

This chapter of the Final Second Supplemental Environmental Impact Statement (FSSEIS) summarizes and responds to substantive comments received during the public comment period for the Draft Second Supplemental Environmental Impact Statement (DSSEIS), issued on October 13, 2023, for the Proposed Actions.

City Environmental Quality Review (CEQR) requires a public hearing on the DSSEIS as part of the environmental review process. A public hearing was held on the DSSEIS in conjunction with the New York City Planning Commission (CPC) hearing on the land use applications on January 24, 2024, to afford all interested parties the opportunity to submit oral and written comments. To allow for broad public participation, the public hearing was held both in-person and remotely via the teleconferencing application Zoom. The comment period remained open through 5:00 pm on February 5, 2024.

Section A provides a list of the organizations and individuals who commented on the DSSEIS. Section B contains a summary of relevant comments on the DSSEIS and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the EIS. Where more than one commenter expressed similar views, those comments have been grouped and addressed together. Commenters who expressed general support or general opposition but did not provide substantive comments on the DSSEIS are listed at the end of Section B. All written comments and a transcript of the public hearing are included in Appendix G, “Comments Received on the Draft Second Supplemental Environmental Impact Statement.”

A. LIST OF ORGANIZATIONS AND INDIVIDUALS WHO COMMENTED ON THE DSSEIS²

ORGANIZATIONS AND BUSINESSES

1. Guadalupe Aguirre, Casa San Judas, oral comments delivered on January 24, 2024 (Aguirre_CSJ_027)
2. Thomas Grech, Queens Chamber of Commerce, oral comments delivered on January 24, 2024 (Grech_QCC_040)
3. Jason Osborne, Community Preservation Corporation, oral comments delivered on January 24, 2024 (Osborne_CPC_029)
4. Rebecca Pryor, Guardians of Flushing Bay, written comments received on January 31, 2024 (Pryor_GoFB_006)
5. Maria Wong, Queens Distance Runners, written comments received on February 3, 2024 (Wong_QDR_041)

¹ This chapter is new to the FSSEIS.

² Citations in parentheses refer to internal comment tracking annotations.

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OFFICIALS

6. Francisco Moya, Councilman, NYC City Council, 21st District, oral comments delivered on January 24, 2024 (Moya, D21_023)

GENERAL PUBLIC

7. Alicia Boyd, oral comments delivered on January 24, 2024 (Boyd_038)
8. Blyss Buitrago, written comments received on January 19, 2024 (Buitrago_021)
9. Xan Cambero, oral comments delivered on January 24, 2024 (Cambero_036)
10. Frederick Chute, written comments received on January 31, 2024 (Chute_004)
11. Joseph Datko, written comments received on January 31, 2024 (Datko_001)
12. Michael Feiner, written comments received on January 19, 2024 (Feiner_022)
13. Margaret Flanagan, written comments received on January 31, 2024 (Flanagan_003)
14. Natalia Guzman, written comments received on January 30, 2024 (Guzman_012)
15. James Kim, written comments received on January 30, 2024 (Kim_010)
16. M. Lee, written comments received on January 31, 2024 (Lee_009)
17. Rowena Lair, written comments received on January 25, 2024 (Lair_016)
18. Jenny Lando, oral comments delivered on January 24, 2024 (Lando_026)
19. Todd Leong, written comments received on January 30, 2024 (Leong_014)
20. Robert LoScalzo, written comments received on January 31, 2024 and oral comments delivered on January 24, 2024 (LoScalzo_002, LoScalzo_025)
21. Bernadette Lynch, written comments received on January 31, 2024 (Lynch_007)
22. James Mongeluzo, written comments received on January 23, 2024 (Mongeluzo_019)
23. Sameer Mullick, oral comments delivered on January 24, 2024 (Mullick_035)
24. Richard Mullings, written comments received on January 31, 2024 (Mullings_008)
25. Sergio Munoz, written comments received on January 24, 2024 (Munoz_017)
26. Jennifer Quezada, Founder and CEO, Digital Moda LLC, oral comments delivered on January 24, 2024 (Quezada_034)
27. Sara Penenberg, oral comments delivered on January 24, 2024 (Penenberg_031)
28. Maria Rocha, oral comments delivered on January 24, 2024 (Rocha_039)
29. Laura Shepard, written comments received on January 20, 2024 (Shepard_020)
30. Patrick Shields, oral comments delivered on January 24, 2024 (Shields_033)
31. Carmen Solano, written comments received on January 30, 2024 (Solano_013)
32. Mark Stern, written comments received on January 24, 2024 (Stern_018)
33. Les Sugai, written comments received on January 31, 2024 (Sugai_005)
34. Anna Wolf-Powers, written comments received on January 30, 2024 (Wolf-Powers_015)
35. Melissa Zavala, written comments received on January 30, 2024 (Zavala_011)

B. COMMENTS AND RESPONSES

PUBLIC REVIEW PROCESS

Comment 1: The public review process began in the middle of the winter holidays, which was a burden for the public to participate. The comment review period should be extended to allow for authentic public participation and community input. (Flanagan_003)

Response: The DSSEIS has been available online at <https://a002-ceqraccess.nyc.gov/ceqr/> since October 13, 2023 to allow for public review of the details of the application and its potential environmental impacts. The public hearing on the DSSEIS was held after the winter holidays on January 24, 2024, and the written comment period was held open until February 5, 2024.

Comment 2: Community Board 7 completely disregarded any environmental reviews including transportation and traffic studies and refused to disclose the Community Benefits Agreement (CBA). (Mullings_008)

Response: Comment noted. The DSSEIS was provided to Community Board 7 for their review; however, a CBA was not provided to the Community Board.

Comment 3: Due to issues with the call-in information provided for the public hearing, it was not possible to dial in to the hearing to testify. The Commission should provide an additional opportunity for oral comments, with proper public notice, and not close the hearing until such opportunity occurs. (LoScalzo_002)

Response: A public hearing on the DSSEIS was held by the New York City Planning Commission (CPC) in conjunction with the public hearing on the associated Uniform Land Use Review Procedure (ULURP) on January 24, 2024. To allow for broad public participation, the public hearing was held both in-person at the New York City Planning Commission Hearing Room at 120 Broadway, New York, NY 10271, and remotely via the teleconferencing application Zoom. Notices notifying the public of the hearing and providing the call-in information were published in the *City Record* and the New York State Department of Environmental Conservation *Environmental News Bulletin* on January 10, 2024, and was also placed in the following local newspapers on January 10, 2024—the *New York Daily News*, *El Diario NY*, *Korea Daily New York*, and *Chinese World Journal*. This information was also provided on the NYC Engage website. A total of 13 speakers provided comments at the hearing. The commenter provided oral comments at the public hearing via phone (see the hearing transcript provided in Appendix G, “Written Comments on the DSSEIS”). Further, CPC Chair Dan Garodnick confirmed during the public hearing that the provided call-in information was correct.

PROJECT DESCRIPTION

Comment 4: The project’s objective going back to 2008 has been to eliminate underutilization on the site, and this proposal fails on that count. What could be more underutilized

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than a gigantic stadium that is used for just 17 home games per year, leaving it unused for the other 348 days? The applicant has not explained what other uses or events the stadium will host to activate the site. (LoScalzo_025, LoScalzo_002)

Response: As discussed in Chapter 14, “Transportation,” it is expected that the proposed stadium would be used up to 40 to 50 times per year for soccer games and other highly attended events. At other times, indoor community facility and recreational spaces would be available for use by the local community and the general public for substantially smaller events, gatherings, recreation, and educational programs. These smaller events might include community meetings, farmer’s markets, conferences, business meetings, weddings, and Bar/Bat Mitzvahs, to name a few.

Comment 5: Community Board 7 made it a condition of their approval that the parking problem needs to be solved, and the project must be permitted to use Citi Field’s 4,000 parking spaces. (LoScalzo_025, LoScalzo_002)

Response: As described in Chapter 1, “Project Description,” parking for attendees of events at the soccer-specific stadium is expected to be outside the District at spaces surrounding Citi Field, through an agreement with the Queens Baseball Company, an affiliated entity of the New York Mets. In the event these parking spaces cannot be made available, Chapter 14, “Transportation,” provided an inventory of alternative parking locations in Flushing and College Point, along with an analysis of potential effects associated with parking by event attendees and game-day contractors at these locations.

Comment 6: We need to know the affordability levels so the units do not end up going to high-income people, and the units must be affordable to the average New Yorker. The affordable units should not be going to middle class people who have a lot of options. (Boyd_038, Rocha_039)

Response: 100% of the Phase 1 and Phase 2 residential dwelling units will be income-restricted, ensuring they are occupied by families that are earning incomes no higher than the levels established in conjunction with the New York City Department of Housing Preservation and Development (HPD). The income mix for the 1,400 affordable units proposed for the Phase 2 Development is currently anticipated to be similar to the mix for the 880 Phase 1 Development units currently under construction and otherwise subject to HPD/HDC term sheets at the time of closing. The 880 Phase 1 units (which do not include an additional 220 senior affordable units to compose the total of 1,100 Phase 1 units) are designated for households with household Area Median Incomes (AMIs) ranging from 30 percent to 120 percent. In addition, 15 percent of the units are anticipated to be set aside for the formerly homeless. In total, more than half of the units are anticipated to be designated for residents with incomes of 80% AMI or below, which is considered “low-income” by HPD.

Comment 7: The project is not an overall economic positive for the city as long as the proposed stadium deal is involved. The applicant should not be allowed the amendments to the zoning that would allow a stadium. Professional economists are not in favor of giving subsidies to professional sports teams and their owners. General

consensus is that the city does not gain a positive return on investment and loses out on things like tax collection.

The most glaring issue with this proposal is the soccer stadium. It's not an economic engine that pays for the other parts of the project. It's taking up space that could be used for more affordable housing construction. If the soccer stadium must be approved, the deal should be reworked. The current deal allows the owners to pay nothing in property taxes and no payment in lieu of taxes (PILOT). Government subsidies for sports stadiums, including low rent and tax exemptions and not making owners pay a Payment in Lieu of Taxes are bad economic policies that result in the local government losing out. Subsidies do not benefit the taxpayers. (Mongeluzo_019)

I have concerns that the project's claim to generate \$6.1 billion in economic impact is not reasonable. Does this amount of impact account for the impact NYCFC would have if it stayed in Yankee Stadium and Citi Field, or account for diverted spending? Does it account for money paid to owners who don't live in the city, or salaries to players and employees that would've been paid anyway even if the team played in a Yankee Stadium or Citi Field, or at the current team HQ in Midtown? (Chute_004, Lair_016)

There is overwhelming evidence in the field of economics that shows sports stadium projects are a poor use of public subsidies and do not generate enough return to justify them. Please reject this application, the housing component is okay, but the stadium is a bad deal for the city. These issues need to be addressed:

- Can you do an analysis of the proposed soccer stadium that accounts for the city's previous cost in purchasing the land that it already owns and possibly projecting the land it will buy, or at least the land that is under contract but has not yet been purchased?
- Can you look into the profitability of the housing components of the project and to what degree they would be profitable for the developers with or without the stadium being part of the development deal?
- Can you look at the cost of the projected tax exemption and lack of pilot and whether or not this subsidy will lead to a net revenue for the city over the course of the 49-year lease?
- Does this deal ask for any sales tax exemptions on construction materials?
- Will the stadium owners/ team owners be deducting maintenance costs from rent they will pay?
- What is a typical annual market rate rent for the amount and type of land that the city is planning to lease the soccer team? How does it compare to the projected rent that will be collected over 49 years?
- Will the team be charging the city to use their facility for PSAL purposes? Can the city stage soccer, rugby, or any other sports free of charge?
- How much money is the team going to be spending on infrastructure improvements to the area? How much in terms of absolute dollars and how much

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in terms of the percentage cost of the total infrastructure that will be used to support the stadium?

- Is it possible to check whether the city's claim of the project generating \$6.1 billion in economic impact is a reasonable estimate? Can you consult the IBO on this matter? Is this a net amount of the claimed economic impact being calculated by subtracting the impact the team would have had if it stayed in Yankee Stadium and sometimes Citi Field and deducting it? Does this number account for diverted spending that occurs after stadium construction? Does this number account for money paid to owners who don't live in the city and will be taken and spent in the areas they live such as Abu Dhabi? Does this number include salaries to players and employees that would've been paid anyway even if the team played in a Yankee Stadium or Citi Field, or at the current team HQ in Midtown?
- Mayor Adams claimed the investment in this project will be worth the investment. Can you conceive of a way in which the city makes a positive return on its investment for the stadium component of the project?
- Have deals involving other professional sports sites ever led the city making a positive return on its investments? (Lair_016)

Response: Comments noted. While the business terms of the Proposed Project are not within the scope of environmental review, the business terms will be subject to Borough Board approval pursuant to Section 384(b)(4) of the New York City Charter.

Comment 8: The project is offering community use of the stadium, but it needs to provide infrastructure needed for the planned community uses, such as public restrooms, increased public parking (not decreased), and 24-hour ADA access. (Flanagan_003, Pryor_GoFB_006)

Response: The community spaces within the Stadium building will be ADA-accessible and will provide restrooms for users of these spaces, and the sufficiency of parking for stadium uses has been assessed in Chapter 14, "Transportation."

Comment 9: Will the public need to pay to mitigate the project's traffic, sewage, and other infrastructure burdens? (Flanagan_003)

Response: Where significant environmental impacts are disclosed in the FSSEIS (including in the Transportation chapter), mitigation measures are also identified and discussed. The lead agency is responsible for ensuring that mitigation measures adopted in the Statement of Findings are implemented; however, the FSSEIS does not generally identify who bears that cost. While the business terms of the Proposed Project are not within the scope of environmental review, the business terms will be subject to Borough Board approval pursuant to Section 384(b)(4) of the New York City Charter.

Comment 10: The project should add more affordable housing, which is a crisis in our communities. (Flanagan_003)

Response: As detailed in Chapter 1, "Project Description," 100 percent of the residential units to be created in the Phase 2 Development would be affordable housing, ensuring they are occupied by families that are earning incomes no higher than

the levels established in conjunction with HPD. All of the residential units to be created in the Phase 1 Development, which is currently under construction, will be affordable housing. Combined with the Phase 1 Development, which is currently underway, the transformation of Willets Point would be anchored by 2,500 new affordable homes, which would be the largest 100-percent affordable, new construction housing project in New York City in 40 years.

While there has been no developer designated for the Phase 3 land, nor has any specific development plan been established, for conservative purposes of the DSSEIS and FSSEIS, it is assumed that the portion of the District not developed in Phase 1 or Phase 2 would be built out generally consistent with existing zoning for the area and substantially as anticipated and analyzed in the 2008 Willets Point Development Plan Final Generic EIS (FGEIS) and subsequent environmental reviews. The DSSEIS and FSSEIS assume the creation of 1,325 residential units in the potential future Phase 3 Development, of which 35 percent are expected to be affordable.

Comment 11: The city should broker a new deal with the stadium owners that includes the payment of taxes or a Payment in Lieu of Taxes (Guzman_012, Kim_010, Solano_013, Wolf-Powers_015, Pryor_GoFB_006, Wong_QDR_041)

Response: While the business terms of the Proposed Project are not within the scope of environmental review, the business terms will be subject to Borough Board approval pursuant to Section 384(b)(4) of the New York City Charter.

Comment 12: I oppose this plan. Queens doesn't need any more stadiums. Sports organizations ask for huge subsidies/tax breaks to build these stadiums, but the amount of local jobs they create is minimal and sports games cause lots of traffic and air pollution, and tons of garbage. Plus, that land is probably contaminated from years of runoff from the auto repair shops and it constantly floods. That site needs a big environmental cleanup and should be turned over to public use. (Lee_009, Leong_014)

Response: As detailed in Chapter 10, "Hazardous Materials," the Phase 1 portion of the Project Site and the majority of the Phase 2 portion of the Project Site have been enrolled in the New York State Department of Environmental Protection's Brownfield Cleanup Program. Remediation of the Phase 1 Site under the BCP is complete with the exception of remedial measures that will be incorporated into new buildings, and remediation of most of the Phase 2 Site is nearing completion. The seven lots within the Phase 2 Site that are not enrolled in the BCP (Block 1820, Lots 1, 6, 34, and 108; and Block 1823, Lots 1, 3, and 12) will be re-assigned a new E-designation number, E-758, for consistency and tracking purposes. Following acquisition by the Co-applicants, these lots will either be enrolled and remediated under a separate BCP application or remediated pursuant to the E-designation. The E-designations on these lots will ensure that soil testing and any necessary remedial activities would be undertaken prior to and/or, as necessary, during redevelopment, and that appropriate procedures for any necessary subsurface disturbance would be followed prior to, during, and after construction.

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Comment 13: Proposed in the context of a long history of environmental degradation and unjust land use practices, we believe the city has the responsibility to ensure that any Special Willets Point District (SWPD) development be a healthy, thriving and affordable neighborhood that local residents are in need of. Disappointingly, the current proposal falls significantly short of this goal. Instead, the project includes a 25,000 seat stadium in a floodplain, lacks concrete plans for traffic, stormwater and sewer management, does not maximize the potential for affordable housing or green infrastructure, does not include union labor for a majority of the project, does not include a plan for the relocation of workers at threat of future eviction, and the deal to build the stadium does not require the developers to pay taxes on the land. On top of all this, the project does not include a committed community benefits agreement to ensure that the limited promises that the developers have made are realized. (Pryor_GoFB_006)

Response: As detailed in Chapter 1, “Project Description,” and noted in the Response to Comment 10, 100 percent of the residential units to be created in the Phase 2 Development would be affordable housing, ensuring they are occupied by families that are earning incomes no higher than the levels established in conjunction with HPD. All of the residential units to be created in the Phase 1 Development, which is currently under construction, will be affordable housing. Combined with the Phase 1 Development—which is currently underway—the transformation of Willets Point would be anchored by 2,500 new affordable homes, which would be the largest 100-percent affordable, new construction housing project in New York City in 40 years.

As discussed in Chapter 11, “Water and Sewer Infrastructure,” improvements to the District’s water supply, sanitary sewer, and storm sewer systems have been completed since the prior environmental reviews, in particular construction of sanitary sewers running west from 126th Street along Citi Field’s northern and western parking lots to connect the District to the sanitary sewer network, and construction of new stormwater conveyance infrastructure at the northern end of the District (new storm sewers and new outfall to replace the existing 126th Street outfall). Additional improvements are expected in the No Action condition as part of the Phase 1 Development: construction of a new 72-inch trunk water main and local water mains to supply the Phase 1 Site, as well as new sanitary and storm sewers to connect the Phase 1 Site to the completed sewers on 126th Street. As part of the Phase 2 and Phase 3 Developments, water supply and sanitary/stormwater conveyance improvements would be constructed in the District, in coordination with DEP. The planned improvements under Phase 2 include new water mains along Northern Boulevard, 126th Place, 34th Avenue, and 35th Avenue; a new sanitary sewer along 34th Avenue to serve the two northern Phase 2 Development parcels; and new high-level storm sewers in 126th Street and 127th Street. Although no developer has been designated for the Phase 3 Site, nor has any specific development plan been established, additional water and sewer infrastructure improvements would be required to complete the buildout of the District under the Phase 3 Development. The remaining improvements would be determined in consultation with DEP, including preparation of water main distribution plans and an Amended Drainage Plan (ADP). Preparation of the ADP would include a hydraulic analysis to determine

the routing and sizing of new sanitary and storm sewers in the District. Any required water main and sewer improvements would be constructed by the designated developer of the Phase 3 Site at the time of development, in conjunction with the street reconstruction within the Phase 3 Site. With completion of the street reconstruction and infrastructure improvements, the District is expected to have the necessary infrastructure with capacity to support the full buildout of the District in the 2039 With Action condition. See also responses to Comments 19 and 21.

As discussed in Chapter 3, “Socioeconomic Conditions,” Since 2009, many businesses on the City-owned portions of the District have relocated with assistance from NYCEDC. Many businesses (approximately 50) relocated their business within Queens, with others relocating elsewhere in the five boroughs. With respect to potential business displacement on the Phase 3 Site, once a Phase 3 Development plan is defined, NYCEDC would evaluate the extent of business displacement impacts specific to that development plan and will determine how to address those potential impacts most effectively.

While the business terms of the Proposed Project are not within the scope of environmental review, the business terms will be subject to Borough Board approval pursuant to Section 384(b)(4) of the New York City Charter.

Comment 14: The project should include small business retail space, such as a grocery store affordable to subsidized residents. (Stern_018)

Response: Comment noted.

Comment 15: To avoid conflicting traffic in the Willets Point area and on nearby highways and local roadways, the applicants state that any event at the MLS stadium will be scheduled at least seven hours apart from the start time of any event at Citi Field. What this does not take into account, however, is that the major initiative to develop 50 acres of public parkland surrounding Citi Field stadium will construct additional venues that will deliberately draw fans to the Citi Field vicinity earlier than they would otherwise arrive for a game, and that will encourage them to remain in the Citi Field area long after each game has ended. Although staggering the start times of events at Citi Field and at the MLS stadium by seven hours may seem a generous amount of time, if the additional attractions are built, then a circumstance could result in which game attendees who stay post-game to visit the casino and restaurants will be attempting to depart the area simultaneous with the arrival of MLS game attendees – exactly the circumstance that staggering the event start times is supposed to avoid. (LoScalzo_002)

Response: As described in Chapter 14, “Transportation,” major events at the new MLS stadium and Citi Field are not typically expected to occur on the same day. In the event that same-day events would need to occur at Citi Field and the MLS stadium to accommodate scheduling constraints, the standards established between NYCFC and the New York Mets prohibiting the scheduling of matches and major events at the soccer stadium within six hours prior to or seven hours following the scheduled start time of baseball games at Citi Field—which accounted for reasonable worst-case event durations anticipated at both venues—would be

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adequate to avoid the overlap of departure and arrival activities to the maximum extent possible. Furthermore, because events at the two venues are expected to share the same parking resources (i.e., the Citi Field parking lots), there would be provisions in place to ensure that attendees of the earlier event vacate those parking resources in a timely manner prior to the arrival of the attendees for the later event. Regarding the nearby attraction (i.e., Queens Future) that may be developed on the west side of Citi Field, its proposed plan, as presented in its November 21, 2023 Draft Scope for the Preparation of Environmental Impact Statement, calls for the replenishment of the existing Citi Field parking supply and the provision of its own parking resources to accommodate its future demand. The proposed Queens Future project, with an anticipated completion year of 2030, has been accounted for in this SSEIS's 2039 No Action Condition. Similarly, the environmental review for the Queens Future project is expected to account for the Willets Point Phase 2 Development as part of its No Action condition.

Comment 16: Concerning the future Phase Three development, if the SSEIS supersedes the 2008 FGEIS, the conditions established by CB7 in 2008 should be renewed:

- The City must make every effort to find suitable relocation land for current Willets Point property owners, and suitable relocation spaces for all businesses.
- The City must exhaust every means of legitimately negotiating the acquisition of private properties, and use eminent domain only as a last resort.
- The City must offer to retrain Willets Point workers who wish to be retrained for new occupations, and offer them job placement services. (LoScalzo_002)

Response: Comment noted. The Phase 3 Development analyzed in the DSSEIS and FSSEIS is illustrative only: the land remains largely in private ownership at the current time, and no developer has yet been designated for this phase of development. Furthermore, as discussed further in Chapter 3, "Socioeconomic Conditions," this FSSEIS has not identified significant adverse socioeconomic impacts as a result of the Phase 3 Development.

Comment 17: The applicants should conduct a transparent community process that results in a binding community benefits contract. This contract could include flexible community space, public bathroom access, a relocation package for evicted auto body workers, a 100% of stormwater management plan, a 100 percent union contract for all developments, and the establishment of a developer-funded wetland mitigation bank and a local community fund. (Pryor_GoFB_006)

Response: Comment noted.

NATURAL RESOURCES

Comment 18: Due to its geographic and geologic situation, any development in Willets Point must take into account its relationship to Flushing Creek and Meadow Lake. With expected changes to the flood plain and climate change risk, flood mitigation measures will need to be taken upstream of Willets Point. The responsibility for

mitigation costs will fall to the public in the city. If this project or any similar private development in this area proceeds, it should be taxed in a manner adequate and targeted to support regional climate change mitigation efforts. (Datko_001, Guzman_012)

Response: As discussed in Chapter 9, “Natural Resources,” the floodplain at Willets Point is affected by coastal flooding (e.g., long- and short-wave surges that affect the City’s shorelines along the Atlantic Ocean and tidally influenced rivers and straits such as Flushing Creek, Flushing Bay, and the East River) and would not be affected by projects located inland from the project area. The Proposed Project will comply with Appendix G of the New York City Building Code and has been evaluated for consistency with the NYC Waterfront Revitalization Program, in particular with respect to Policy 6 which is to “Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.” Future projects within the floodplain would similarly require compliance with Appendix G of the Building Code, and for those requiring a City Action or federal or state permit, demonstration of compliance with the NYC Waterfront Revitalization Program.

Comment 19: It makes no sense to build the soccer stadium in a floodplain. What kind of resiliency and climate change considerations were taken to draft this plan? This needs to be converted to a green area/park that can mitigate the effects of flooding. (Guzman_012, Kim_010)

Response: See the response to Comment 13 regarding improvements to the District’s water supply, sanitary sewer, and storm sewer systems.

As described in Appendix B, NYC Waterfront Revitalization Program,” the Phase 2 Site is within the existing 1-percent annual chance floodplain, Zone AE, with a Base Flood Elevation (BFE) of +12 feet and +13 feet North American Vertical Datum of 1988 (NAVD88). Each proposed Phase 2 Development building would be constructed at a Design Flood Elevation (DFE) of +15 feet NAVD88, which is 2-3 feet above current BFEs and as much as 8-9 feet above existing site grades. The cellars in the proposed Phase 2 Development mixed-use buildings, which would contain parking, storage, and some mechanical equipment, would be below the BFE at an elevation of +5 feet NAVD88. These spaces would be wet floodproofed and constructed using only flood-damage-resistant materials and finishes in accordance with Appendix G of the NYC Building Code. The minimal critical mechanical equipment that would need to be placed below the DFE in the mixed-use buildings would be dry floodproofed. All other non-critical mechanical equipment in the cellars would be constructed to prevent water from entering or accumulating within the components during conditions of flooding. Additionally, the entrance ramps to the cellars would be at the DFE of +15 feet NAVD88, above the current BFE. Therefore, the cellars would be protected from flood water entry by the high surrounding natural grades at the foundation perimeters and ramp entry points. The ground floor of the proposed Phase 2 Development mixed-use buildings, which would contain commercial and lobby space as well as mechanical equipment, would be below the 1-percent annual chance BFE within their lifespans.

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The proposed soccer stadium, like the other Phase 2 Development buildings, would be constructed at a DFE of +15 feet NAVD88, 2-3 feet above the current BFE. The two stadium entrances located below the current BFE would be wet floodproofed up to the DFE of +15 feet NAVD88 with waterproof coatings. Additionally, elevator pits below the DFE would be floodproofed and all other critical mechanical equipment would be located at or above the DFE. Deployable barriers could also be used at these locations, to keep water out of these lower lying areas.

Should flood elevations increase in the future, each proposed Phase 2 Development building would be able to accommodate additional dry flood proofing measures, such as deployable flood barriers and sealing/relocation of any exterior wall penetrations to prevent flood water ingress.

With these measures in place, the Proposed Project would promote NYC Waterfront Revitalization Program Policy 6.2: “Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms) into the planning and design of projects in the city’s Coastal Zone.”

HAZARDOUS MATERIALS

Comment 20: The project’s objective going back to 2008 has been to remediate contaminated land, and this proposal fails on that count. There was a commitment to enroll all 23 acres of the site into the DEC Brownfield Cleanup Program, and to remediate the land to DEC’s standards. The commitment was restated in 2013; however, contrary to the statements made ten years ago, QDG still has not enrolled all of the City-owned lots within the Willets Point Phase Two area in the BCP. Within the Phase Two area, there are total of four lots owned by the City, two lots under contract to be owned by applicant QDG, and one lot owned by a private entity—making a total of seven lots—that have not been entered into the BCP, and thus will not be remediated under the auspices of NYSDEC. It was unacceptable in 2013 that QDG had failed to enroll all eligible lots into the BCP, it should be equally unacceptable now that QDG has still failed to do the same. (LoScalzo_025, LoScalzo_002)

Response: As detailed in Chapter 10, “Hazardous Materials,” the majority of the Phase 2 Site has been entered into the BCP. There are seven lots on the Phase 2 Site which are not enrolled in the BCP—Block 1820, Lots 1, 6, 34, and 108 and Block 1823, Lots 1, 3, and 12. Lots 6, 3, and 108 on Block 1820 were recently acquired by QDG; Lot 1 on Block 1820 and Lots 1, 3, and 12 on Block 1823 are City-owned. The seven E-designated lots on the Phase 2 Site which are not enrolled in the BCP will be re-assigned a new E-designation number, E-758, for consistency and tracking purposes. Following acquisition by the Co-applicants, these lots will either be enrolled and remediated under a separate BCP application or remediated pursuant to the E-designation. The E-designations on remaining lots ensure that soil testing and any necessary remedial activities would be undertaken prior to and/or, as necessary, during redevelopment, and that appropriate procedures for

any necessary subsurface disturbance would be followed prior to, during, and following construction.

WATER AND SEWER INFRASTRUCTURE

Comment 21: The project will include new sewer main, but it will connect to the same old overburdened infrastructure. There are insufficient plans for green infrastructure and there should be no new CSOs. Permeable pavement should be required. (Flanagan_003)

Together, Flushing Bay and Flushing Creek receive over 2 billion gallons in combined sewage annually. The SWPD needs to be planned with a robust sewage and stormwater management plan. This must be guaranteed. (Guzman_012, Kim_010)

It is also the responsibility of the City to prioritize green infrastructure and no new building of sewage outfalls. This needs to be guaranteed and planned beforehand. (Solano_013)

The sewage system in and around the stadium cannot handle additional waste volume. (Sugai_005)

The entire 61-acre SWPD development is in a floodplain, yet the developers for the 17-acres have not robustly defined how they will manage the thousands of new sewer connections from the housing and commercial developments so as to not increase sewage pollution. If large scale development projects with thousands of new sewer connections are to be built on this land, it is imperative that they include robust and innovative solutions to stormwater and sewage management. (Pryor_GoFB_006)

The need for installing green infrastructure (GI) is more imperative than ever to mitigate hazardous flooding and combined sewage overflow, among other climate change impacts. We appreciate that the soccer stadium developers verbally committed to a plan to integrate green infrastructure into their stadium design, as a similar proposal has not been introduced for the housing or retail spaces. However, the proposed 2.77 acres of open space do not include any requirements for green space or GI, and there is not yet any binding commitment for this important infrastructure or for permeable pavement. Currently the developer focuses on building energy efficiency while leaving sewage, stormwater, and flood waters un-remediated at the public expense. The project should include an integrated green infrastructure plan. (Pryor_GoFB_006)

Response: As discussed in Chapter 11, “Water and Sewer Infrastructure,” improvements to the District’s sanitary sewer, and storm sewer systems have been completed since the prior environmental reviews, and additional improvements will be constructed in the District as part of the Phase 1, Phase 2, and Phase 3 Developments. The Phase 1 and 2 infrastructure improvements were defined in consultation with the New York City Department of Environmental Protection (DEP) and found appropriate for the development’s needs. In particular, DEP has confirmed that the 37th Avenue pump station serving the sanitary system in the District has sufficient capacity to serve the Phase 1 and Phase 2 Developments; upgrades to

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the pump station, which were identified as a necessary improvement in the 2013 FSEIS, are not necessary for the Phase 2 Development, and will be further assessed for the Phase 3 Development. With completion of the infrastructure improvements, the District is expected to have the necessary infrastructure with capacity to support the full buildout of the District in the 2039 With Action condition. Furthermore, with completion of these improvements, the District will be served by a separated sewer system, and the Proposed Project would not result in increased flows to the City's combined sewer system that may be discharged as combined sewer overflows (CSOs) and would not result in an increase in CSO volumes/frequencies.

Concerning green infrastructure, the Phase 1, Phase 2, and Phase 3 Developments would result in approximately 8 acres of publicly accessible open space, which would include substantial landscaped areas, and would result in an overall increase in soft scape surface area within the District. In addition, all development under the Proposed Project would be subject to the DEP Stormwater Permitting Program in conformance with the Unified Stormwater Rule: a Stormwater Pollution Prevention Plan (SWPPP), consisting of both temporary erosion and sediment controls and post-construction stormwater best management practices (BMPs), would be required of the Co-applicants for the Phase 2 Development and by the future developer of the Phase 3 Development. The SWPPP(s) would include post-construction stormwater management practices (SMPs) to demonstrate compliance with the permitting requirements and design manual. The SMPs for each part of the Proposed Project will be determined in consultation with DEP, but are expected to include substantial vegetated retention and other green infrastructure, which are prioritized in DEP's SMP hierarchies. The SWPPP(s) would also document Erosion and Sediment Controls (ESC) in compliance with the associated City and State manuals.

In addition, all Phase 2 Development buildings anticipate incorporating substantial green infrastructure elements including all electric designs, solar panels, embodied carbon reduction strategies, stormwater retention systems, and locally sourced materials.³ See also the responses to Comments 13 and 19.

TRANSPORTATION

Comment 22: While there's a game day plan for traffic, what about traffic the other 340 days of the year, particularly for the community uses of City Square, which will require adjacent loading zones and school bus access, and hotel parking and taxi stands for hotel guests? The current plan is inadequate for the proposed year-round uses. (Flanagan_003, Pryor_GoFB_006)

Response: The Proposed Project includes formal mapping as public City streets of a roadway network that would serve vehicular traffic and pedestrian activities generated by the mix of uses contemplated for the District, where the new stadium would be

³ All buildings would utilize electric building designs with the exception of emergency backup power.

sited, as well as the improvement of other currently-existing City streets. Additionally, the DSSEIS analyses conservatively accounted for non-event-day activities at the new stadium, which would be substantially more modest and interwoven with other daily activities from the surrounding uses planned for the District.

Comment 23: The Mets Willets Point station and 7 train infrastructure are already beyond capacity and cannot safely handle additional passengers. The stations on the 7 train in Manhattan and most of Queens are unable to handle additional traffic. (Sugai_005)

Response: Consistent with *CEQR Technical Manual* guidance, the DSSEIS provided comprehensive analyses of the Willets Point subway station and the No. 7 subway line. Those analyses, which have been reviewed and approved by NYC Transit, concluded that the Phase 2 Development would not result in significant adverse impacts. For the Phase 3 full build-out of the District, significant adverse impacts were identified for the Willets Point subway station, for which potential mitigation measures have been identified for NYC Transit consideration as described in Chapter 22, “Mitigation.”

AIR QUALITY

Comment 24: According to EPA’s EJScreen, surrounding communities fall in the 80th percentile and above in the nation for proximity to traffic and air toxins related to respiratory health. The applicant’s traffic management plan is unrealistic and does not respond to the critical health needs of surrounding communities who cannot handle any more air toxins caused by car congestion. (Pryor_GoFB_006)

Response: As described in Chapter 1, “Project Description,” the proposed Phase 2 buildings and NYCFC stadium have committed to be fully electric and plan to host their own substantial on-site solar energy generating installations. Therefore, air quality impacts from stationary sources of emissions associated with the Phase 2 Development would be minimized. Any potential stationary sources of emissions would not result in any significant adverse air quality impacts, as presented in Chapter 15, “Air Quality.” Furthermore, the mobile source analyses determined that concentrations of CO and PM_{2.5} due to project-generated traffic would not result in any significant adverse air quality impacts.

MISCELLANEOUS

Comment 25: Currently, the housing development has a 0% commitment to union labor, despite being the largest aspect of this project. We call on the CPC to include a recommendation that a union labor deal be required for the housing development. (Pryor_GoFB_006)

Response: Comment noted.

GENERAL OPPOSITION

Comment 26: I oppose this project. (Buitrago_021, Shepard_020, Zavala_011)

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Response: Comment noted.

GENERAL SUPPORT

Comment 27: I support this project. (Moya, D21_023, Aguirre_CSJ_027, Feiner_022, Lynch_007, Munoz_017, Cambero_036, Grech_QCC_040, Lando_026, Mullick_035, Osborne_CPC_029, Penenberg_031, Quezada_034, Shields_033)

Response: Comment noted. *