, the analysis will focus on the proposed project's potential GHG emissions and on efforts to reduce those emissions—as per the *CEQR Technical Manual* guidance. This does not require analysis of No Build conditions (all emissions are included, even if some of them would occur in the No Build condition, e.g., residents would live someplace if not in the proposed project and would need heat and transportation).

Regarding climate impacts on the proposed project, the analysis will also review potential future climate conditions and the project's resilience to severe storms—this does not require an analysis of No Build conditions. Task 10: Natural Resources will also review the potential impact of the project on potential flooding conditions, including a review of the No Build condition.

Comment 11: The DEIS must consider the proposed project's cumulative effects with the proposed Astoria Cove project and another potential development of 800,000 square feet. (Vichnevsky)

Response: As outlined in the Draft Scope, Task 2: Analysis Framework will include a discussion of development projects expected to be completed independent of the proposed project (No Build projects). The technical areas of the EIS will account for these discrete No Build projects, as well as other general background growth within the project's study areas in their assessment of the cumulative effects on the environment as a result of the proposed project.

LAND USE, ZONING, AND PUBLIC POLICY

Comment 12: The DEIS must include language that explicitly states the project's compliance with the City's new waterfront development policies (the Waterfront Revitalization Plan 2020). (Reisner)

Compliance with the WRP is necessary to protect the healthy, welfare, and safety of the residents who would reside in Halletts Point. (Reisner)

Response: As outlined in Task 3: Land Use, Zoning and Public Policy of the Draft Scope, the public policy section of that EIS chapter will examine the project project's consistency with the NYC Waterfront Revitalization Program as well as the federal Coastal Zone Management Program.

SOCIOECONOMIC CONDITIONS

Comment 13: I am concerned for the residents of the first-floor (lobby-floor) apartments [in the Astoria Houses buildings], who will be displaced when these apartments are eliminated. (Hamilton)

Seniors should be accommodated, not displaced. (Hamilton)

Response: The proposed project does not entail any direct displacement of residents on either the waterfront sites or on the Astoria Houses Campus. Although the proposed actions include a commercial overlay that would allow the development of ground floor retail, as noted on page 7 of the Scope, because of the presence of tenants on the first-floor of the Astoria Houses buildings, retail uses would not be developed in the ground floors of the existing buildings. The nominal retail would only occupy the base of the new buildings proposed for Sites 6, 7, and 8 within the Astoria Houses Campus. The Final Scope has been revised to further clarify this point.

Also as noted in the Draft Scope, the proposed project includes a substantial affordable housing component, which could include senior housing.

Comment 14: More than the minimum of 20 percent affordable housing should be provided. The housing should remain affordable for the lifetime of the units; the "promise" of affordable housing should be written into the text of a binding agreement, not just part of a Memorandum of Understanding, which does not actually obligate the developer or a new owner were the project to be sold during development. (Vichnevsky)

Existing residents of the surrounding neighborhood should have the first stab at the rental properties. (Minor)

Response: Comment noted. The DEIS will describe, to the extent defined, the details of the affordable housing program, including if relevant, the terms of the commitment and any community preference criteria.

Comment 15: What considerations have there been, other than the 20 percent affordable housing included in the development, for safeguarding against gentrificiation and potential real estate spikes in the area? (Cavanagh)

Those who live in public housing should not be displaced by no longer being able to afford their homes. (Hamilton)

Response: The proposed project does not entail any direct displacement of residents on either the waterfront sites or on the Astoria Houses Campus. As described in Task 4: Socioeconomic Conditions of the Draft Scope, the socioeconomic conditions chapter of the DEIS will follow *CEQR Technical Manual* guidelines in assessing the potential for the proposed project to result in indirect residential displacement. The indirect (or secondary) residential analyses will consider the project's potential to increase residential rents in the surrounding

neighborhoods, and will estimate the populations potentially at-risk of displacement.

Comment 16: The project should include more affordable housing for moderate income residents, anywhere from the 60 average median income (AMI) to 100 AMI.

Response: The DEIS will describe, to the extent defined, the details of the affordable housing program, and will utilize reasonable assumptions used by HPD.

Comment 17: Please consider residents already living here and their children's children, in terms of jobs. (Hamilton)

People in the community should receive jobs during both construction and operation of the project. (Green, Harris, Leach, Stith)

There should be a commitment to provide training for jobs. (Green)

Lincoln Equities must commit to the creation of good jobs. (Dawkins)

Response: The DEIS will include estimates of the number and types of jobs generated by the proposed project. Hiring preferences or requirements are outside of the scope of this project's environmental review.

Comment 18: The type and size of retail operations in the new development should be varied and should address both the new residents and existing residents. The developer must make certain commitments to foster neighborhood retail by, for example, limited square footage of retail area in a designated amount of available commercial space, and encouraging the implementation of lease protection and rent stabilitzation for uses by local entrepreneurs and/or those in the "creative economy." (Vichnevsky)

Existing residents should have the first stab at a proportionate amount of the retail space. (Minor)

Response: Comment noted. The lease terms of the retail operation are outside the scope of this project's environmental review. However, it should be noted that the proposed designation of a C1-4 for the commercial overlay is a local retail zoning designation that limits allowable retail uses to those under Use Group 6. Use Group 6 uses are retail and service establishments that serve local shopping needs, such as food and small clothing stores, beauty parlors, and dry cleaners.

Comment 19: The rezoning will affect businesses outside of the rezoning area and will eventually force existing businesses out of the area. (Green)

Response: As described in Task 4: Socioeconomic Conditions of the Draft Scope, the socioeconomic conditions chapter of the DEIS will follow *CEQR Technical Manual* guidelines in assessing the potential for the proposed project to result in indirect business displacement as well as potential adverse effects on specific industries. The indirect (or secondary) business analysis will consider the

project's potential to introduce trends that would make it difficult for businesses that are essential to the local economy to remain in the area.

COMMUNITY FACILITIES

Comment 20: The school must be mandated; it must be built. (Minor)

Response: As outlined in the Draft Scope and per CEQR guidance, the DEIS will assess the demand of the proposed project on other local services such as schools (Task 5: Community Facilities and Services). If the proposed project results in the potential for significant adverse impacts, the DEIS will disclose this potential for impact and identify measures that could be implemented to avoid or minimize the potential significant adverse impacts.

Comment 21: There are better locations for the school than right in the middle of the Astoria Houses campus. (Huger-Love)

Response: Comment noted.

OPEN SPACE

Comment 22: I look forward to seeing the project's proposal with the opening up of the waterfront and more access to Whitey Ford Field. (Mathews)

Response: Comment noted.

Comment 23: The project should include a commitment to the restoration of the esplanade by Astoria Houses, particularly the rail and fencing, which is currently in very poor condition. (Khuzami)

Maintenance of the park is a concern. (Ellman)

The new open space should be designed so that it's continuous throughout with a cohesive design and good connections to other open spaces and should include comfort stations. (Ellman)

Waterfront access, like there is today at Whitey Ford (24 hours/per day), should be maintained. (Green)

Response: As described in the Draft Scope of Work, the proposed project would create approximately 2.2 acres of new publicly-accessible open space and waterfront esplanade. It would provide new upland connections to waterfront sites currently not accessible and would also allow for a continuous connection from Whitey Ford Field to Halletts Point Playground and the Astoria Houses waterfront esplanade. It would be designed to provide a cohesive transition between the project site and the two abutting parks to the north and south of the waterfront site. It is expected that as part of the project approvals process, the design elements of the project's waterfront esplanade will be undertaken in consultation and close coordination with DCP and the New York City Department of Parks and Recreation (DPR). The Project Description and Open

Space chapters of the DEIS will discuss, to the extent that the details have been developed, the operations and maintenance of the proposed project's publicly accessible open space and waterfront esplanade. It is likely that the publicly accessible space would be have similar hours of operations as other DPR parks. If the analysis indicates a potential for significant adverse impacts on public open space resources, the DEIS will identify potential mitigation measures.

Comment 24: The project would take away grass areas where kids play. What are these kids getting in return? (Harris)

Response: The proposed project would not permanently remove any playground resources on the NYCHA Astoria Houses Campus. As noted in the Draft Scope, the locations of proposed Buildings 6, 7, and 8 currently contain parking lots, trash compactors, walkways, and a small amount of landscaped area and do not contain extensive lawn areas that are available for public use. In fact, as noted in the response to comment above, the proposed project would include the creation of approximately 2.2 acres of new publicly-accessible open space and waterfront esplanade.

URBAN DESIGN AND VISUAL RESOURCES

Comment 25: Pertaining to the provision of retail, grocery, or other amenities within the mixed-use development scheme, it is highly recommended to plan for quality of streetscape and proximity of these locations to promote walkability and activated public spaces. (Cavanagh)

Response: As discussed in Task 9: Urban Design and Visual Resources of the Draft Scope, the DEIS will assess the proposed project's effect on the pedestrian experience in and around the project site and the adjacent neighborhood.

Comment 26: Buildings of 33 stories are going to stand out like a sore thumb; there is nothing in the vicinity that is 33 stories. (Elliott)

A 27-story building in the location of Building 8 is going to skyrocket over everything around it, which is only 6 stories in height. The building should be downscaled. (Huger-Love)

Response: Comment noted. Task 9: Urban Design and Visual Resources will assess the potential effects of the proposed buildings, including the proposed building height, on the pedestrian experience in and around the project site. In addition, Task 3: Land Use, Zoning, and Public Policy will assess the compatibility of the proposed project with the surrounding land uses and zoning districts.

Comment 27: Buildings of this height will block people's views. (Harris)

Response: As discussed in Task 9: Urban Design and Visual Resources of the Draft Scope, the DEIS will assess the proposed project's effect on the pedestrian experience

in and around the project site and the adjacent neighborhood, including the effects on public view corridors.

Comment 28: For the transfer of ownership from Parks to NYCHA, where is that money going to be, to NYCHA or to Astoria Houses? If Astoria Houses, where is it going? (Elliott)

Response: As discussed in the Draft Scope, the transfer of a 10-foot wide strip of parkland of Halletts Point Playground from DPR to NYCHA would create a single zoning lot containing Buildings 2 through 5 and the Astoria Houses campus to facilitate the creation of the Large-Scale General Development Plan. This jurisdictional land transfer would not be undertaken for a fee and this 10-foot wide parcel would continue to be used as open space.

NATURAL RESOURCES

Comment 29: The project's waterfront location means that land and water must be safeguarded as both natural habitats and resources. (Cavanagh)

Response: As discussed in Task 10: Natural Resources of the Draft Scope, the DEIS will provide an assessment of natural resources, including the project's effect on water quality and aquatic biota of the East River in the vicinity of the project site. As discussed in Task 3: Land Use, Zoning, and Public Policy of the Draft Scope, since the project site is located in the Coastal Zone, an assessment of the project's consistency with the NYC Waterfront Revitalization Program (WRP) and the federal Coastal Zone Management (CZM) program will also be provided.

HAZARDOUS MATERIALS

Comment 30: There are two industrial sites along 1st Street regulated under the Resource Conservation and Recovery Act (RCRA) and three sites labeled for having open spills (Astoria Boulevard in the middle of the NYCHA properties, on the corner of 2nd Street and 27th Avenue, and on 27th Avenue and 8th Street). Should the waterfront development and park allow for storm surges or rising water levels to more easily access and damage these businesses, the public health impacts could be catastrophic over the long term. (Reisner)

Response: As noted in the Draft Scope, Task 11: Hazardous Materials will assess the potential for the project site to have subsurface soil and groundwater impacts from both site current/historical uses and from releases migrating to the site from nearby properties. To the extent that such a potential exists, subsurface investigations (e.g., soil, soil vapor, and groundwater sampling) will determine whether such impacts are present and if so, how such impacts would need to be addressed before, during and after the site development process. To the extent these issues require off-site actions, these issues typically come under the jurisdiction of NYSDEC (e.g., RCRA and spills).

In terms of potential hazardous material impacts on the site from flooding, the proposed project would be expected to address impacts by conducting any necessary site remediation as a part of redevelopment and also by elevating occupied spaces in the new buildings above the base flood elevation, which would also serve to reduce the potential for such exposure.

Comment 31: The potentially toxic past of these sites must be fully explored before residential uses are found appropriate. (Vichnevsky)

Response: As noted in the Draft Scope, Task 11: Hazardous Materials will assess the potential for impacts related to the subsurface soil and groundwater conditions in areas to that would be affected by the proposed project, and if necessary, the DEIS will address the need for remediation. As required by CEQR and NEPA, Phase I Environmental Site Assessments (ESAs), including historic Sanborn Map reports, aerial photographs, and regulatory database reports will be prepared for property affected by the proposed project. The DEIS will summarize the findings of these reports and discuss whether remediation is necessary and the process to be followed by the applicant with oversight by the appropriate local agencies.

WATER AND SEWER INFRASTRUCTURE

Comment 32: The project's stormwater and sanitary sewer infrastructure is of great importance and must address Combined Sewer Overflow (CSO), since CSO is a notorious detriment to water quality. (Cavanagh)

We are concerned about sewer infrastructure and CSO outfalls; how will contamination of our streets be prevented during super storms? (Ellman)

The Draft Scope states that "stormwater generated on-site would be treated for water quality prior to discharge," but there is no further explanation as to how this might function or through what type of infrastructure. The DEIS should include more about this aspect of the proposal. (Cavanagh)

What measures will be taken such that the stormwater would be treated such that when it enters the river, it is potable? (Reisner)

Potential future flooding poses a health risk as floodwaters bring with them not only bacterial pollution from CSOs but also chemical pollution from current and former industrial sites. (Vichnevsky)

Response: As discussed in Task 12: Water and Sewer Infrastructure of the Draft Scope, the DEIS will include an assessment of existing and future stormwater generation from the proposed project and the potential for impacts. The New York City Department of Environmental Protection (DEP) will be consulted throughout this process. The assessment will include a stormwater best management practice (BMP) concept plan, which will illustrate potential opportunities to incorporate onsite stormwater source controls and will also include a plan

identifying potential locations of onsite stormwater source controls. It is not the intention for treated stormwater to be used for potable drinking water. As noted in the Draft Scope, the proposed project would also result in the construction of new stormwater outfalls that would require federal and/or state permits which would redirect a portion of the stormwater from the project site to the East River from the combined sewer system. It is also expected that new sanitary sewers would be provided to convey additional wastewater flows generated from the proposed project.

Comment 33: The developer should consider the following: green space for rainwater sequestering, green-roofs, greywater systems, bioswales, and other types of water filtration and reuse to prevent overstress on the sewers. (Cavanagh)

Response: As described in the Draft Scope for Task 12: Water and Sewer Infrastructure, the DEIS will include "an assessment of existing and future stormwater generation from the proposed project and its potential for impacts..The assessment will include a stormwater best management practice (BMP) concept plan, which will illustrate potential opportunities to incorporate onsite stormwater source controls and will also include a plan identifying potential locations of onsite stormwater source controls." The BMP concept plan may include some of the options noted by the commentor.

Comment 34: Merely citing a floodplain analysis because Halletts Point is within the current 1 in 100 year floodplain and a Special Flood Hazard Area is not taking a hard look. Alternatives to locating the project are important, but significant mitigative and adaptive measures are what are really required for the DEIS to take a hard look. (Reisner)

Response: The Final Scope of Work includes an updated discussion of the proposed project's planning to address future sea level rise and resilience to flooding. The design and construction of the proposed project would comply with any future applicable flood elevations as designated by the Federal Emergency Management Agency (FEMA), any applicable *New York City Building Code* requirements for construction within the 100-year floodplain, and the floodplain requirements of both CEQR and NEPA. The applicant is also committed to elevating critical infrastructure above the base flood elevation or, in cases where infrastructure is required to be at lower levels by building code, to be sealed. To the extent practicable and feasible, the proposed project would elevate emergency generators, fuel pumps, and water, electricity, and gas distribution well above flood levels and flood-protect those utility connections and fuel tanks that are required to be at lower elevations. As noted in Task 10: Natural Resources, if necessary, mitigation measures to avoid or reduce potential significant adverse impacts, including impacts to the floodplain, will be identified in the DEIS.

Comment 35: The conversion of the site from permeable waterfront to solid, the area will experience more runoff in the near future, leading to the East River level being raised. (Khabbazian)

Response: See Responses to Comments 32 and 34, above.

SOLID WASTE AND SANITATION SERVICES

Comment 36: I am concerned about what the plan is for sanitation and garbage if the dumping sites are taken away because of development of NYCHA's Building 8. (Mayo)

Response: The applicant is currently working with NYCHA to determine an appropriate location for the trash compactor area that would be displaced with the future development of Site 8. The Project Description chapter of the DEIS will describe this location, to the extent that such a location has been identified.

TRANSPORTATION

Comment 37: The project should consider opening Astoria Boulevard to its original form, as it used to go all the way down through the development. While there may be concerns for people and their children because of buses and heavy traffic that will be coming through, the road could be opened properly, with stop signs. (Hamilton)

To address traffic concerns, the project should consider widening Astoria Boulevard between the community gardens at 21st Street. (Khuzami)

I am concerned about connecting Astoria Boulevard to the back where you want to connect it as a drive-through; this area is used as a play area by children. (Harris)

Response: The proposed project would extend Astoria Boulevard west to 1st Street through the Astoria Houses campus. As discussed in Task 15: Transportation, the DEIS will assess traffic operations in the study area, including the effects of the re-opening of Astoria Boulevard.

Comment 38: I am concerned about the increases in traffic, particularly on 27th Avenue between Eighth Street and 21st Street, which is only a small two-lane road; this will be a bottleneck. (Khuzami)

Response: The Draft Scope identified several study intersections along 27th Avenue including 1st, 2nd, 4th, 8th, and 21st Streets as representative of traffic conditions along the corridor. Based on project-generated traffic assignment and resulting volume projections, the applicant will confer with DCP and NYCDOT on whether additional study locations are needed.

Comment 39: How will this project improve transportation options for future residents, such as bus/bike/or water taxi for commuters to and from this location? (Cavanagh)

Response: The scope of the environmental review process entails analyzing the proposed project's demand on the existing transportation network unless specific improvements are proposed as part of the project or other planned projects. Any transportation network improvements needed to mitigate specific adverse impacts expected as a result of the proposed project would be identified in the Mitigation chapter of the DEIS. Discussions will be held with MTA Bus Company about extending and/or increasing the frequency of bus routes through the area to accommodate the proposed project.

Comment 40: The proposed road network improvements should include bicycle paths as designed by NYCDOT in which bicycle lanes are protected from moving vehicular traffic by parking and distinctly painted barriers. (Cavanagh)

Response: In addition to retaining all bicycle facilities in the study area including those along 27th Avenue, 1st Street, and 8th Street/Vernon Boulevard, the proposed conversions of 26th Avenue and 2nd Street from two-way traffic flow to one-way traffic flow would include, in compliance with NYCDOT policy, new Class III shared-lane bicycle facility designation and markings.

Comment 41: The provision of ferry service to Manhattan should be included as part of the project. (Elliott, Ellman)

Ferryboats should run on alternative fuel sources so as to be less detrimental to water quality. (Cavanagh)

The selection of a site for ferry access should be chosen with respect to proximity for easy access but should also consider noise and congestion. (Cavanagh)

Response: As stated in the Response to Comment 39, improving existing or creating new transportation options are not part of the proposed project and are outside of the scope of this DEIS. However, the proposed project does not preclude the possibility of these transportation options coming to fruition. In fact, the increase in housing and population created by the proposed project in this part of the Astoria waterfront could make it an attractive location for adding future ferry service, similar to what has occurred in recent years at other populated waterfront neighborhoods in Queens and Brooklyn.

Comment 42: Parking is expensive; will the parking prices set by the New York City Housing Authority be maintained? (Elliott)

Response: The proposed project will provide on-site parking for its residents and does not have control over the allocation and pricing of NYCHA parking spaces.

GREENHOUSE GAS EMISSIONS/CLIMATE CHANGE

Comment 43: The DEIS must include an analysis of the No Build condition with climate change so that the With-Build scenario with climate change can be analyzed. (Reisner)

Response: As described in Task 17: Greenhouse Gas Emissions of the Draft Scope the analysis will include relevant background information on climate change. However, since the contribution of any single project's emissions to climate change itself is infinitesimal, the analysis will focus on the proposed project's potential GHG emissions and on efforts to reduce those emissions—as per the *CEQR Technical Manual* guidance. This does not require analysis of No Build conditions (all emissions are included, even if some of them would occur in the No Build condition, e.g., residents would live someplace if not in the proposed project and would need heat and transportation).

Regarding climate impacts on the proposed project, the analysis will also review potential future climate conditions and the project's resilience to severe storms—this does not require an analysis of No Build conditions. Task 10: Natural Resources will also review the potential impact of the project on potential flooding conditions, including a review of the No Build condition.

Comment 44: Building materials should be sourced as locally as possible to reduce the externality of transporting materials to the site and with as minimal environmental detriment as possible in the sourcing of the materials (e.g., wood should be sourced from Forest Stewardship Council approved vendors). Fly ash should be used in concrete. Geothermal, solar, wind, and other renewable energy should be integrated into the complex to reduce demand on fossil fuels and provide energy for residents. Passive heating and cooling should also be considered through solar orientation to maximize sunlight and retain thermal mass during cooler months, as well as provide conditions to promote air circulation during warmer months. (Cavanagh)

Response: As discussed in Task 17: Greenhouse Gas Emissions, the DEIS will assess the proposed project's consistency with the City's GHG emissions reduction goals based on an evaluation of various factors, including use of materials and energy efficiency designs. These issues will be reviewed in the Greenhouse Gas Emissions chapter of the EIS according to the guidance in the *CEQR Technical Manual*.

Comment 45: Buses should be run on bio-fuels to further reduce carbon impact on clean air quality. Bus stops could include solar collectors for street lighting and other uses. (Cavanagh)

Response: Comment noted. Bus operations, including bus stops and lighting, are under the jurisdiction of MTA Bus Company and beyond the scope of this project's environmental review.

Comment 46: Climate change needs to be addressed in every chapter of the DEIS. (Reisner)

Response: The potential future effects of climate change will be reviewed in various chapters of the EIS as relevant, as well as in the Greenhouse Gas Emissions chapter consistent with the *CEQR Technical Manual* guidance.

NEIGHBORHOOD CHARACTER

Comment 47: The addition of 2,300 units to a neighborhood that currently has only 1,100 units in Astoria will dominate and will change the character of the neighborhood and most people here will not be able to afford the new development. The new population will affect future voting outcomes. (Huger-Love)

Response: As noted in Task 19: Neighborhood Character in the Draft Scope and consistent with the 2012 *CEQR Technical Manual* guidance, the DEIS will assess and summarize the proposed project's effects on neighborhood character drawing on the analysis presented in other pertinent EIS sections. As noted in Task 4: Socioeconmic Conditions in the Draft Scope, the DEIS will also include an assessment of the proposed project's potential to result in indirect residential displacement. The effects of future populations on voting patterns are beyond the scope of work for this project's environmental review.

CONSTRUCTION IMPACTS

Comment 48: The DEIS should assess how climate change and storm surges will impact construction. What construction activities will be impacted by climate change and what precaurionary measures can be taken to avoide adverse impacts on the project? (Reisner)

Response: As noted in the Draft Scope and further described in the Final Scope, the DEIS will examine the effects of climate change, including seal level rise on the operations of the proposed project. As noted in the Final Scope, the design of the proposed project would comply with any future applicable flood elevations as designated by FEMA, any applicable *New York City Building Code* requirements for construction within the 100-year floodplain, and the floodplain requirements of CEQR and NEPA. The applicant is also committed to elevating critical infrastructure above the flood level or, in cases where infrastructure is required to be at lower levels by building code, to be sealed. To the extent practicable and feasible, the proposed project would to elevate emergency generators, fuel pumps, and water, electricity, and gas distribution well above flood levels and flood-protect those utility connections and fuel tanks that are required to be at lower elevations. The actual construction activities themselves are transitory in nature both temporally and locationally and thus would not be affected by sea level rise, which occurs over a much longer time horizon. To the extent that weather events may occur during the project construction period that result in storm surges, standard procedures would be enacted to ensure the protection and safety of the public, workers, and equipment.

Comment 49: I am concerned about construction traffic coming to and from the site. Construction traffic will cause congestion of the buses coming down on 27th Avenue and Astoria Boulevard. (White)

Response: As noted in Task 20: Construction of the Draft Scope, an analysis of potential traffic impacts during construction will be presented in the DEIS.

Comment 50: Construction activities for the project will affect the existing housing stock, which is old; we are going to get cracks and buildings are going to shift. (Harris)

Response: As noted in Task 20: Construction of the Draft Scope, the DEIS will assess the potential for vibrations caused by construction activities to damage buildings, and, if necessary, mitigation measures to minimize damage due to construction-related vibration will be provided.

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