25.0 Conceptual Analysis

A. Introduction

A conceptual analysis is warranted if a proposed project establishes new discretionary actions that are broadly applicable even when projects seeking those actions will trigger a future, separate environmental review. It is the lead agency's responsibility to consider all possible environmental impacts of the new discretionary actions at the time it creates them.

Although the Proposed Actions provide a future as-of-right framework to achieve the stated land use objectives, this conceptual project analysis focuses on two new discretionary actions that applicants may pursue in the future:

- A City Planning Commission (CPC) Special Permit to allow for a floor area bonus in conjunction with the provision of a Covered Pedestrian Space (CPS).

- A CPC Authorization to allow for a floor area bonus for qualifying transit improvement sites in conjunction with the provision of qualifying transit improvements.

The conceptual analysis presented in this chapter examines the potential for impacts under these two actions. The With-Action condition presented in Chapter 1, "Project Description," is based on several factors and assumptions regarding where new development could reasonably be expected under the With-Action condition, as well as the type and density of that development. The With-Action condition does not consider specific sites that would develop in accordance with the above-listed zoning mechanisms since the number and locations of sites that may utilize the future special permit or authorization cannot be predicted with certainty, and approval of the discretionary zoning mechanisms would be uncertain.

Accordingly, this chapter provides a conceptual analysis to generically assess potential environmental impacts that could result from development under these zoning mechanisms. These additional zoning mechanisms would be subject to future discretionary approval and any environmental impacts associated with such action would be assessed and disclosed pursuant to those environmental reviews, with project-specific analyses beyond that provided below. Because the development assumptions are subject to future approvals, the actions that are examined below are referred to as the "Future Discretionary Actions scenario" at two analyzed sites.

B. Principal Conclusions

Based on available information on the Future Discretionary Actions, there would be no significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; community facilities; open space; historic and cultural resources; hazardous materials; water and sewer infrastructure; solid waste and sanitation services; energy; and greenhouse gas emissions and climate change. The following technical areas require either detailed analysis or additional review beyond an initial assessment to determine the potential for significant adverse impacts: shadows; urban design and visual resources; transportation; air quality; noise; public health; neighborhood character; and construction.

C. Description of the Zoning Mechanisms

The additional two zoning mechanisms would create one new special permit and one new authorization that would be applicable to sites within the Rezoning Area. The additional zoning mechanisms, described below, would be part of the Proposed Actions analysis in the EIS, but would be subject to future discretionary approval for permits and authorizations.

Special Permit for Covered Pedestrian Space

To create opportunities for passive, publicly accessible space, the Special Midtown South Mixed Use District would allow developments in all districts to access the Zoning Resolution's existing special permit for a floor area bonus for CPSs (Section 74-85~~87~~). The existing CPS bonus allows for a 20 percent maximum bonus, with a base bonus ratio of 11:1 for certain zoning districts and 8:1 for others. These base bonus ratios can be increased from 11:1 to a maximum of 14:1 and 8:1 up to 11:1, respectively, in conjunction with the provision of certain additional amenities, such as direct transit connections from the CPS. The Proposed Actions will amend the text of Section 74-85~~87~~ to include M1-8A and M1-9A zoning districts under the category of districts with a base bonus ratio of 11:1, thereby making it applicable to all sites within the Special Midtown South Mixed Use District. The Proposed Actions will also remove text that places a 12.0 FAR cap on the amount of bonus floor area that can be put towards residential use, thereby allowing, in mixed-use buildings, the full 20 percent bonus to be used for residential use. Access to the bonus would encourage the creation of spaces that reflect the mixed-use character of the area and serve an important function to provide public space for passive use.

Authorization for Additional Floor Area for Mass Transit Station Improvements

The Proposed Actions would allow for the Proposed Special Midtown South Mixed Use District would be defined as a "Central Business District" (ZR 66-11). This would extend the applicability of the density bonus authorization for improvements to mass transit stations (ZR 66-50) to sites that are 1,500 feet from mass transit stations, making all sites within the Rezoning Area qualifying as transit improvement sites within a Central Business District. The maximum achievable bonus under this authorization is 20 percent above the base maximum permitted floor area. Access to the Central Business District applicability for this bonus would encourage the implementation of improvements to the existing transit infrastructure in the Rezoning Area.

D. Methodology and Analysis Framework

As described in Chapter 1, "Project Description," the Proposed Actions are expected to result in a net increase of approximately 9,676 dwelling units (DUs), including 1,940 to 2,890 permanently affordable units; 462,129 gsf of retail space (local retail), 81,755 gsf of community facility use, a decrease of 732,619 gsf of commercial office space, and a decrease of 69,782 gsf of industrial/warehouse space.

The conceptual analysis provided in this chapter is a qualitative assessment of the likely effects of the additional zoning mechanisms. Detailed analyses are not provided because the use of these new zoning mechanisms would be a discretionary action subject to separate environmental review and the public review process.

For the conceptual analysis, two sites were selected to comprise the Future Discretionary Actions scenario. The conceptual analysis considers the effects of the additional zoning mechanisms described above, in addition to the projected development sites identified in the With-Action condition. The conceptual development sites are shown in **Figure 25-1**. Further information on the two conceptual development sites is shown in **Table 25-1**. In total, the two conceptual development sites would include 720 DUs, up to 216 of which would be affordable pursuant to MIH, and 61,840 gsf of commercial space. Building heights of these two sites would range between 355 and 405 feet.

Table 25-1: Development under Future Discretionary Actions Scenario

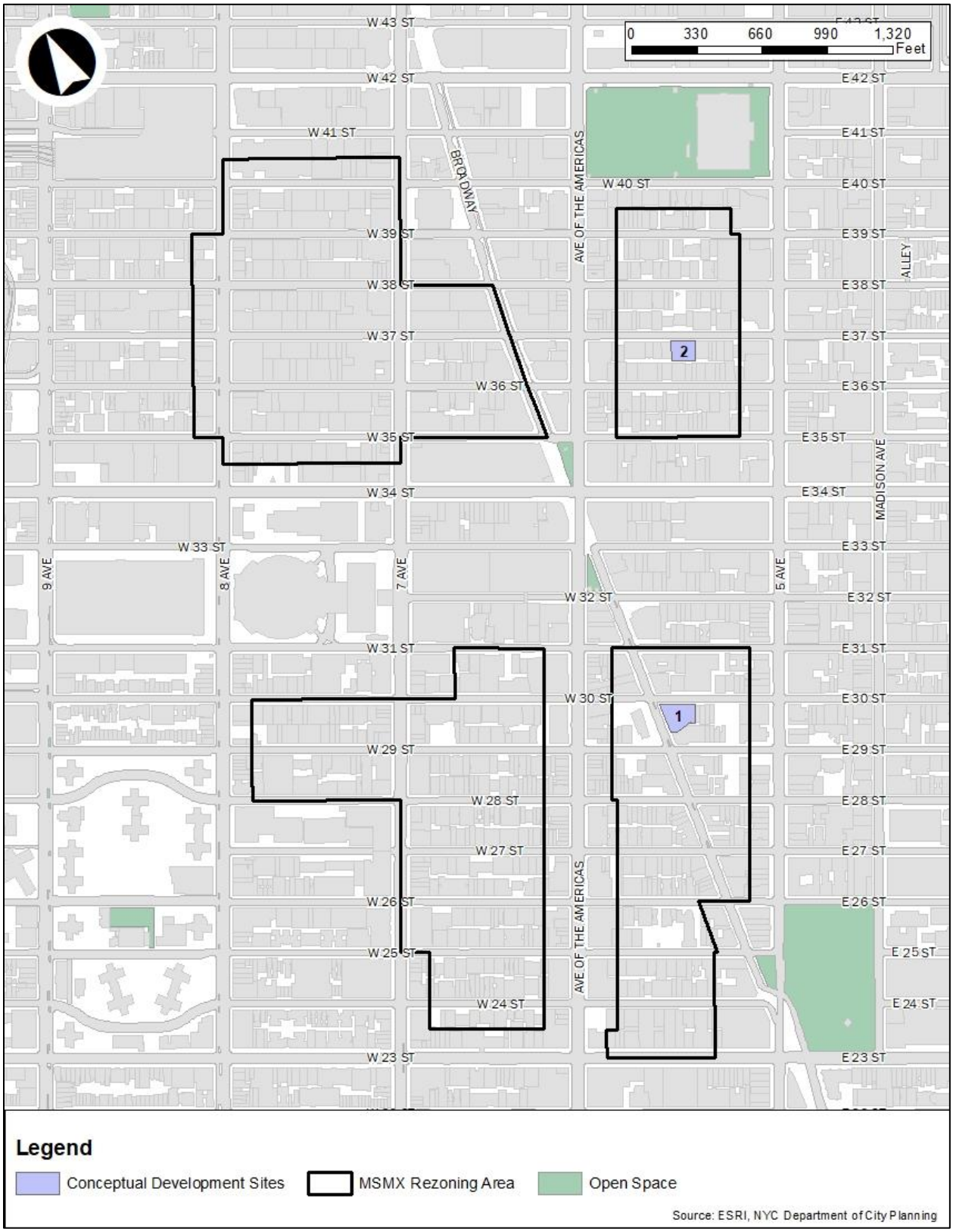
Conceptual Development Site	Projected Development Site	Residential (DUs)	Residential (20% Affordable DUs)	Residential (30% Affordable DUs)	Commercial (gsf)	Base Height / Building Height (ft.)
1	48	431	86	129	37,042	185’/ 355’
2	53	289	58	87	24,798	155’/405’
Total:		**720**	**144**	**216**	**61,840**	**-**

The incremental differences between the With-Action condition and the Future Discretionary Actions scenario are shown in **Table 25-2**. The Future Discretionary Actions scenario would lead to an additional 131 DUs, up to 39 of which would be permanently affordable pursuant to MIH, compared to the With-Action condition.

Table 25-2: Incremental Development under Future Discretionary Actions Scenario

Conceptual Development Site	Projected Development Site	Residential (DUs)	Residential (25% Affordable DUs)	Residential (30% Affordable DUs)	Commercial (gsf)	Covered Pedestrian Space (sf)	Base Height / Building Height (ft.)
1	48	+78	+20	+23	0	6,000	0’/+70’
2	53	+53	+13	+16	0	0	0’/+80’
Total:		**+131**	**+33**	**+39**	**0**	**+6,000**	**-**

Figure 25-1: Conceptual Development Sites



The conceptual development sites that were chosen for analysis were selected because they have the greatest potential to be redeveloped based on ownership patterns, existing size, and location of the lot and existing floor area relative to future potential. While it is not known which sites may be developed using the discretionary bonus zoning mechanisms, for this conceptual analysis, it is assumed that these sites would use the discretionary zoning mechanisms described above.

Conceptual Development Site 1 (Block 831, Lots 19, 55, 59, 61)

Projected Development Site 48 has a total lot area of approximately 18,521 sf and is located within a proposed M1-8A/R12 district (see **Figure 25-1**). This paired district permits a maximum permitted FAR of 18.0, 12.0, and 12.0 for residential, commercial, and community facility use, respectively, under the Proposed Actions. The site is currently occupied by four separate buildings containing various retail, commercial, and office uses. It is assumed the site would be developed with a new mixed-use building with retail on the first two floors with residential uses above, and a CPS at grade in accordance with the future zoning mechanism, a CPC Special Permit. With the Special Permit, the site could be developed with up to 421,131 sf of residential floor area, 37,042 sf of non-residential (local retail) ground floor and second floor, and 6,000 sf of CPS. The base height for this development would be 185 feet or 18 stories, followed by a setback of 10 feet from a wide street (Broadway) and 15 feet from a narrow street (West 30th Street). There is no maximum permitted height in the proposed M1-8A/R12 district. With the special permit, the site could rise to a total height of 355 feet or 35 stories.

As compared with the With-Action condition, this would result in a net increase of up to 75,811 sf of residential floor area (78 DUs). The building on Conceptual Development Site 1 would have a maximum building height of 355 feet, which is 70 feet taller than the mixed-use building that would be built on this site under the With-Action condition.

Conceptual Development Site 2 (Block 838, Lots 65, 66 ,68, 69)

Projected Development Site 53 has a total lot area of approximately 12,273 sf and is located within a proposed M1-9A/R12 district. This paired district permits a maximum permitted FAR of 18.0, 15.0, and 15.0 for residential, commercial, and community facility use, respectively, under the Proposed Actions. The site is currently occupied by four 2-5 story buildings with ground-floor/second-story retail and offices and residences above. It is assumed the site would be developed with a new mixed-use building with retail on the first two floors with residential uses above. It is assumed that Conceptual Development Site 2 would use the authorization for improvements to mass transit stations (ZR 66-50). With this authorization, the site could be developed with up to 282,968 sf of residential floor area, 24,798 sf of non-residential (local retail) ground floor and second floor. The maximum permitted base height for this development would be 155 feet or 15 stories, followed by a setback of 15 feet from a narrow street (West 37th Street). There is no maximum permitted height in the proposed M1-9A/R12 district. With the authorization, the site would rise to a total height of 405 feet.

As compared with the RWCDS for the Proposed Actions, this would result in a net increase of up to 51,878 sf of residential floor area (53 DUs). The building on Conceptual Development Site 2

would have a maximum building height of 405 feet, which is 80 feet taller than the mixed-use building that would be built on this site under the Proposed Actions.

Incremental Development

The conceptual analysis considers the potential effects of development under the Future Discretionary Actions scenario as compared to those described for the Proposed Actions (the With-Action condition) for one individual project. The analysis considers two conceptual development sites because it is not known which sites may be developed using the additional zoning mechanisms.

Analysis Framework

The conceptual analysis assesses the potential environmental impacts of the Proposed Actions and the potential of the proposed zoning mechanisms to result in development that differs from the With-Action condition.

For most technical areas, a detailed analysis at a level consistent with the methodologies of the 2021 CEQR *Technical Manual* (e.g., direct business displacement, historic resources, shadows, urban design, hazardous materials, construction impacts) will only be possible at the time that a site-specific application for a discretionary action is submitted to DCP. For some technical areas—including open space, water and sewer infrastructure, transportation, solid waste and sanitation, energy, and greenhouse gas emissions—the two conceptual development sites selected for the conceptual analysis are likely to be generally representative of the type and amount of development that could occur, should development under any of the additional zoning mechanisms take place at locations other than the two conceptual development sites. Therefore, for these technical areas, the increment associated the Future Discretionary Actions scenario is assessed in comparison with the With-Action projected development sites selected as the basis for comparison for that technical area.

E. Conceptual Environmental Impact Analysis

Land Use, Zoning, and Public Policy

As shown in **Table 25-2**, the Future Discretionary Actions scenario would facilitate the development of 131 incremental DUs, up to 39 of which would be permanently affordable pursuant to MIH, and 6,000 sf of passive publicly accessible open space (CPS).

The zoning mechanism would increase the permitted density of developments in the Midtown South Mixed Use Special District but would not allow new uses not previously permitted in the With-Action condition.

The proposed zoning mechanism would not result in significant adverse impacts to land use, zoning, and public policy. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 CEQR Technical Manual.

Socioeconomic Conditions

Direct Residential Displacement

Per 2021 *CEQR Technical Manual* guidance, direct displacement of fewer than 500 residents is not expected to alter the socioeconomic characteristics of a neighborhood. The zoning mechanisms would permit an additional 131 DUs at Conceptual Development Sites 1 and 2. This would not involve any direct residential displacement beyond what would occur under the With-Action condition. Therefore, the Future Discretionary Actions scenario would not result in any significant adverse impact related to direct residential displacement. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Direct Business Displacement

Per 2021 *CEQR Technical Manual* guidance, if a project would directly displace more than 100 employees, an assessment of direct business displacement is appropriate. The zoning mechanism would not result in decreases in non-residential space on either conceptual development site. Therefore, the Future Discretionary Actions scenario would not result in any significant adverse impact related to direct business displacement. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Indirect Residential Displacement

Per 2021 *CEQR Technical Manual* guidance, the first step in determining whether an indirect residential displacement analysis is required is to determine whether the proposed project would add new population with higher average incomes compared to the average incomes of the existing populations and any new population expected to reside in the study area without the project.

As described above, the zoning mechanism would generate up to 131 additional DUs at Conceptual Development Sites 1 and 2. Similar to the analysis and assumptions presented in Chapter 3, “Socioeconomic Conditions,” these additional 131 DUs would adhere to MIH Option 2. Under Option 1, 30 percent of residential floor area, or approximately 39 DUs would be affordable to households earning 80 percent of Area Median Income (AMI).

Based on the information presented in **Tables 3-6** and **3-17** of Chapter 3, “Socioeconomic Conditions,” the average income of the population occupying the additional 131 DUs generated under the Future Discretionary Actions scenario would be $47,383 less than the Study Area average. These 131 DUs would not noticeably change the average household income of the incoming population under the With-Action condition.

As shown in **Tables 3-11** and **3-12** of Chapter 3, “Socioeconomic Conditions,” the Study Area has experienced rising rents. The Future Discretionary Actions scenario would not introduce or accelerate a trend that would potentially displace a vulnerable population. Therefore, the Future Discretionary Actions scenario would not result in any significant adverse impact related to indirect

residential displacement. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Indirect Business Displacement

Per 2021 *CEQR Technical Manual* guidance, indirect displacement of businesses occurs when a project would markedly increase property values and rents throughout the study area, making it difficult for some categories of businesses to remain in the area. Additionally, indirect displacement of businesses may occur if a project directly displaces any type of use that either directly supports businesses in the area or brings a customer base to the area for local businesses, or if it directly or indirectly displaces residents or workers who form the customer base of existing businesses in the area.

The Future Discretionary Actions scenario would introduce approximately 220 residents to the area.[1] As discussed above, these residents would have a household income below the Study Area average. The small increase in households is not likely to create changes in local market conditions that could lead to increased commercial property values that may displace existing businesses. Therefore, the Future Discretionary Actions scenario would not result in any significant adverse impact related to indirect business displacement. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Adverse Impacts on Specific Industries

Per 2021 *CEQR Technical Manual* guidance, it may be possible for a given project to affect the operation and viability of a specific industry not necessarily tied to a specific location. An example would be new regulations that prohibit or restrict the use of certain processes that are critical to certain industries. If the following questions cannot be answered with a clear "no," then a detailed investigation is appropriate:

- Would the project significantly affect business conditions in any industry or any category of businesses within or outside the study area?

- Would the project indirectly substantially reduce employment or impair the economic viability in the industry or category of businesses?

The additional floor area generated by the zoning mechanism would be residential floor area. The Future Discretionary Actions scenario would not reduce employment beyond what would occur in the With-Action condition. Therefore, the Future Discretionary Actions scenario would not result in any significant adverse impact on specific industries. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

[1] Based on the 2020 U.S. Census Bureau's average household size for Manhattan Community District 4 and 5 of 1.68 persons per household.

Community Facilities and Services

Development on Conceptual Development Sites 1 and 2 would not displace or otherwise directly affect any public schools, childcare centers, libraries, health care facilities, or police and fire protection service facilities. The zoning mechanisms would result in 131 additional DUs, of which up to 39 would be permanently affordable pursuant to MIH. Therefore, the Future Discretionary Actions scenario would not result in any direct effects on community facilities.

Utilization of elementary/intermediate schools in Community School District (CSD) 2, Subdistrict 4, and high schools in Manhattan would rise slightly compared to the With-Action condition. However, the number of students generated by the additional 131 DU would not result in a significant adverse impact to elementary, intermediate, or high schools in CSD 2, Subdistrict 4. The addition of up to 39 affordable units facilitated by the zoning mechanism would also result in a slight increase in demand for publicly funded childcare services compared to the With-Action condition, but would not result in a utilization of greater than 100% in the 1.5-mile study area, and would therefore not result in significant adverse impacts on publicly funded childcare centers.

Therefore, the Future Discretionary Actions scenario would not result in any significant adverse impacts related to community facilities. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Open Space

A preliminary quantitative assessment of open space is performed if an action would have a direct effect on an open space (e.g., displacement of an existing open space resource) or an indirect effect through increased population size. Indirect effects may occur when the population generated by an action would be sufficiently large to significantly diminish the ability of an area's open space to serve the future population. An assessment of indirect effects is warranted if the Proposed Actions would generate more than 200 residents or 500 nonresidents, or a similar number of other nonresidential users (e.g., the population introduced by a new university or college).

The Future Discretionary Actions scenario would not cause any direct impacts (i.e., encroach on, or cause a loss of, open space). The Future Discretionary Actions scenario would create new open space on sites that obtain approval via the CPS Special Permit. Approximately 6,000 sf (0.14 acres) of passive publicly accessible open space would be created at Conceptual Development Site 1. At Conceptual Development Sites 1 and 2, the 131 DUs created via the zoning mechanism would result in approximately 220 additional residents, which exceeds the 200-resident threshold for further analysis.

Under the Future Discretionary Actions scenario, the total residential study area open space ratio would increase from 0.355 to 0.356 acres per 1,000 residents. The passive open space ratio would increase from 0.292 under the With-Action condition to 0.293 under the Future Discretionary Actions scenario. The active open space ratio would remain unchanged (0.063 acres per 1,000 residents).

Therefore, the Future Discretionary Actions scenario would not result in any additional significant adverse impacts beyond those disclosed under the With-Action condition related to open space.

Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Shadows

Shadows analysis is required if an action would result in new structures or additions to buildings result in structure over 50 feet in height that could cast shadow on sunlight-sensitive resources.

As described above, Conceptual Development Sites 1 and 2 would stand 70 and 80 feet taller, respectively under the Future Discretionary Actions scenario. The base height of the two conceptual development sites would not change compared to the With-Action condition.

At Conceptual Development Site 1, the Future Discretionary Actions scenario is not likely to result in additional incremental shadow beyond what would occur under the With-Action condition. Only one sunlight-sensitive resource is located in proximity to Conceptual Development Site 1 – the greenstreet between West 29th and West 32nd Streets. The greenstreet is located adjacent to Conceptual Development Site 1. As described above, the Future Discretionary Actions scenario would not increase the base height of development on this site. Due to the proximity of the site to the greenstreet, shadow cast on this sunlight-sensitive resource occurs below the maximum base height. An increase in total building height would not change the amount of shadow cast on this sunlight-sensitive resource.

At Conceptual Development Site 2, the closest sunlight-sensitive resource is the privately owned public space at 420 Fifth Avenue. Incremental shadow cast on this resource, described in Chapter 6, “Shadows,” would be cast by Projected Development Site 54 and Potential Development Site F. The additional height at Conceptual Development Site 2 under the Future Discretionary Actions scenario would also not cast additional shadow on the 420 Fifth Avenue POPS, Herald Square, Bryant Park, or other nearby sunlight-sensitive resources.

It is not known which, if any, of the sites in the Rezoning Area that meet the criteria for the Future Discretionary Actions would apply for the proposed special permit or authorization. Consequently, a site-specific analysis cannot be conducted at this time. For the shadows technical area, analysis at a level consistent with the methodologies in the *CEQR Technical Manual* would only be possible at the time that a site-specific application is made for the Future Discretionary Actions.

Historic and Cultural Resources

Development under the Future Discretionary Actions scenario would result in the same, but no additional, significant adverse impacts to architectural resources that were identified for the With-Action condition. As discussed in Chapter 7, “Historic and Cultural Resources,” the development of Projected Development Site 48 (Conceptual Development Site 1) and Projected Development Site 53 (Conceptual Development Site 2) would not result in direct or indirect impacts to architectural resources.

Development using the Future Discretionary Actions scenario would not result in additional ground disturbance compared to the With-Action condition.

Therefore, the Future Discretionary Actions scenario would not result in any additional significant adverse impacts related to historic and cultural resources. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Urban Design and Visual Resources

An assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. When an action could obstruct view corridors, compete with icons in the skyline, or would result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings, a more detailed analysis of urban design and visual resources would be appropriate.

As described above, the development at Conceptual Development Sites 1 and 2 would be approximately 70 feet and 80 taller, respectively than under the With-Action condition. The maximum base heights of these two conceptual sites would remain unchanged from the With-Action condition (see **Table 25-2**).

Buildings developed pursuant to the new zoning mechanisms would generally be consistent with the scale and bulk of buildings permitted under the With-Action condition. Any future applications to utilize these zoning mechanisms would consider potential impacts to urban design and visual resources pursuant to the guidance of the 2021 *CEQR Technical Manual*. Therefore, the Future Discretionary Actions scenario would not result in any significant adverse impacts on urban design and visual resources.

Hazardous Materials

As discussed in Chapter 9, “Hazardous Materials,” all projected and potential development sites would be assigned an E-designation in connection with the Proposed Actions. The potential for exposure of hazardous materials at a development site would be assessed when an application is filed for a specific development, and remedial measures, if any, would be developed at that time.

Therefore, the Future Discretionary Actions scenario would not result in any significant adverse impacts related to hazardous materials. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Water and Sewer Infrastructure

A preliminary infrastructure analysis is needed for projects that result in exceptionally large demands for water (greater than 1,000,000 gallons per day [gpd]), or that are in areas that experience low water pressure (areas at the end of the water supply distribution system). Depending on the results from the preliminary analysis, a detailed infrastructure analysis may be required. A preliminary assessment may be warranted if an action is expected to result in more than 1,000 residential units and over 250,000 sf of commercial space, the applicable thresholds for combined sewer areas in Manhattan.

Water Supply

Incremental development facilitated by the Future Discretionary Actions scenario would result in an estimated 22,000 gpd of water demand. Additional water demand as a result of the Future Discretionary Actions scenario would be a minimal increase in water demand over the With-Action condition, which is negligible compared to the City's average daily water supply of approximately one billion gpd. Therefore, the Future Discretionary Actions scenario would not result in any significant adverse impacts related to water supply infrastructure. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Wastewater

Effluent from Conceptual Development Site 1 would be treated at the Newtown Creek Wastewater Resource Recovery Facility (WRRF), which currently treats an average dry weather flow of approximately 212 million gallons per day (mgd). The Newtown Creek WRRF has a permitted capacity of 310 mgd. Effluent from Conceptual Development Site 2 would be treated at the North River WRRF, which currently treats an average dry weather flow of approximately 112 million mgd. The North River WRRF has a permitted capacity of 170 mgd.

At Conceptual Development Sites 1 and 2, the Future Discretionary Actions scenario would generate 13,100 gpd and 8,900 gpd of wastewater, respectively. As described above, both WRRFs would have the capacity to accommodate the additional wastewater generated under the Future Discretionary Actions scenario.

Therefore, the Future Discretionary Actions scenario would not result in any significant adverse impacts related to wastewater treatment. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Stormwater and Drainage Management

Any development under the Future Discretionary Actions scenario would need to meet New York City Department of Environmental Protection sewer connection requirements and control runoff to combined sewers. Peak stormwater runoff rates would be reduced with the incorporation of stormwater source control best management practices (BMPs) that could be implemented on all project sites by the developer in accordance with the City's site connection requirements.

Therefore, the Future Discretionary Actions scenario would not result in any significant adverse impacts related to stormwater and drainage management. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Solid Waste and Sanitation Services

A solid waste assessment determines whether a project has the potential to cause a substantial increase in solid waste production that may overburden available waste management capacity or otherwise be inconsistent with the New York City Solid Waste Management Plan or with state policy related to the City's integrated solid waste management system. Few projects have the potential to generate substantial amounts of solid waste (50 tons per week or more) and,

therefore, most projects would not result in a significant adverse impact. However, it is recommended that the solid waste and service demand generated by a project be disclosed.

Development in the Future Discretionary Actions scenario is not expected to exceed the CEQR threshold of 50 tons or 100,000 pounds per week. Therefore, the Future Discretionary Actions scenario would not result in any significant adverse impacts related to solid waste management. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Energy

Although significant adverse energy impacts are not anticipated for the majority of projects analyzed under CEQR, the projected amount of energy consumption during long-term operation should be disclosed in the environmental documents.

The annual energy consumption of development under the Future Discretionary Actions scenario would be negligible compared to the overall demand serviced by Con Edison. Therefore, the Future Discretionary Actions scenario would not result in any significant adverse impacts related to energy. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Transportation

Conceptual Development Sites 1 and 2 are located within CEQR Transportation Zone 1.[2] The screening threshold for further analysis within this zone is 240 DUs. Additional significant adverse impacts to transportation beyond those disclosed for the With-Action condition are unlikely because the Future Discretionary Actions scenario would not result in DUs that would exceed the CEQR screening thresholds (see **Table 25-2** and note that no new trips are generated by covered pedestrian space). Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Air Quality

Mobile Source

Per the 2021 *CEQR Technical Manual*, analysis of mobile sources is necessary when an action increases or causes a redistribution of traffic, creates any other mobile sources of pollutants, or adds new uses near existing atypical mobile sources. Mobile sources of air quality pollutants also include parking facilities or rail and marine facilities.

The 131 additional DUs at Conceptual Development Sites 1 and 2 would result in a minimal increase in vehicle trips near the conceptual sites. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Stationary Source

Development under the Future Discretionary Actions scenario would be subject to a separate discretionary approval process, with project-specific analysis that would address the potential

[2] Defined by the 2021 *CEQR Technical Manual* as “Manhattan, 110th Street and south; Downtown Brooklyn.”

impacts of stationary source emissions on air quality. Such analyses would include specific information regarding fuel type used, types and sizes of equipment, exhaust stack location and height. Like the With-Action condition, air quality (E) designations for stationary sources (such as fossil fuel-fired heating and hot water systems) may be required to ensure that there are no significant adverse air quality impacts from the source.

Greenhouse Gas Emissions and Climate Change

Typically, only projects greater than 350,000 sf, projects directly related to the transmission of energy, or projects that change the solid waste management system are required to perform detailed analysis of greenhouse gas emissions and climate change. As mentioned in the 2021 *CEQR Technical Manual*, the most immediate threats in New York City are rising sea levels and increases in storm surge and coastal flooding—as such, the climate change assessment focuses on these areas. Most commonly, climate change is assessed by comparing the project's consistency with the Waterfront Revitalization Program.

At Conceptual Development Sites 1 and 2, floor area created under the Future Discretionary Actions scenario would not exceed 350,000 sf and is not expected to warrant an analysis of greenhouse gas emissions. Therefore, the Future Discretionary Actions scenario would not result in any significant adverse impacts related to greenhouse gas emissions. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

New development in the 100-year or 500-year floodplains is required to comply with Appendix G of the New York City Building Code. The Rezoning Area is not located in the 100-year or 500-year floodplain. Therefore, the Future Discretionary Actions scenario would not result in any significant adverse impacts related to climate change. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Noise

Further analysis of noise is warranted if a project would (1) generate any mobile or stationary sources of noise; and/or (2) introduce a new receptor to an area with existing high ambient noise levels.

Development under the Future Discretionary Actions scenario would increase vehicular traffic to levels slightly higher than the With-Action condition but increases in noise would not be perceptibly higher. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Public Health

The 2021 *CEQR Technical Manual* states that a public health assessment is not necessary for most projects. Where no significant adverse unmitigated impacts are found in other CEQR analysis areas—such as air quality, water quality, hazardous materials, or noise—no public health analysis is warranted. If, however, an unmitigated adverse impact is identified in any of these other CEQR analysis areas, the lead agency may determine that a public health assessment is warranted for that specific technical area.

Additional analyses would be required to determine the potential for impacts related to air quality and noise. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Neighborhood Character

A neighborhood character assessment is appropriate if the project has the potential to result in significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; community facilities; open space; historic and cultural resources; urban design and visual resources; shadows; transportation; or noise.

Development under the Future Discretionary Actions scenario is not expected to significantly alter neighborhood character. The Future Discretionary Actions scenario would incentivize the development of CPS in an area with low amounts of open space and improvements to mass transit stations. Improvements to open space access and mass transit stations are not expected to negatively impact neighborhood character. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.

Construction

According to the 2021 *CEQR Technical Manual*, a development with an overall construction period lasting two years or longer and that is near to sensitive receptors (i.e., residences, open spaces) should undergo an impact assessment. If construction of a development under the Future Discretionary Actions scenario would last more than two years, a detailed analysis of construction may be necessary. Environmental analyses prepared for any future application will be conducted in accordance with the 2021 *CEQR Technical Manual*.