Technical Memorandum 001

Potential City Council Modifications
Long Island City Neighborhood Plan
CEQR No. 25DCP001Q

ULURP Nos.: C250175HAQ; C250176ZMQ; N250177ZRQ; C250178PCQ; C250179PPQ; C250180PPQ; C250224MMQ

November 3, 2025

A. INTRODUCTION

The New York City Department of City Planning (DCP) is proposing a series of land use actions (the "Proposed Actions") to support and facilitate implementation of the Long Island City Neighborhood Plan, which is the subject of an ongoing community planning process to meet the long-term vision of Long Island City and its surrounding neighborhoods as a unique, transit-rich, and culturally vibrant neighborhood. The Proposed Actions cover an approximately 54-block area ("the Project Area") focused on Long Island City's East River Waterfront and manufacturing zoned areas. The majority of the Project Area is located in Queens Community District 2, with the northern portion (north of Queens Plaza North to the midblock between 39th Street and 40th Street, between 21st Street and 23rd Street) located in Community District 1.

The Draft Environmental Impact Statement (DEIS) for the Proposed Actions was accepted as complete on April 18, 2025, by DCP, acting on behalf of the City Planning Commission (CPC) as lead agency. A public hearing for the DEIS was held on July 30, 2025, in conjunction with the CPC's public hearing pursuant to the Uniform Land Use Review Procedure (ULURP), and written comments were accepted until August 11, 2025. The Notice of Completion for the Final Environmental Impact Statement (FEIS) was issued by DCP on August 22, 2025 (CEQR No. 25DCP001Q). The FEIS incorporated responses to the public comments received on the DEIS and additional refinements to some of the analyses conducted after completion of the DEIS. The CPC adopted the Proposed Actions on September 3, 2025, and referred the application to the New York City Council (City Council).

Following the publication of the FEIS, modifications to the proposed zoning text amendments (N 250177 ZRQ) have been identified as under consideration by the City Council (the "Potential Modifications"). These modifications are detailed in Section B. This technical memorandum examines whether the Potential Modifications would result in any new or different significant adverse environmental impacts not already identified in the FEIS.

As set forth below, this technical memorandum concludes that the Proposed Actions with the Potential Modifications would not result in any new or different significant adverse impacts not already identified in the FEIS. There would not be any changes to the Reasonable Worst Case Development Scenario (RWCDS).

B. DESCRIPTION OF POTENTIAL MODIFICATIONS

The Potential Modifications would make changes to the proposed zoning text, as presented in **Table 1**. The Potential Modifications would affect two sites in the Project Area – Projected Development Sites 17 and 67. As shown in the table, the Potential Modifications would reduce the maximum height of development on Site 17 within 100 feet of 21st Street and increase the maximum permitted tower width on Site 67.

Table 1
Summary of Potential Modifications

Original Proposal	Potential Modifications	Projected Development Sites Affected
Above Queens Plaza North, the maximum height is 750'	Above Queens Plaza North, the maximum building is 750; however, the maximum heights within 100 feet of 21st Street is reduced to 350'	Projected Development Site 17
Tower width limited to 100'	At 44th Road and 44th Drive, max. tower width increases to 130'	Projected Development Site 67

C. ENVIRONMENTAL EFFECTS OF THE POTENTIAL MODIFICATIONS

The Potential Modifications maintain the same 67 projected and potential development sites (52 projected and 15 potential) identified in the FEIS and there would be no change in floor area or overall density. The Potential Modifications would affect building envelopes at Projected Development Sites 17 and 67 with a reduction in allowable building height on a portion of Site 17, although this would not result in any substantive change as compared to the FEIS because the height of the development on that site analyzed in the FEIS was below 350 feet within 100 feet of 21st Street. The increase in the tower width at Site 67 could result in a shorter and somewhat wider tower as compared to the FEIS building envelope. As set forth below, this technical memorandum concludes that the Potential Modifications would not result in any new or different significant adverse impacts than those disclosed in the FEIS.

LAND USE, ZONING, AND PUBLIC POLICY

Like the Proposed Actions, the Potential Modifications would not result in any significant adverse impacts and would generally result in the same effects to land use, zoning, and public policy as described in the FEIS. The Potential Modifications would not generate land uses that would be incompatible with existing zoning and land uses in the surrounding area. The Proposed Actions and the Potential Modifications would result in the same land uses, and would introduce opportunities for new housing, including affordable housing, thereby expanding the local housing supply. Similarly, the Potential Modifications would result in expanded economic opportunities within the study area. The zoning text amendments proposed under the Potential Modifications, like the Proposed Actions, would not conflict with any public policy. Therefore, no significant adverse impacts to land use, zoning and public policy are anticipated under the Potential Modifications.

SOCIOECONOMIC CONDITIONS

Similar to the Proposed Actions, the Potential Modifications would not result in significant adverse impacts to socioeconomic conditions.

Direct Residential Displacement

Like the Proposed Actions, the Potential Modifications would not result in significant adverse impacts due to direct residential displacement. The Potential Modifications would result in the same amount of direct residential displacement, because the number and location of projected development sites would not change.

Direct Business Displacement

Like the Proposed Actions, the Potential Modifications would not result in significant adverse impacts due to direct business displacement. The Potential Modifications would not change the number of projected development sites to be developed and therefore would not change the amount of business displacement compared to the Proposed Actions which, as described in the FEIS, would potentially directly displace an estimated 68 businesses on projected development sites and an estimated 538 jobs associated with those businesses. The goods and services provided by the potentially displaced businesses are expected to remain available to study area residents and businesses through other existing businesses not directly displaced; through business that relocate within the study area or a broader trade area; and through businesses that locate within the new spaces facilitated by the Proposed Actions.

Indirect Residential Displacement

Like the Proposed Actions, the Potential Modifications are expected to introduce more affordable housing than in the future without the Proposed Actions, potentially slowing trends of increasing rents and maintaining a more diverse mix of incomes within the study area and subareas as compared to the No-Action condition.

Indirect Business Displacement

Like the Proposed Actions, the Potential Modifications would not result in any significant adverse impacts due to indirect business displacement. Market conditions throughout the study area have already incentivized a shift away from manufacturing and light industrial uses toward residential and commercial development. This ongoing turnover of industrial properties on projected development sites in the Project Area, and the surrounding area, has been occurring as part of a larger market reorientation. The displacement of vulnerable businesses would not have the potential to result in significant adverse impacts because the potentially displaced businesses do not represent anchor institutions or function as a defining feature of the local economy and the goods and services they provide would continue to be available to consumers within reasonable trade areas.

Adverse Effects on Specific Industries

Like the Proposed Actions, the Potential Modifications would not result in any significant adverse impacts on specific industries. The Potential Modifications would result in the same number of businesses directly displaced as the Proposed Actions. The Proposed Actions would not significantly affect business conditions in any industry or any category of business within or outside the study area.

COMMUNITY FACILITIES

The Potential Modifications would result in the same residential and commercial density on the projected development sites. Like the Proposed Actions, the Potential Modifications would result in significant adverse impacts on elementary schools, libraries, and publicly funded early childhood programs.

Like the Proposed Actions, the Potential Modifications would result in significant adverse impacts to elementary school enrollment in Subdistrict 3 of CSD 30. As with the Proposed Actions,

intermediate schools are expected to operate with available capacity with the Potential Modifications, and therefore no significant adverse impacts to intermediate schools would result. As with the Proposed Actions, Queens high schools are expected to operate with available capacity with the Potential Modifications, and therefore, no significant adverse impacts on public high schools would result. Like the Proposed Actions, the Potential Modifications would result in significant adverse impacts to public libraries at the Hunters Point and Long Island City branches of the Queens Public Library (QPL). Like the Proposed Actions, the Potential Modifications would result in significant adverse impacts to publicly funded early childhood programs.

OPEN SPACE

Like with the Proposed Actions, the Potential Modifications would result in indirect significant adverse impacts to total, active, and passive open space in the residential study area. No significant adverse indirect impacts to the non-residential study area would occur as a result of either the Proposed Actions or Potential Modifications.

As with the Proposed Actions, the Potential Modifications would result in a significant adverse direct impact to open space. New shadows resulting from the Proposed Actions would be extensive enough to cause significant adverse impacts to two open space resources in Long Island City: Gordon Triangle and the 44th Drive Pier. Incremental shadows cast on Gordon Triangle and the 44th Drive Pier would affect utilization and vegetation on the resources. In addition, the Proposed Actions would result in significant adverse air quality impacts affecting the usability of one existing open space resource, Gordon Triangle. In addition, three new publicly accessible waterfront open spaces (on Projected Development Sites 65, 67, and 71) would be affected by significant adverse air quality impacts.

SHADOWS

Like the Proposed Actions, the Potential Modifications would result in significant adverse shadow impacts to three open space resources including: several Greenstreets medians in Queens Plaza South between Vernon Boulevard and 13th Street; Gordon Triangle, and the 44th Drive Pier. With respect to Site 67, the increase in tower width would potentially result in small increases in incremental shadows on a number of resources, including two of the three that would be significantly impacted by the incremental shadows. Specifically, 44th Drive Pier could receive a small increase in incremental shadow on the late spring and summer dates, in the morning, and one or two of the Queens Plaza South Greenstreets medians near Vernon boulevard could receive a brief increase in incremental shadow on the winter analysis date. The Gordon Triangle would be unaffected by the increase in tower width at Site 67. In addition, a number of other resources that received incremental shadow from the Proposed Actions as described in the FEIS could receive a small increase in incremental shadow due to the increased width of the tower on Site 67. Other resources affected by incremental shadow from the Proposed Actions would potentially receive less incremental shadow, because the increase in tower width at Site 67 would necessitate a corresponding reduction in overall building height.

The minor increases in shadow coverage and/or duration resulting from modifications to Site 67 would not create new significant adverse shadow impacts, nor would they substantially increase the severity of the significant adverse impacts identified in the FEIS for the Proposed Actions. Consequently, the change to the tower width, which would also result in a shorter development overall, at Site 67 introduced by the Potential Modifications would not be sufficient to change the conclusion of significant adverse impacts reached in the FEIS and the conclusion of significant adverse impacts to three sunlight-sensitive resources resulting from the Proposed Actions would remain under the Potential Modifications. On Site 17, the Potential Modifications would also have no effect on the shadows modeled in the FEIS, as the reduced height would be the same as that modeled in the FEIS.

HISTORIC AND CULTURAL RESOURCES

The Potential Modifications would result in the same direct and indirect impacts to architectural resources, and construction-period impacts as identified in the FEIS for the Proposed Actions.

The Potential Modifications would result in the same direct impacts to architectural resources as those identified with the Proposed Actions in the FEIS – the demolition of the State and National Registers of Historic Places (S/NR)-eligible M. Henry Chernay Building at 10-03 44th Avenue, and the S/NR-eligible Jerome Perlstein Building at 43-58 11th Street; the demolition of the S/NR-eligible former New York and Queens Electric Light and Power Substation Number 4; the demolition of the S/NR-eligible Walter Lippmann Building at 43-42 10th Street and the S/NR-eligible building at 43-50 10th Street; and the demolition of 21-23 43rd Avenue, which has been identified as a potential architectural resource.

The Proposed Actions also have the potential to result in indirect significant adverse impacts to five individual historic architectural resources, with new buildings on the projected and potential development sites in close proximity to these resources that could adversely impact their setting. The affected resources are: the S/NR-eligible Steinway Van & Storage Company building at 42-45 12th Street; the S/NR-eligible Tom Cat Bakery at 43-05 10th Street; the S/NR-eligible building at 43-56 10th Street; and the S/NR-eligible Metropolitan Building at 44-01 11th Street. In addition, views of the “Silvercup” metal-frame sign above the S/NR-eligible former Silvercup Bakery would be obscured by the new development along Queens Plaza South, west of 21st Street.

Like the Proposed Actions, the Potential Modifications would not eliminate any of the projected or potential development sites identified in the FEIS, they would result in the same construction-related impacts to 10 known and 8 potential historic architectural resources.

URBAN DESIGN AND VISUAL RESOURCES

Like the Proposed Actions, the Potential Modifications would not result in any significant adverse impacts to urban design and visual resources. The Potential Modifications would slightly reduce the maximum permitted height on a portion of Site 17 (already assessed in the FEIS) and would alter the maximum permitted tower width on Site 67 due to the modifications to the proposed zoning text amendments (as described in Section B above).

Similar to the Proposed Actions, the Potential Modifications would encourage new mixed-use, residential, commercial, community facility, and light industrial development, and the creation of new publicly accessible waterfront open space with enhanced connectivity between the waterfront and upland neighborhoods. At the waterfront and adjacent upland areas, the Potential Modifications, like the Proposed Actions, would include bulk controls to maintain visual access to the water, create a dynamic skyline, and complement surrounding contexts. Like the Proposed Actions, the Potential Modifications would maintain key waterfront views and visual resources within the Waterfront Subarea and expand physical access to the water, and they would not result in significant adverse impacts to visual resources and views in Inland Subarea 1. Therefore, it is concluded that the Potential Modifications would not result in significant adverse impacts related to urban design and visual resources.

NATURAL RESOURCES

Like the Proposed Actions, the Potential Modifications would not result in any significant adverse impacts to natural resources, including floodplains, groundwater, wetlands, ecological communities, or wildlife.

HAZARDOUS MATERIALS

The Potential Modifications, like the Proposed Actions, would not result in significant adverse impacts related to hazardous materials. The Potential Modifications would continue to establish

institutional control measures including (E) Designations (E-848), which would avoid the potential for significant adverse impacts related to hazardous materials during construction within the projected and potential development sites.

WATER AND SEWER INFRASTRUCTURE

Like the Proposed Actions, the Potential Modifications would not result in density changes affecting water and sewer infrastructure. Therefore, the Potential Modifications would not result in significant adverse impacts related to water and sewer infrastructure.

SOLID WASTE AND SANITATION SERVICES

Like the Proposed Actions, the Potential Modifications would not result in significant adverse impacts to solid waste and sanitation services. Like the Proposed Actions, the Potential Modifications would not overburden available waste management capacity and would not conflict with, or require any amendment to, the City's solid waste management objectives as stated in the SWMP. Therefore, the Potential Modifications would not result in significant adverse impacts to solid waste and sanitation services.

ENERGY

Like the Proposed Actions, the incremental increase in energy demand resulting with the Potential Modifications would remain the same and be considered negligible when compared with the overall demand within Consolidated Edison's (Con Edison's) New York City and Westchester County service area. Like the Proposed Actions, any new development resulting from the Potential Modifications would be required to comply with the New York City Energy Conservation Code. In compliance with this code, new development must meet standards related to energy efficiency and combined thermal transmittance. Therefore, the Potential Modifications would not result in any significant adverse impact on energy.

TRANSPORTATION

The Potential Modifications would result in the same residential and commercial density analyzed in the FEIS. Like the Proposed Actions, it is anticipated that the Potential Modifications would result in significant adverse traffic, subway, bus, ferry and pedestrian elements, and any impacts associated with the Potential Modifications would not be greater than those identified in the FEIS for the Proposed Actions.

Traffic

Like the Proposed Actions, the traffic impact analysis indicates the potential for significant adverse impacts at 43 intersections (35 signalized and eight unsignalized) during one or more analyzed peak hours. Significant adverse impacts were identified to 66 lane groups at 37 intersections during the weekday AM peak hour, 48 lane groups at 28 intersections in the midday peak hour, 73 lane groups at 37 intersections in the PM peak hour, and 46 lane groups at 28 intersections during the Saturday peak hour. The potential traffic impacts associated with the Potential Modifications would be the same as those identified in the FEIS for the Proposed Actions.

Transit

Like the Proposed Actions, a total of five stairs and one fare array at the Court Square – 23rd Street (E/G/M/7) station would be significantly adversely impacted by project-generated demand in at least one peak hour. With respect to subway line haul, southbound E, F, G, and No. 7 trains in the AM peak hour and northbound G trains in the PM peak hour are expected to operate over capacity, and would experience an average incremental increase of more than 5.43 persons/car during this period, greater than the five persons/car *CEQR Technical Manual* impact threshold. The southbound E, F, G, and No. 7 service in the AM peak hour and northbound G service in the

PM peak hour would therefore be considered significantly adversely impacted by the Proposed Actions. Overall, the potential transit impacts associated with the Potential Modifications would be the same as those identified in the FEIS for the Proposed Actions.

Bus

Like the Proposed Actions, the Potential Modifications would result in a capacity shortfall on the northbound Q103 buses in the AM and PM peak hours. Therefore, one bus line would be significantly adversely impacted based on *CEQR Technical Manual* criteria. The potential for impacts to bus service with the Potential Modifications would be the same as those associated with the Proposed Actions.

Ferry

Like the Proposed Actions, the Potential Modifications would result in significant adverse ferry line haul impacts to the southbound ferries on the Astoria route in the AM peak hour at the maximum load point and point of departure from the Long Island City ferry landing and to the northbound ferries on the Astoria route in the PM peak hour at the point of departure from the Long Island City ferry landing. The potential for impacts to ferry line haul with the Potential Modifications would be the same as those associated with the Proposed Actions.

Pedestrians

Like the Proposed Actions, the Potential Modifications would result in significant adverse impacts to 26 sidewalks, 16 crosswalks, and 10 corners in one or more of the analyzed peak hours. The potential for impacts to pedestrian conditions with the Potential Modifications would be the same as those associated with the Proposed Actions.

Vehicular and Pedestrian Safety Evaluation

Like the Proposed Actions, a review of DOT crash data for the three-year reporting period between January 1, 2017, and December 31, 2019, identified 12 intersections within a 0.25-mile radius of the Project Area as high crash accident locations, and six of those intersections were selected for a qualitative assessment for street user safety. Measures to enhance pedestrian/bicycle safety throughout the study area were identified under the Proposed Actions in the FEIS in conjunction with various DOT safety improvement plans underway. These same measures and plans would be applicable under the Potential Modifications.

Parking

Like the Proposed Actions, the Potential Modifications would not result in significant parking shortfalls due to the magnitude of available alternative modes of transportation.

AIR QUALITY

Like the Proposed Actions, the Potential Modifications would result in a significant adverse air quality impact.

The 1-hour and 8-hour CO maximum concentrations are predicted to exceed the NAAQS at the intersection of Vernon Boulevard and 46th Avenue and the 8-hour CO maximum concentration is predicted to exceed the *de minimis* criterion at the intersections of Vernon Boulevard and 46th Avenue and Vernon Boulevard and 48th Avenue. The maximum 24-hour $PM_{2.5}$ concentrations are predicted to exceed the NAAQS at the intersection of Vernon Boulevard and 46th Avenue and the *de minimis* criterion at the intersections Vernon Boulevard and 46th Avenue and Vernon Boulevard and 48th Avenue. At the intersections of Vernon Boulevard and 46th Avenue and Vernon Boulevard and 48th Avenue, the total annual $PM_{2.5}$ concentration is predicted to exceed the NAAQS. Furthermore, at each of the five intersection sites analyzed, the maximum annual incremental $PM_{2.5}$ concentration is predicted to exceed the *de minimis* criterion. This would be

considered a significant adverse air quality impact. Additional modeling of $PM_{2.5}$ concentrations (Grid Analysis) was performed between the DEIS and FEIS. The analysis confirmed that at each of the intersections analyzed, annual incremental $PM_{2.5}$ concentrations are predicted to exceed the annual *de minimis* criterion threshold, which would constitute a significant adverse air quality impact, but that with traffic mitigation measures in place all NAAQS exceedances were eliminated.

At certain sites, an (E) Designation (E-848) would be mapped in connection with the Proposed Actions to ensure that future developments would not result in any significant adverse air quality impacts from fossil fuel-fired heat and hot water systems emissions and to ensure that there are no potential significant adverse impacts associated with air toxic compounds associated with sites containing industrial uses. For the publicly owned parcels, restrictions would be necessary to ensure that emissions from fossil fuel-fired heat and hot water systems would not result in any significant adverse air quality impacts. These restrictions would be set forth in a Land Disposition Agreement (LDA) to ensure that the developer(s) satisfy these restrictions with oversight provided through the New York City Department of Housing Preservation and Development (HPD).

Overall, the Potential Modifications would continue to result in a significant adverse air quality impact.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

Like the Proposed Actions, the Potential Modifications would not result in significant adverse impacts on greenhouse gas (GHG) emissions and climate change. The Potential Modifications, like the Proposed Actions, would be consistent with Citywide GHG reduction goals and resilience to climate change. Therefore, no significant impacts related to greenhouse gas emissions and climate change would occur under the Potential Modifications.

NOISE

Like the Proposed Actions, the Potential Modifications would result in a significant adverse impact due to noise. At 9-01 44th Drive, With Action interior sound levels are predicted to be above 45 dBA during all analysis time periods. As such, the noise level increase at receptor location 8 would constitute a significant adverse impact on existing residences at 9-01 44th Drive.

Based on the projected noise levels, up to 44 dBA window/wall attenuation would be required at all projected/potential development sites to achieve acceptable interior noise levels per the *CEQR Technical Manual* noise exposure guideline at residential, hotel guestroom, commercial office, and community facility uses. The requirement for this level of attenuation as well as the requirement for an alternate means of ventilation will be included in an (E) designation (E-848) for all privately held projected and potential development sites. For City-owned parcels/sites the requirement for attenuation as well as the requirement for an alternate means of ventilation will be required through a LDA or a similar institutional control. Therefore, with these measures in place it is concluded that with the Potential Modifications there would be no significant adverse noise impacts with respect to building attenuation for new developments.

PUBLIC HEALTH

Like the Proposed Actions, the Potential Modifications would not result in unmitigated significant adverse impacts with respect to public health factors such as water quality or hazardous materials. The DEIS air quality analysis found that the Proposed Actions are predicted to exceed NAAQS and/or *de minimis* criterion for CO and/or $PM_{2.5}$ concentrations at one or more of the analyzed intersection locations in the With Action condition. This would be a significant adverse air quality impact in the absence of traffic mitigation measures. Further, the results of the grid analysis determined that the annual $PM_{2.5}$ *de minimis* criterion was exceeded at both analyzed grids. Therefore, for each of the analyzed intersections, the air quality impacts identified would

remain unmitigated for annual average $PM_{2.5}$. However, the exceedances of the $PM_{2.5}$ *de minimis* criterion on an annual basis would not constitute a significant adverse impact on public health with the proposed traffic mitigation measures. The Potential Modifications would not alter the findings and conclusions presented in the FEIS with respect to Public Health.

NEIGHBORHOOD CHARACTER

Like the Proposed Actions, the Potential Modifications would not result in significant adverse impacts to neighborhood character. The changes resulting from the Potential Modifications would result in similar effects as the FEIS in the following technical areas considered in the neighborhood character assessment: land use, zoning, and public policy; socioeconomic conditions; open space; shadows; historic and cultural resources; urban design and visual resources; transportation; and noise. Although the same significant adverse impacts would occur with respect to open space, shadows, historic and cultural resources, transportation, and noise under the Potential Modifications, these impacts would not result in a significant change to one of the determining elements of neighborhood character as identified in the FEIS. Therefore, no significant impacts related to neighborhood character would result with the Potential Modifications.

CONSTRUCTION

The number of projected and potential development sites to be constructed would be the same under the Proposed Actions and the Potential Modifications. The construction phasing, duration, and schedule under the Potential Modifications is expected to be the same as under the Proposed Actions. Neither the Proposed Actions nor the Potential Modifications would result in significant adverse construction impacts to land use and neighborhood character, socioeconomic conditions, community facilities, open space, hazardous materials, air quality, or vibration. Like the Proposed Actions, construction activities resulting from the Potential Modifications could result in impacts to historic and cultural resources, transportation, and noise. Therefore, the Potential Modifications would result in the same construction-related impacts as the Proposed Actions.

MITIGATION

The Potential Modifications would result in the same significant adverse impacts to those identified with the Proposed Actions (community facilities [elementary schools, libraries, and publicly funded early childhood programs], open space, shadows, historic and cultural resources [architectural resources], transportation [traffic, transit, and pedestrians], air quality, noise and construction [historic resources, traffic, and noise]). As such, the Potential Modifications would require the same mitigation measures as the Proposed Actions.

Like the Proposed Actions, the Potential Modifications would result in impacts to elementary school enrollment in CSD 30, Subdistrict 3. The Potential Modifications would not require any additional mitigation measures beyond what was identified with the Proposed Actions. Like the Proposed Actions, the Potential Modifications would result in impacts to libraries and early childhood programs. As with the Proposed Actions, no feasible measures were identified to mitigate these impacts. Therefore, as with the Proposed Actions, the Potential Modifications would result in unmitigated library and early childhood program impacts.

Like the Proposed Actions, the Potential Modifications would result in the same indirect impacts to total, active, and passive open space in the residential study area, as well as significant adverse air quality impacts affecting the usability of Gordon Triangle. In addition, three new publicly accessible waterfront open spaces (on Projected Development Sites 65, 67, and 71) would be affected by significant adverse air quality impacts. Further, incremental shadows resulting from the Proposed Actions are expected to result in significant adverse impacts to Gordon Triangle

and 44th Drive Pier. Therefore, as with the Proposed Actions, the Potential Modifications would result in unmitigated open space impacts.

Like the Proposed Actions, the Potential Modifications would result in in significant adverse shadows impacts to a total of three resources: the Greenstreets medians, Gordon Triangle, and 44th Drive Pier. As with the Proposed Actions, no feasible measures were identified to mitigate these shadows impacts. Therefore, as with the Proposed Actions, the Potential Modifications would result in unmitigated shadows impacts.

Like the Proposed Actions, the Potential Modifications could result in the same significant adverse direct and indirect effects to architectural resources, and construction-period effects. As with the Proposed Actions, no feasible measures were identified to mitigate these impacts. Therefore, as with the Proposed Actions, the Potential Modifications would result in unmitigated impacts to architectural resources.

Like the Proposed Actions, the Potential Modifications would result in significant adverse traffic, transit, bus, ferry, and pedestrian impacts. Therefore, the Potential Modifications would not require any additional mitigation measures beyond what was identified with the Proposed Actions.

Like the Proposed Actions, the Potential Modifications would result in the same air quality impacts compared to those identified with the Proposed Actions. Therefore, the Potential Modifications would not require any additional mitigation measures beyond what was identified with the Proposed Actions.

The construction phasing, activities, and estimates under the Potential Modifications are expected to be the same as those under the Proposed Actions. Therefore, the Potential Modifications would not require any additional mitigation measures beyond what was identified with the Proposed Actions.

ALTERNATIVES

The Potential Modifications would not result in any significant changes in the conclusions of the FEIS with respect to the analyzed alternatives including the No Action Alternative, No Unmitigated Significant Adverse Impacts Alternative, and DOE Site Development Alternative.

GROWTH-INDUCING IMPACTS OF THE PROPOSED ACTIONS

Like the Proposed Actions, the Potential Modifications would not result in any significant adverse growth inducing impacts.

UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS

Like the Proposed Actions, the Potential Modifications would result in the same unavoidable significant adverse impacts with respect to community facilities (libraries, and early childhood programs), open space, shadows, historic and cultural resources (architectural resources), transportation (traffic, subway line haul, and pedestrian), air quality (mobile source), noise and construction-period effects (historic and cultural resources, and noise). With the Potential Modifications, unavoidable significant adverse impacts to these technical areas would be the same as those associated with the Proposed Actions.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Like the Proposed Actions, the Potential Modifications would not result in any significant adverse impacts to City or private resources.

EFFECTS ON DISADVANTAGED COMMUNITIES

Like the Proposed Actions, the Potential Modifications would have the potential to result in significant adverse impacts in the following technical areas: community facilities and services

(elementary schools, libraries, early childhood programs); open space; shadows; historic and cultural resources; transportation (traffic, transit, pedestrian conditions, and ferry service); mobile source air quality; noise; and construction. This assessment concludes that the Proposed Actions could result in a disproportionate pollution burden on disadvantaged communities (DACs) due to mobile source air quality impacts and noise impacts. The remaining potential impacts, however, would not cause a greater or more severe pollution burden in DACs as compared to non-DACs.

D. CONCLUSION

This Technical Memorandum concludes that the Potential Modifications would not result in any new or different significant adverse impacts not already disclosed in the FEIS for the Proposed Actions.