

**Technical Memorandum for the Willets Point Development Plan FGEIS**  
**CEQR Number 07DME014Q, Technical Memorandum 006**  
**May 14, 2021**

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## **A. INTRODUCTION**

The purpose of this technical memorandum is to determine whether the acquisition of properties in Willet Point would result in any significant adverse environmental impacts that were not previously identified in the 2008 *Willets Point Development Plan Final Generic Environmental Impact Statement* (FGEIS) or subsequent environmental review.

On September 12, 2008, the Office of the Deputy Mayor for Economic Development issued a Notice of Completion for the *Willets Point Development Plan Final Generic Environmental Impact Statement* (FGEIS). The Willets Point Development Plan was approved by the New York City Planning Commission (CPC) and New York City Council on September 24, 2008 and November 13, 2008, respectively, and is referred to herein as “the Approved Plan.” Under the Approved Plan, the approximately 61-acre Willets Point Development District (District) will be redeveloped with up to 8.94 million gross square feet of residential, retail, hotel, convention center, entertainment, commercial office, community facility, open space, and parking uses. The Approved Plan changed the underlying zoning of the District from an M3-1 district (and a small area zoned R3-2) to a C4-4 district, and created an Urban Renewal Plan (URP) and a zoning Special District (i.e., the Special Willets Point District). The Special Willets Point District includes urban design regulations, addressing such elements as the location of uses, building heights and setbacks, street hierarchies, streetscape design, and other site planning and design provisions. Currently, the City of New York seeks to facilitate the acquisition of select parcels that were once acquired by the City, transferred to the designated developer, and are now intended to be re-acquired to implement the Approved Plan (“Acquisition”).

As described in the New York State Department of Environmental Conservation’s (NYSDEC) SEQRA regulations 6 NYCRR §617.9(a)(7)(i)(a), (b), and (c), and the 2020 *CEQR Technical Manual*, the lead agency may require the preparation of a supplemental EIS if there are significant adverse environmental impacts not addressed or inadequately addressed in the EIS that arise from changes proposed for the project; newly discovered information; or a change in circumstances related to the project. This Technical Memorandum (TM) describes a proposed administrative action of property acquisition under which the Approved Plan would be implemented in order to assess whether the project as currently envisioned would result in any new or different significant adverse environmental impacts not previously identified and addressed in the FGEIS or subsequent environmental review, and to assist the lead agency in determining whether the preparation of a supplemental EIS would be required.

As demonstrated below, this Technical Memorandum concludes that there would be no significant adverse impacts not previously identified in the FGEIS or subsequent environmental review in any of the analyzed CEQR technical areas as a result of the proposed Acquisition.

## **B. DESCRIPTION OF PROPOSED ACTION**

At this time, the City is considering a Proposed Action (the Acquisition) consistent with the Approved Plan. Similar to the Staged Acquisition Alternative analyzed in the FGEIS, the subsequent Adjusted and Updated Plans analyzed in TM003, TM004, and recently in TM005 (published May 10, 2021), and the phased development of the District analyzed in the FSEIS, the Proposed Action assumes the same gross floor area and mix of uses in the District as the Approved Plan with revisions described in the prior environmental review.

The Department of Housing Preservation and Development (HPD) is seeking a discretionary Mayoral Approval Document (MAD) for the Acquisition and will proceed through a Mayor's Office of Contract Services (MOCS) Hearing and review, to acquire the parcels ("Site") once owned by the City of New York (comprised of the below 15 lots in the Special Willets Point District and Willets Point Urban Renewal Area). Once owned by the City, the Site will be conveyed to the designated developer. No ground disturbance is currently proposed and there is no anticipated impact to the physical environment under this Proposed Action, which is administrative in nature. The Acquisition is anticipated to be a transfer of the Site at a nominal fee. The Acquisition is anticipated to proceed through the MOCS Hearing and review in 2021 and once approved, be acquired by the end of the year.

Willets Point Acquisition Parcels, Queens (Site)

Block 1823, Lot 19 – N/A 35<sup>th</sup> Avenue, Corona, New York 11368

Block 1823, Lot 20 – N/A 35<sup>th</sup> Avenue, Corona, New York 11368

Block 1823, Lot 21 – 126-42 35<sup>th</sup> Avenue, Corona, New York 11368

Block 1823, Lot 23 – 126-44 35<sup>th</sup> Avenue, Corona, New York 11368

Block 1823, Lot 26 – 126-50 35<sup>th</sup> Avenue, Corona, New York 11368

Block 1823, Lot 28 – N/A 35<sup>th</sup> Avenue, Corona, New York 11368

Block 1823, Lot 44 – N/A 36<sup>th</sup> Avenue, Corona, New York 11368

Block 1823, Lot 47 – 126-27 36<sup>th</sup> Avenue, Corona, New York 11368

Block 1823, Lot 52 – 126-25 36<sup>th</sup> Avenue, Corona, New York 11368

Block 1823, Lot 55 – 126-17 36<sup>th</sup> Avenue, Corona, New York 11368

Block 1824, Lot 19 – 126-40 36<sup>th</sup> Avenue, Corona, New York 11368

Block 1824, Lot 21 – 126-42 36<sup>th</sup> Avenue, Corona, New York 11368

Block 1824, Lot 26 – 126-50 36<sup>th</sup> Avenue, Corona, New York 11368

Block 1824, Lot 38 – 126-37 36<sup>th</sup> Avenue, Corona, New York 11368

Block 1824, Lot 40 – 126-43 37<sup>th</sup> Avenue, Corona, New York 11368

The Proposed Action is necessary to further the goals of the Approved Plan and is a precondition to further development onsite. The Proposed Action would not change the program and anticipated work studied in prior environmental review, and most recently in TM005, and eventual ground disturbance or implementation of the remediation plan would be subject to review and oversight by state and local regulatory agencies.

For the purposes of this Technical Memorandum, it is assumed that the remainder of the District would be built out consistent with existing zoning for the area and substantially as anticipated and analyzed in the FGEIS and subsequent environmental reviews.

## **C. ANALYSIS OF PROPOSED ACTION**

### **LAND USE, ZONING AND PUBLIC POLICY, GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE**

The Proposed Action would not result in any change to the anticipated land use at-grade on the Site. It also would not result in any changes to zoning or emissions. Therefore, the Proposed Action would not have the potential to result in any significant adverse impacts related to land use, zoning and public policy, greenhouse gas emissions and climate change.

### **SOCIOECONOMIC CONDITIONS**

The Proposed Action would not result in any direct residential or business displacement. The Site is vacant, unimproved land. The Proposed Action also would not meet the *CEQR Technical Manual* threshold for analysis of indirect residential or business displacement, or indirect business displacement due to market saturation. Therefore, the Proposed Action would not have the potential to result in any significant adverse impacts related to socioeconomic conditions.

### **COMMUNITY FACILITIES AND SERVICES**

The Proposed Action would not result in any new residential population and would not result in the displacement or alteration of any existing community facilities. Therefore, the Proposed Action would not have the potential to result in any significant adverse impacts related to community facilities and services.

### **OPEN SPACE**

The Proposed Action would not result in any new residential population and no additional worker population. The Proposed Action also would not result in any reduction to the anticipated acreage of the Approved Plan, or any changes to existing open spaces in the surrounding area. Therefore, the Proposed Action would not have the potential to result in any significant adverse impacts related to open space.

### **SHADOWS, HISTORIC AND CULTURAL RESOURCES, URBAN DESIGN AND VISUAL RESOURCES**

The Proposed Action would not result in any new at-grade structures or excavation work. Should there be any new structure proposed as design advances, any new structures would be planned within the footprint and bulk of what was previously analyzed. Therefore, the Proposed Action would not have the potential to result in any significant adverse impacts related to shadows, historic and cultural resources, and urban design and visual resources.

### **NATURAL RESOURCES, HAZARDOUS MATERIALS**

There would be no additional Site disturbance associated with the Proposed Action that was not already addressed in the FGEIS or subsequent environmental review. Therefore, the Proposed Action would not have the potential to result in any significant adverse impacts related to natural resources.

The FGEIS identified the potential for contamination within the District due to current and past usage, based on soil and groundwater sampling from public streets within the District. Therefore, E-designations were placed on all privately-owned properties in the District. The E-designations require that, prior to the New York City Department of Buildings (DOB) issuing permits associated with redevelopment, the property owner conduct Phase I and Phase II ESAs, and remediation where appropriate, to the satisfaction

of the New York City Department of Environmental Protection (DEP) pursuant to Section 11-15 of the Zoning Resolution—Environmental Requirements. The E-designations also require mandatory construction-related health and safety plans (HASPs), which are subject to review and approval by DEP. As properties are acquired by the City, the FGEIS anticipated that a Restrictive Declaration would be placed on them, which would supersede the E-designation, but require implementation of the same measures. While it was not anticipated that private properties would be redeveloped on an individual basis, if such redevelopment were to occur, it would be subject to the E-designations, which would ensure that remediation would take place under New York City Office of Environmental Remediation (OER) oversight. Subsequent environmental review did not identify any significant adverse hazardous materials impacts beyond those disclosed in the FGEIS.

The Site has been entered into the New York State Department of Environmental Conservation Brownfield Cleanup Program (BCP). As assumed in the Approved Plan, the Sites will utilize E-designations, Restrictive Declarations, and/or other enforcement and oversight mechanisms to ensure that there would be no significant adverse impacts with respect to hazardous materials. DEP has recommended that the E-designations for hazardous materials should stay on the subject properties to ensure City oversight in the event that the BCP process does not move forward.

As studied in the FGEIS and subsequent environmental review, remediation activities would occur incrementally under the Approved Plan. E-designations for properties in the northern and eastern portions of the District would remain in place for a longer duration as compared with the Approved Plan, since they would be developed later under this scenario.

The Proposed Action would not change the FGEIS conclusion that the project would not result in significant adverse environmental impacts with respect to hazardous materials.

#### **WATER AND SEWER INFRASTRUCTURE / SOLID WASTE AND SANITATION SERVICES / ENERGY**

The Proposed Action would not result in any additional projected demand for water and sewer infrastructure, solid waste and sanitation, and energy. Therefore, the Proposed Action would not have the potential to result in any significant adverse impacts related to water and sewer infrastructure, solid waste and sanitation services, or energy.

#### **TRANSPORTATION**

The Proposed Action would not result in any additional projected travel or be anticipated to change the projected and approved uses allowable onsite. Therefore, the Proposed Action would not have the potential to result in any significant adverse impacts related to traffic operations, mobility, public transportation facilities and train elements and flow, safety of all roadway users (pedestrians, cyclists, transit users and motorists), or parking, and/or goods movement.

#### **AIR QUALITY**

The Proposed Action would not result in any additional stationary source or mobile source emissions. Therefore, the Proposed Action would not have the potential to result in any significant adverse impacts related to air quality.

#### **NOISE**

The Proposed Action would cause no changes affecting noise. Therefore, the Proposed Action would not have the potential to result in any significant adverse impacts related to noise.

## PUBLIC HEALTH

The Proposed Action would not result in any change to unmitigated significant adverse impacts in the areas of transportation, air quality, water quality, hazardous materials, or noise. Therefore, it would not have the potential to result in any significant adverse impacts related to public health.

## NEIGHBORHOOD CHARACTER

As the Proposed Action would not have the potential to result in any unmitigated significant adverse impacts in any of the technical areas that contribute to neighborhood character (land use, urban design, visual resources, historic and cultural resources, socioeconomic conditions, shadows, open space, transportation, and noise), it would not result in any significant adverse impacts related to neighborhood character.


## CONSTRUCTION

The Proposed Action would be not result in excavation work. The Proposed Action would not result in any significant changes to the construction means and methods from the program studied in the FGEIS and subsequent environmental review.

In terms of hazardous materials, prior to any excavation and construction activities at the Site, any impacted soil or groundwater would be properly addressed in accordance with applicable federal, state, and local regulatory requirements, and all active and closed-in-place petroleum tanks would be properly closed and removed. Therefore, the Proposed Action would not have the potential to result in any significant adverse impacts related to construction.

## D. CONCLUSION

In summary, the Proposed Action described and assessed above would not result in any significant adverse impacts not previously identified in the FGEIS and subsequent environmental review.



Hilary Semel  
Assistant to the Mayor

May 14, 2021  
Date

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