NEGATIVE DECLARATION

Statement of No Significant Effect

Pursuant to Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York and 6 NYCRR, Part 617, State Environmental Quality Review, the Department of City Planning acting on behalf of the City Planning Commission assumed the role of lead agency for the environmental review of the Proposed Action. Based on a review of information about the project contained in this environmental assessment statement (EAS) and any attachments hereto, which are incorporated by reference herein, the lead agency has determined that the Proposed Action would not have a significant adverse impact on the environment.

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which finds the Proposed Action sought before the City Planning Commission would not have a significant adverse impact on the environment. Reasons supporting this determination are noted below.

Land Use, Zoning, and Public Policy

A detailed analysis of land use, zoning, and public policy is included in the EAS. The applicant, 2650 BQE LOR LLC, is seeking a Zoning Map Amendment to rezone Queens Block 1019, Lots 1 and 2 (the "Affected Area") from an M1-1 zoning district to an M1-2 zoning district (the "Proposed Action") in the Woodhaven neighborhood of Queens Community District 1. The Proposed Action would facilitate the redevelopment of applicant-owned Lot 2 ("Projected Development Site 1") with a 131,173 gross square foot (gsf) building containing light manufacturing, accessory warehouse, accessory office, and accessory parking uses (the "Proposed Project") at 26-50 Brooklyn Queens Expressway (BQE) West. Portions of the proposed building would be one, two, and three stories (20 feet, 35 feet, and 40 feet) tall. The Proposed Action is expected to facilitate redevelopment of the other lot in the Affected Area, therefore the EAS considers a future With-Action Scenario that also includes the redevelopment of Lot 1 ("Projected Development Site 2") with a 22,398 gsf, 2-story building containing light manufacturing, accessory warehouse, accessory office, and accessory parking uses. The Affected Area, currently zoned M1-1, lies within a narrow industrial development strip located between a limited access highway on the east (the BQE) and a surface railroad (the LIRR) on the west, providing a buffer between residential and institutional uses. The Proposed Action would not change the range of land uses that could be developed but would increase the permitted bulk of such developments and would allow for more intensive light industrial and semi-industrial commercial development. Because the Affected Area is separated from residential and institutional uses, land use conflicts would not be anticipated. The change in land use and zoning would not constitute a significant adverse impact. Further, the Proposed Action would not conflict with relevant public policies. Therefore, the analysis concludes that no significant adverse impacts are anticipated for land use, zoning, and public policy, and no further analysis is required.

Hazardous Materials, and Air Quality

An (E) designation (E-683) related to hazardous materials and air quality would be established as part of the approval of the Proposed Action. Refer to "Determination of Significance Appendix: (E) designation" for the applicable (E) designation requirements. The hazardous materials and air quality analyses conclude that with the (E) designation in place, the Proposed Action would not result in a significant adverse impact related to hazardous materials, or air quality.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA). Should you have any questions pertaining to this Negative Declaration, you may contact Stacey Barron, AICP at +1 212-720-3419.

TITLE Director, Environmental Assessment and Review Division	LEAD AGENCY Department of City Planning on behalf of the City Planning Commission 120 Broadway, 31st Fl. New York, NY 10271 | 212.720.3328
NAME Stephanie Shellooe, AICP	DATE December 9, 2022
SIGNATURE	
TITLE Chair, City Planning Commission	
NAME Daniel R. Garodnick	DATE December 12, 2022
SIGNATURE	

Project Name: 26-50 Brooklyn Queens Expressway West Rezoning
CEQR # 21DCP133Q
SEQRA Classification: Unlisted

Determination of Significance Appendix

The Proposed Action was determined to have the potential to result in changes to development on the following sites:

Development Site	Borough	Block and Lot
Projected Development Site 1	Queens	Block 1019, Lot 2
Projected Development Site 2	Queens	Block 1019, Lot 1

(E) Designation Requirements

To ensure that the Proposed Action would not result in significant adverse impacts related to hazardous materials, and air quality, an (E) designation (**E-683**) would be established as part of approval of the Proposed Action on **Projected Development Sites 1 and 2** as described below:

Development Site	Hazardous Materials	Air Quality	Noise
Projected Development Site 1		X	
Projected Development Site 2	X	X	

Hazardous Materials

The (E) designation requirements applicable to **Projected Development Site 2 (Block 1019, Lot 1)** for hazardous materials would apply as follows:

Task 1-Sampling Protocol

The applicant submits to OER, for review and approval, a Phase I of the site along with a soil, groundwater and soil vapor testing protocol, including a description of methods and a site map with all sampling locations clearly and precisely represented. If site sampling is necessary, no sampling should begin until written approval of a protocol is received from OER. The number and location of samples should be selected to adequately characterize the site, specific sources of suspected contamination (i.e., petroleum based contamination and non-petroleum based contamination), and the remainder of the site's condition. The characterization should be complete enough to determine what remediation strategy (if any) is necessary after review of sampling data. Guidelines and criteria for selecting sampling locations and collecting samples are provided by OER upon request.

Task 2-Remediation Determination and Protocol

A written report with findings and a summary of the data must he submitted to OER after completion of the testing phase and laboratory analysis for review and approval. After receiving such results, a determination is made by OER if the results indicate that remediation is necessary. If OER determines that no remediation is necessary, written notice shall be given by OER.

If remediation is indicated from test results, a proposed remediation plan must be submitted to OER for review and approval. The applicant must complete such remediation as determined necessary by OER. The applicant should then provide proper documentation that the work has been satisfactorily completed.

A construction-related health and safety plan should be submitted to OER and would be implemented during excavation and construction activities to protect workers and the community from potentially significant adverse

impacts associated with contaminated soil, groundwater and/or soil vapor. This plan would be submitted to OER prior to implementation.

Air Quality

The (E) designation requirements for air quality would apply as follows:

Projected Development Site 1 (Block 1019, Lot 2): *Any new light manufacturing, accessory warehouse, accessory office and/or accessory parking development must ensure the heating, ventilating, and air conditioning (HVAC) system and hot water equipment stack is located on the highest tier and at least 33 feet above grade to avoid any potential significant adverse air quality impacts.*

Projected Development Site 2 (Block 1019, Lot 1): *Any new accessory warehouse and/or office space development must ensure the heating, ventilating, and air conditioning (HVAC) system and hot water equipment stack is located on the highest tier and at least 33 feet above grade to avoid any potential significant adverse air quality impacts.*