THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N.Y. 10007

NOTICE OF COMPLETION FOR FINAL ENVIRONMENTAL IMPACT STATEMENT (INCORPORATING FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT)

DOWNTOWN BROOKLYN DEVELOPMENT

Date Issued:	April 30, 2004
CEQR No.	03DME016K
SEQRA Classification	Type I
Lead Agency	Office of the Deputy Mayor for Economic Development and Rebuilding 100 Gold St., 2nd Floor New York, NY 10038
Location	Area bounded generally by Tillary Street to the north, Ashland Place to the east, Schermerhorn Street to the south and Adams Street/Boerum Place to the west

Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order 91 of 1977 as amended, and the City Environmental Quality Review Rules of Procedure found at Title 62, Chapter 5 of the Rules of the City of New York (CEQR), the State Environmental Quality Review Act, Article 8 of the State Environmental Conservation Law, and its implementing regulations found in part 617 of 6 NYCRR (SEQRA), a Final Environmental Impact Statement (FEIS) has been prepared for the actions described below and is available for public inspection at the offices listed on the last page of this notice. The FEIS incorporates the Final Supplemental Environmental Impact Statement (FSEIS) for the proposed actions. A public hearing on both the Draft Environmental Impact Statement (DEIS) and Draft Supplemental Environmental Impact Statement (DSEIS) was held on March 24, 2004 and the public comment period concluded April 7, 2004.

1. PROJECT DESCRIPTION

The Downtown Brooklyn Development project is a public planning effort to stimulate economic development in the Downtown Brooklyn area. Discretionary actions included as part of the project include zoning map and text changes, street mapping changes, urban renewal actions, the disposition of City-owned property, special permits for public parking facilities, and related land use actions.

A Notice of Completion for the DEIS was issued on November 28, 2003. Completion of the DSEIS was then required to revise the future baseline, or No Build conditions, analyzed in the DEIS to account for a potential mixed-use arena development in the Atlantic Terminal area of Brooklyn that could affect the conditions assessed in the DEIS. A Notice of Completion for the DSEIS was issued on March 8, 2004. The FEIS incorporates the FSEIS and the probable impacts of the proposed project and mitigation described below are reflective of the project in its entirety under the revised No Build conditions.

2. PROPOSED ACTIONS

The project entails a number of public approvals, which are summarized below.

- Zoning map amendments to increase the floor area ratio (FAR) of portions of the Special Downtown Brooklyn District (SDBD), to allow for greater commercial and residential density in the downtown area; to allow commercial use where such use is not currently allowed; to permit residential use on sites where such use is not currently allowed; and to expand the SDBD;
- Zoning text changes to the SDBD to provide special height and setback regulations and other massing controls for higher-density commercial districts, and new requirements for sidewalk widenings, security-gate transparency, indoor bicycle parking, signage controls, and subway stair relocation;
- Zoning text changes to the SDBD to add or remove requirements for ground-floor retail continuity, ground-floor glazing, street wall continuity, curb cut prohibition, and street tree planting on selected streets;
- Zoning text changes to the SDBD to extend the Schermerhorn Street Height Limitation Area "B" of 140 feet and establish a new Height Limitation Area "C" of 250 feet on the blocks bounded by Smith, Nevins, Livingston, and Schermerhorn Streets and establish a height limit of 160 feet on the south side of Myrtle Avenue between Fleet Place and Ashland Place;
- Mapping actions that would demap the following existing streets: Red Hook Lane, between Fulton Street and Boerum Place; Pearl Street, between Fulton Street and Willoughby Street; Prince Street, between Flatbush Avenue Extension and Myrtle Avenue; and Fair Street between Fleet Place and Prince Street;
- Mapping actions that would widen Fleet Place from Willoughby Street to Fair Street and extend Fleet Place north from Fair Street to Myrtle Avenue; and widen the south side of Willoughby Street between Albee Square West/Gold Street and Flatbush Avenue

Extension, and the south side of Myrtle Avenue between Flatbush Avenue Extension and Fleet Place;

- Amendments to the Brooklyn Center Urban Renewal Plan (BCURP) to extend the expiration date of the plan from 2010 to 2044; to extend the Urban Renewal project boundary by 9 blocks; to designate 57 lots within six proposed development sites; to remove certain previously designated urban renewal sites; to modify the definition of Commercial land use to permit residential and community facility uses; to modify the definition of Public Space land use to permit below-grade parking and accessory uses; to delete Industrial and Related use and Institutional/Commercial use as land use categories; to eliminate Q parcels from the text and maps; and to revise the plan text to reflect the standard format for urban renewal plans;
- Amendments to the MetroTech Urban Renewal Plan to change the land use for Block 2060, Lot 8, from street widening to open space; to eliminate Q parcels from the text and maps; and to revise the plan text to reflect the standard format for urban renewal plans;
- Modification of the MetroTech General Large-Scale Development Special Permit to reallocate existing floor area, to allocate newly created floor area generated from the proposed rezoning of Block 142, Lot 1, and to clarify that Commercial and Community Facility uses are allowed at this projected development site;
- Amendments to the Atlantic Terminal Urban Renewal Area Plan (ATURAP) to extend the expiration date of the plan from 2008 to 2044; to modify the definition of Commercial land use within the plan to permit community facilities and below-grade parking; to change the land use and eliminate restrictions on maximum floor area ratios and maximum commercial floor area for certain sites; to eliminate Q parcels from the text and maps; and to revise the plan text to reflect the standard format for urban renewal plans;
- Disposition of City-owned property pursuant to Urban Renewal as well as Block 140, Lot 111 and Block 2107, Lot 36;
- Site selection for a visual and performing arts public library on Block 2110, Lot 3; and
- Special permits for four proposed public parking facilities: 1) A 694-space below-grade public parking facility at Willoughby Street between Albee Square West/Gold Street and Duffield Street; 2) a 457-space partially below-grade parking facility on the south side of Myrtle Avenue and east side of Flatbush Avenue Extension; 3) a 466-space below-grade parking facility on Block 2110; and 4) a 465-space below-grade parking facility on Block 2107.

3. PROBABLE IMPACTS OF THE PROPOSED PROJECT

HISTORIC RESOURCES

Archaeological Resources

The analysis of archaeological resources determined that 21 lots on four "projected" development sites (sites that are likely to undergo development within a ten-year timeframe) and 10 lots on five "potential" development sites (sites that are unlikely to be developed within the

ten-year timeframe) are considered to be potentially sensitive for 19th century archaeological resources. Individual Stage 1A Archaeological Assessments will be prepared for those lots that are currently City-owned or are acquired by the City, before development of these sites commences. If determined necessary as a result of the Stage 1A Archaeological Assessment, Stage 1B field testing will be undertaken prior to development of these sites. In the event that Stage 1B field testing confirms that there are significant archaeological resources on the lots which cannot be recovered during the testing phase, full archaeological excavation will occur or the development would be redesigned to leave the resources protected in place. Under the revised Brooklyn Center Urban Renewal Plan, each redeveloper will be required to perform all mitigation measures identified in the FEIS, such as future archaeological work, prior to issuance of a certificate of occupancy. With these measures, the proposed actions would not have any significant adverse impacts on the potential archaeological resources of these lots.

Architectural Resources

Three potential architectural resources are located on projected development sites: the Joseph J. Jacobs Building at 305-315 Jay Street on site C, the Board of Education Building at 131 Livingston Street on site M, and 233 Duffield Street on site P. In addition, two potential architectural resources are located on potential development sites: 565-571 Fulton Street, on site R, and 423 Fulton Street on site L. The removal of the buildings for these developments would constitute a significant adverse impact on architectural resources. Measures to mitigate this impact have been developed in consultation with the New York City Landmarks Preservation Commission (LPC). In addition to these direct effects, several of the known and potential architectural resources are located within 90 feet of projected and potential development sites, and, therefore, could be potentially physically affected by ground-borne construction-period vibrations or other potential construction-related issues. Construction protection plans will be instituted for these developments in order to avoid potential physical impacts on these architectural resources.

Underground Railroad

A thorough documentation study has not uncovered an association of the 227 Duffield Street, 233 Duffield Street, and 436 Gold Street buildings with the Underground Railroad, and there is no evidence to support a determination that these properties are eligible for either National Historic Landmark status or for listing on the National Register of Historic Places in relation to the Underground Railroad.

The owner of 233 Duffield Street has asserted that that there were shafts in the 227 and 233 Duffield Street buildings, as well as other buildings on Duffield Street, that linked the building's sub-basements to the surface and to tunnels under the street buildings, but he has also reported that the sub-basements and shafts have been filled and lost. However, the potential existence of these tunnels, without corroborating artifacts, would not necessarily demonstrate a connection to the Underground Railroad.

The existence of tunnels under the street buildings and any potential corroborating artifacts cannot be ascertained without further testing. Therefore, additional work, first in the form of a visual inspection of the interiors of the buildings after condemnation to ascertain the existence of other artifacts and, second, in the form of new continuous soil borings, would need to be undertaken at the sites. Soil borings would be conducted to determine subsurface conditions, such as fill layers, with the locations of borings to be approved by an archaeologist prior to their

execution. This testing would be impracticable prior to demolition of these structures and while they are still occupied, and would therefore have to be conducted at the time of site redevelopment. If the soil borings indicate a potential for archeologically sensitive areas, Stage 1B testing would be undertaken in the potentially sensitive areas. The testing phase would first include the preparation of a testing protocol by a professional archaeologist, to be reviewed and approved by LPC prior to implementation. Testing would be conducted by a professional archaeologist, and appropriate research issues would be formulated in the event of a discovery.

Should the Stage 1B testing establish an association of one or all of these buildings with the Underground Railroad, and the National Park Service criteria for eligibility of Underground Railroad properties for National Historic Landmark designation or for listing in the National Register of Historic Places are met, the redevelopment of these sites pursuant to the proposed actions would constitute a significant adverse impact to archaeological resources. As required under the revised BCURP, measures to partially mitigate the elimination of these resources would be developed in consultation with LPC and performed prior to issuance of a certificate of occupancy to the redeveloper.

HAZARDOUS MATERIALS

Potential contaminants were identified at or close to all of the projected and potential development lots. Specifically, potential hazardous materials impacts were identified for all projected and potential development lots that comprise the Downtown Brooklyn Development sites. Given this, procedures to reduce the potential for unnecessary and unacceptable exposure to these contaminants were developed. Prior to construction, further investigation will be performed on each development site to determine the presence and nature of contaminants of concern and the proper remedial and/or health and safety measures that would be employed during redevelopment.

For lots that are not City-owned or intended for City ownership, an E-designation will be used to ensure that the further investigation (and, where necessary, remediation) will be performed. For City-owned sites or sites that are proposed for City ownership, E-designations will not be placed on development lots. Instead, since development of these sites would occur through disposition to a private entity, a similar mechanism to ensure that further investigative and/or remedial activities, as well as health and safety measures, prior to and/or during construction will be required under the City's contract of sale with the private entity selected to develop the site. This mechanism and the E-designation mechanism will reduce or avoid the potential that significant adverse impacts would result from the proposed actions on all development sites.

TRAFFIC

Projected developments would result in a net increase of 865 inbound and 242 outbound vehicle trips in the AM peak hour (auto, taxi and truck), 402 inbound and 416 outbound vehicle trips in the midday, and 278 inbound and 1,016 outbound vehicle trips in the PM peak hour. This new demand, and the effects of street system changes related to the proposed actions, would combine to result in significant traffic impacts at 29 signalized intersections in one or more peak periods.

TRANSIT AND PEDESTRIANS

The proposed actions would generate a net total of 6,013 inbound and 691 outbound trips by subway in the AM peak hour, and 1,163 inbound and 7,408 outbound in the PM peak hour. Trips by local bus would total 546 inbound and 83 outbound in the AM peak hour and 211 inbound and 782 outbound in the PM. Trips by walking only, bicycle or other non-vehicular modes would total 1,360 inbound and 623 outbound in the AM peak hour, and 1,780 inbound and 2,753 outbound in the PM. The additional subway demand would significantly impact two street stairs at the Jay Street-Borough Hall subway station in one or both peak periods. Bus trips generated by projected development would result in a significant PM peak hour impact to NYC Transit's B25 bus route in the peak eastbound direction. Pedestrian trips en route to and from projected development sites would impact one crosswalk on Jay Street at Willoughby Street and one crosswalk on Albee Square West/Gold Street at Willoughby Street.

AIR QUALITY

The analysis showed that the maximum predicted carbon monoxide (CO) and particulate matter (PM_{10} and PM_{25}) concentrations from mobile sources would be lower than the corresponding ambient air standards, with the development of the projected development sites under the proposed actions. The cumulative parking garage analysis also determined that the project's public parking facilities would not result in any significant adverse air quality impacts. Thus, the proposed actions would not have significant adverse air quality impacts from mobile source emissions. A stationary source screening analysis and subsequent detailed dispersion modeling determined that there would be no potential significant adverse air quality impacts from emission of nitrogen dioxide (NO_2), sulfur dioxide (SO_2) and PM_{10}, from the proposed HVAC systems of the projected development sites. With respect to $PM_{2.5}$, an E-designation has been placed on projected development site BB (Block 165, Lot 29), which stipulates that any new residential and/or commercial development on the above-referenced property must ensure that the heating, ventilation, and air conditioning stack(s) is located at least 115 feet from the lot line facing Hoyt Street and parallel with Schermerhorn Street to avoid any potential significant air quality impacts. In addition, there would be no significant adverse air quality impacts from industrial facilities on the proposed developments sites.

NOISE

Noise monitoring at a receptor location at Duffield Street between Willoughby and Fulton Streets determined that noise increases at the site as a result of the proposed project would be greater than 3 dBA and therefore perceptible. Based upon CEQR noise impact criteria, this would constitute a significant noise impact. There is no feasible mitigation to eliminate this impact at this site during the AM period, and thus it would constitute an unmitigated project impact.

In addition, as part of the development that would occur with the proposed actions, a 1.15-acre public space, Willoughby Square, is proposed to be built over the below-grade public parking facility at the Duffield Street site. Based upon the analysis results, noise levels of approximately 69 to 73 dBA would be expected at this new public space. These noise levels would be higher than those generally recommended for outdoor activities, but would be comparable to levels in existing parks in New York City which are adjacent to moderately to heavily trafficked streets

and roadways. There are no feasible mitigation measures to reduce noise levels within an urban public space such as this to within recommended levels for this type of use.

Based upon the $L_{10(1)}$ values measured at the analysis sites, a maximum of 40 dBA of building attenuation would be required to achieve interior noise levels of 45dBA or lower as recommended in the CEQR Technical Manual. The provision of sufficient building attenuation will be mandated by placing "E" designations on projected and potential development sites. In addition, mechanical equipment such as heating, ventilation, and air conditioning (HVAC), and elevator motors would utilize sufficient noise reduction devices to comply with applicable noise regulations and standards. With the attenuation measures in place, the proposed actions would not result in any significant interior noise impacts

4. MITIGATION

HISTORIC RESOURCES

Architectural Resources

Three potential architectural resources would be directly affected by the development of projected development sites pursuant to the proposed actions. These are the Joseph J. Jacobs Building (site C), the Board of Education Building at 131 Livingston Street (site M), and 233 Duffield Street (site P). In addition, two other potential architectural resources would be directly affected by the development of potential development sites: 565-571 Fulton Street (site R), and 423 Fulton Street (site L). The removal of the buildings for these developments would constitute a significant adverse impact on architectural resources.

Measures to mitigate the impact on these buildings have been developed in consultation with LPC, which has indicated that data recovery (i.e., recordation to the standards of the Historic American Building Survey [HABS]) will be sufficient mitigation for the Joseph J. Jacobs Building and the 423 Fulton Street building. The scopes of work for all HABS-level documentation will be provided to LPC for review and approval prior to the start of demolition of these buildings. Under the revised Brooklyn Center Urban Renewal Plan, each redeveloper would be required to perform all mitigation measures identified in the FEIS, such as HABS-level documentation, prior to issuance of a certificate of occupancy. HABS-level documentation will be provided for the 565-571 Fulton Street, Board of Education (131 Livingston Street), and 233 Duffield Street buildings; however, these buildings are considered to be rarer resources, and therefore further consideration was given of possible measures to mitigate this impact. For the Joseph J. Jacobs Building, which is not located within the revised BCURP, Polytechnic University, the property owner, will execute a restrictive declaration requiring that HABS-level documentation be prepared prior to demolition of the building.

It is unlikely that the projected development of sites M and P and the potential development of site R could be relocated to other sites within the project area. The screening criteria for commercial development, which were developed in consultation with DCP, were considered for all of the parcels affected by the proposed actions in order to determine a site's attractiveness for commercial use, its bulk, and its development timeframe. Sites M, P, and R met all of the criteria for commercial development, where other blocks and lots within the project area did not. Therefore, it is reasonable to assume that the development projected to occur on these sites could not occur on other sites within the project area. Further, it is not considered feasible to include the 131 Livingston Street, 233 Duffield Street, and 565-571 Fulton Street buildings within the

developments projected for sites M, P, and R. Site R was previously designated as an urban renewal site in 1970 as part of the BCURP and the proposed actions would not alter the status of the site in the BCURP. It is possible that the façades of the 575-571 Fulton Street and 131 Livingston Street buildings could be preserved in place and incorporated into the façade of a modern office building; however, this would affect the structure and character of the resources.

Commitment for mitigation beyond the HABS-standard recordation of the buildings is not possible given that neither the development program nor the project developers are known. However, for 131 Livingston Street and 575-571 Fulton Street, it is possible that once a developer has been identified, there may be the potential to preserve architectural elements of the buildings' façades as part of the proposed developments.

Archaeological Resources

LPC has determined that there are 31 lots that are considered to be potentially sensitive for 19th century archaeological resources. Individual Stage 1A Archaeological Assessments will be prepared for those lots which are currently City-owned or would be acquired by the City, before development of these sites would commence. If determined necessary as a result of the Stage 1A Archaeological Assessment, Stage 1B field testing will be undertaken prior to development of these sites. In the event that Stage 1B field testing confirms that there are significant archaeological resources on the lots which cannot be recovered during the testing phase, full archaeological excavation will occur, or the development will be redesigned to leave the resources protected in place. All archaeological work will be completed under LPC review and adhere to the standards set forth in the 2001 *CEQR Technical Manual* and the Archaeological Guidelines for work in New York City. Under the revised BCURP, each redeveloper would be required to perform all mitigation measures identified in the FEIS, such as future archaeological work, prior to issuance of a certificate of occupancy. With these measures, the proposed actions will not result in any significant adverse impacts on archaeological resources on these lots.

For the lots which are not now and would not become City-owned (Block 165, Lot 58 and Block 164, Lots 1 and 29), a mechanism does not exist to ensure that Stage 1A Archaeological Assessments (and, if necessary, archaeological field testing) would be undertaken prior to development. Therefore, the potential loss of archaeological resources on these lots pursuant to their development is considered a potential unmitigated, significant adverse impact.

Underground Railroad

During the public comment period for the DEIS/DSEIS, several property owners of 227 Duffield Street, 233 Duffield Street and 436 Gold Street came forward to claim that their buildings were utilized for Underground Railroad activities. An exhaustive documentation study has not uncovered an association with the Underground Railroad for the buildings, and there is no evidence to support a determination that these properties are eligible for either National Historic Landmark status or for listing on the National Register of Historic Places in relation to the Underground Railroad. The owner of 233 Duffield Street has asserted that that there were shafts in the 227 and 233 Duffield Street buildings, as well as other buildings on Duffield Street, that linked the buildings' sub-basements to the surface and to tunnels under the street buildings, but he has also reported that the sub-basements and shafts have been filled and lost. However, the potential existence of these tunnels, without corroborating artifacts, would not necessarily demonstrate a connection to the Underground Railroad.

The existence of tunnels under the street buildings and any potential corroborating artifacts cannot be ascertained without further testing. Therefore, additional work, first in the form of a visual inspection of the interiors of the buildings after condemnation to ascertain the existence of other artifacts and, second, in the form of new continuous soil borings, would need to be undertaken at the sites. Soil borings will be conducted to determine subsurface conditions, such as fill layers, with the locations of borings to be approved by an archaeologist prior to their execution. This testing would be impracticable prior to demolition of these structures and while they are still occupied, and would therefore have to be conducted at the time of site redevelopment. If the soil borings indicate a potential for archeologically sensitive areas, Stage 1B testing will be undertaken in the potentially sensitive areas. The testing phase will first include the preparation of a testing protocol by a professional archaeologist, to be reviewed and approved by LPC prior to implementation. Testing will be conducted by a professional archaeologist, and appropriate research issues will be formulated in the event of a discovery. Should the Stage 1B testing indicate that an association of one or all of these buildings with the Underground Railroad is established, and the National Park Service criteria for eligibility of Underground Railroad properties for National Historic Landmark designation or for listing in the National Register of Historic Places are met, the redevelopment of these sites pursuant to the proposed actions would constitute a significant adverse impact to archaeological resources. As required under the revised Brooklyn Center Urban Renewal Plan, measures to partially mitigate the elimination of these resources will, if required, be developed in consultation with LPC and performed prior to issuance of a certificate of occupancy to the redeveloper. Partial mitigation measures would involve HABS-level documentation and/or an exhibit in an appropriate location. As previously described, 233 Duffield Street also has been identified by LPC as a potential architectural resource, and therefore HABS-level documentation will be provided to mitigate its loss.

TRAFFIC

Demand from projected development sites and the effects of street system changes related to the proposed actions would combine to result in significant traffic impacts at 29 signalized intersections in one or more peak periods. To address these impacts, a mitigation plan for the Downtown Brooklyn street network was developed. As demonstrated below, the proposed traffic mitigation plan would fully address all impacts at 17 intersections in the AM peak hour, 17 in the midday and 21 in the PM peak hour. Eighteen out of 29 intersections impacted by the proposed actions would no longer be impacted with implementation of the proposed mitigation plan.

However, unmitigable impacts would remain in one or more peak periods at a total of eleven intersections. The intersection of Adams Street and Tillary Street would have four unmitigated impacts in the AM peak period and two each in the midday and PM peak periods. The intersection of Atlantic Avenue and Bond Street would have one unmitigated impact in the midday peak period, while the intersection of Atlantic and Flatbush Avenues would have one unmitigated impact in the PM. The intersection of Atlantic and Fourth Avenues would have one unmitigated impact in the AM peak period, as would the intersection of Atlantic Avenue and Smith Street. The intersection of Flatbush Avenue and Fulton Street would have two unmitigated impacts in the PM, as would the intersection of Flatbush Avenue/Hanson Place/Fourth Avenue. The Flatbush Avenue and Livingston Street intersection would have one unmitigated impact in the AM, and the intersection of Flatbush and Myrtle Avenues would have four unmitigated impacts in the AM and two in the PM. The intersection of Flatbush Avenue and Tillary Street

would have one unmitigated impact in the AM, two in the midday and three in the PM peak hour. Lastly, the intersection of Flatbush Avenue with Schermerhorn Street and Lafayette Avenue would have three unmitigated impacts in the PM peak period.

Summary of Mitigated Traffic Impacts

Intersections		AM	MD	PM
Atlantic Avenue and	Flatbush Avenue	X	X	U
	Fourth Avenue	U	X	X
	Bond Street	X	U	
	Hoyt Street	X	X	X
	Smith Street	U		X
	Boerum Place	X		X
Flatbush Avenue and	Tillary Street	U	U	U
	Myrtle Avenue	U	X	U
	Willoughby Street	X	X	X
	DeKalb Avenue	X		X
	Fulton Street	X	X	U
	Livingston Street	U		X
	Schermerhorn Street/Lafayette	X	X	U
	Fourth Avenue/Hanson Place			U
Jay Street and	Tech Place			X
Livingston Street and	Bond Street	X	X	X
	Hoyt Street		X	X
	Smith Street		X	X
	Boerum Place	X	X	X
Myrtle Avenue and	Prince Street	X	X	X
	Ashland Place	X	X	X
Schermerhorn Street and	Bond Street	X		X
	Hoyt Street			X
	Smith Street	X	X	X
Tillary Street and	Adams Street	U	U	U
	Jay Street	X	X	X
Willoughby Street and	Albee Square West/Gold Street			X
	Bridge Street	X	X	X
	Jay Street	X	X	X

Notes:
X: All impacts fully mitigated.
U: One or more unmitigated impacts in the peak period.

TRANSIT AND PEDESTRIANS

Subway Service

Transit demand from projected development sites would significantly impact two street stairs at the Jay Street-Borough Hall subway station in one or both peak periods. At Stair S3, at the northwest corner of Jay and Fulton Streets, a one-foot widening would restore this stair to LOS C in the PM peak hour, comparable the No Build condition and below NYC Transit's minimum standard of 10 persons per foot-width per minute (PFM). However, while such mitigation is

feasible, it would not be practical to undertake for this moderate level of impact. (Stair S3 would operate at a functional LOS D in the PM). In addition, urban renewal changes for the project would also allow for the creation of a transit plaza at Jay Street between Willoughby and Fulton Streets that would potentially include a new subway entrance/exit to the Jay Street-Borough Hall station. A new subway entrance/exit located within this plaza would fully address the PM peak hour impact to Stair S3. Therefore, pending the implementation of a new transit plaza, the proposed actions' impact to Stair S3 would remain unmitigated.

To mitigate the AM and PM peak hour impacts to Stair S4 on the northeast corner of Jay and Willoughby Streets, it is proposed to double the width of this stair from its current five feet to ten feet in width. To accommodate this widened stairway and provide sufficient sidewalk space for pedestrians, an eight-foot-wide sidewalk extension or "neckdown" would be installed within the curb lane along the east sidewalk on Jay Street adjacent to the stair. The proposed neckdown, along with a similar installation along the east sidewalk on Jay Street south of Willoughby Street (to channel traffic), would not adversely impact traffic flow conditions.

With the proposed widening, Stair S4 would operate at LOS C (8.26 PFM) in the AM peak period, comparable to the No Build condition and below NYC Transit's minimum standard of 10 PFM. In the PM peak period, this stair would also operate at an acceptable LOS C (9.01 PFM). The proposed five-foot widening would therefore return this stair to a functional level of operation in both peak periods, fully mitigating the project's impacts.

If, after further detailed engineering, widening of Stair S4 proves to be impractical due to the presence of utilities or other physical constraints, an alternative mitigation scheme will be explored. Under this alternative, a second 5-foot-wide stair would be constructed adjacent to the building line immediately to the north of Stair S4. This stair would face northward and share a common landing with Stair S4 in a "T"-shaped configuration. The two 5-foot-wide stairs would function as a combined system with a capacity similar to that achieved by widening Stair S4 to 10 feet. Consequently, this alternative mitigation measure would similarly address the project's AM and PM peak hour impacts to Stair S4. Construction of this new stair would likely not require extension of the adjacent sidewalk, but such an extension (or neckdown) may still be considered for implementation for the purposes of enhancing pedestrian safety at this intersection.

Local Bus Service

Project demand would significantly impact eastbound B25 service in the PM peak hour. As standard practice, New York City Transit routinely conducts ridership counts and adjusts bus service frequency to meet its service criteria, within fiscal and operating constraints. Therefore, no mitigation is proposed for the impact to eastbound B25 service.

Pedestrians

Project demand would significantly impact the north crosswalk on Jay Street at Willoughby Street in the PM peak hour and the south crosswalk on Albee Square West at Willoughby Street in both the AM and PM peak hours. These crosswalk impacts would all be fully mitigated by widening each crosswalk by from 0.5 to four feet.

AIR QUALITY

Under the 2013 build condition, with the development of the projected sites, impacts on carbon monoxide (CO) would be well below ambient air quality standards and the City's *de minimis* criteria. The proposed traffic mitigation measures, which include new roadway configurations and volume diversions, were evaluated to determine the potential effects on air quality in the study area. Because the proposed mitigation measures seek to avoid or reduce the levels of congestion and delays at an intersection, an overall improvement in traffic conditions is expected for the study area as compared to the Build condition. Based on the traffic mitigation analysis presented above, the proposed changes in volume, levels of service, and delays through the network would result in similar, if not lower, predicted CO concentrations under the build with mitigation condition. Similarly, the build with mitigation scenario would not alter the conclusions of no significant impact on inhalable particulate (PM_{10} and $PM_{2.5}$) levels.
The proposed traffic mitigation measures would not affect the stationary or industrial source analyses, which determined that there would be no significant air quality impacts resulting from the proposed actions.

NOISE

At the noise receptor located at Duffield Street between Willoughby and Fulton Streets, future noise levels with the proposed actions would increase by up to 3.4 dBA compared to future noise levels without the proposed actions during the AM peak period. Increases of this magnitude would be perceptible and, based upon CEQR noise impact criteria, would constitute a significant noise impact. This impact would occur because of the relatively low volumes at this location without the proposed actions, and the number of vehicles (particularly trucks) generated by the development expected on this street and in the surrounding area. While no residences would be impacted with the proposed actions, the increase in noise levels during the AM peak period would exceed the CEQR impact criteria and thus, the project would have a significant noise impacts at this location. There is no feasible mitigation to eliminate this impact at this site during this time period, and thus it constitutes a significant adverse project impact.

5. ALTERNATIVES

Four alternatives were examined with the goal of avoiding or reducing project-related significant adverse impacts: the No Action Alternative, the No Unmitigated Impacts Alternative, the Modified BCURP Alternative and the Brooklyn-Queens Expressway (BQE) Ramp Alternative.

Under the No Action Alternative, which analyzes future conditions without the proposed actions, certain project impacts would be reduced or avoided; however the objective of facilitating new development would not be achieved.

The No Unmitigated Impacts Alternative finds that projected development anticipated under the proposed project would need to be reduced by 95% to avoid impacts. As with the No Action Alternative, the No Unmitigated Impact Alternative would not achieve the objective of facilitating future development.

The Modified BCURP Alternative considers the project in the absence of new Urban Renewal site designations. This alternative would limit certain project impacts but would not allow for the

creation of new public spaces through Urban Renewal; would not achieve the objectives of the Urban Renewal Plan; and would not facilitate future development.

The BQE Ramp Alternative examines future traffic conditions with the inclusion of a new ramp to Navy Street from the westbound Brooklyn-Queens Expressway. This alternative would help to reduce or avoid traffic impacts along Flatbush Avenue by diverting traffic exiting the BQE and heading southbound onto Navy Street/Ashland Place. This alternative requires further review and investigation in coordination with the State Department of Transportation, which has jurisdiction over the BQE.

6. CONTACT OFFICE

Requests for copies of the FEIS should be forwarded to the contact offices, listed below. In addition, the FEIS is available to the public on-line at nycedc.com.

Contact: Mr. Hardy Adasko, Senior Vice President
New York City Economic Development Corporation
110 William Street
New York, New York 10038
(212) 312–3703

or

New York City Office of Environmental Coordination
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Assistant to the Mayor,
On behalf of the Deputy Mayor
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Apr. 1 30 2004
Date