



June 2, 2023

Hilary Semel, Director
Mayor's Office of Environmental Coordination
100 Gold Street - 2nd Floor
New York, NY 10038

ISSUANCE OF NEGATIVE DECLARATION

Re: CEQR Number: 22DPR009K
Fort Greene Park Entrances, Paths, Plaza and Infrastructure Reconstruction

Dear Ms. Semel:

The above-referenced project involves a discretionary action subject to review under the State Environmental Quality Review Act (SEQRA), its implementing regulations as set forth in 6 NYCRR Part 617, and the Rules of Procedure for City Environmental Quality Review (CEQR). The proposed action is classified as a Type I Action under SEQRA. As per section 6 NYCRR Part 617.4 (6)(i) is "a project or action that involves the physical alteration of 10 acres."

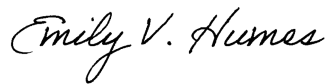
NYC Parks is planning to undertake capital improvements to entrances, paths, plaza and other infrastructure in portions of Fort Greene Park in Brooklyn, New York. The project combines several improvement projects proposed for Fort Greene Park that would be constructed as one project under a master contract. The proposed project seeks to facilitate the improvements to the following areas of Fort Greene Park: the Lower Plaza and Sidewalks; the Myrtle Avenue Landscape and Southeast Park Path; the Willoughby and St. Edwards Street Entrance and DeKalb Avenue Stairs; and, the West Park Landscape.

In accordance with Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 (CEQR), the New York City Department of Parks & Recreation (NYC Parks) assumed the role of lead agency for the environmental review of the Fort Greene Park Entrances, Paths, Plaza and Infrastructure Reconstruction project, as the project would be located primarily on property under the jurisdiction of NYC Parks. The assumption of lead agency status is consistent with the underlying mandate of CEQR that the appropriate lead agency should be the agency "primarily responsible for carrying out, funding or approving an action," as well as with the criteria listed in Section 5-03(h) of the Rules of Procedure for CEQR found at 62 RCNY Chapter 5. A Lead Agency Letter was circulated to involved and interested agencies on June 13, 2022.

Based on its review of the analysis and criteria contained in the EAS, NYC Parks has determined that the Proposed Action will not have a significant impact on the environment. Attached please find the Environmental Assessment, including the completed Part III of the EAS that includes the Determination of Significance and the Negative Declaration for the proposed project. Please contact me with any comments or questions at:
Emily.Humes@parks.nyc.gov.

Thank you for your consideration and cooperation.

Sincerely,



Emily Humes
Director of Environmental Review

Distribution List:

Honorable Antonio Reynoso, Brooklyn Borough President
Honorable Crystal Hudson, NYC Council District 35
Brooklyn Community Board District 2

CC: Martin Maher, Brooklyn Borough Commissioner, NYC Parks
Colleen Alderson, NYC Parks
Meredith Griffin, NYC Parks
Paul Kidonakis, NYC Parks
Chris Syrett, NYC Parks
Sybil Young, NYC Parks
Kay Zias, NYC Parks
Terrell Estes, NYC DEP
Gina Santucci, NYC LPC

Part III: DETERMINATION OF SIGNIFICANCE (To Be Completed by Lead Agency)

INSTRUCTIONS: In completing Part III, the lead agency should consult 6 NYCRR 617.7 and 43 RCNY § 6-06 (Executive Order 91 or 1977, as amended), which contain the State and City criteria for determining significance.

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

**Potentially
Significant
Adverse Impact**

IMPACT CATEGORY	YES	NO
Land Use, Zoning, and Public Policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socioeconomic Conditions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Community Facilities and Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Open Space	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shadows	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historic and Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Urban Design/Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water and Sewer Infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid Waste and Sanitation Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Greenhouse Gas Emissions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Neighborhood Character	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials?

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

3. Check determination to be issued by the lead agency:

☐ **Positive Declaration:** If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

☐ **Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

☒ **Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see [template](#)) or using the embedded Negative Declaration on the next page.

4. LEAD AGENCY'S CERTIFICATION

TITLE Director of Environmental Review and Program Delivery	LEAD AGENCY New York City Department of Parks & Recreation
NAME Emily Humes	DATE 6/2/2023
SIGNATURE <i>Emily V. Humes</i>	

NEGATIVE DECLARATION (Use of this form is optional)**Statement of No Significant Effect**

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

Reasons Supporting this Determination

The above determination is based on information contained in this EAS, which that finds the proposed project:

NYC Parks is planning to undertake capital improvements to entrances, paths, plaza and other infrastructure in portions of Fort Greene Park (the "Park") in Brooklyn, New York (the "Proposed Project"). The Project combines several improvement projects proposed for Fort Greene Park that would be constructed as one project under a master contract. The Proposed Project seeks to facilitate the improvements to the following areas of Fort Greene Park: the Lower Plaza and Sidewalks; the Myrtle Avenue Landscape and Southeast Park Path; the Willoughby and St. Edwards Street Entrance and DeKalb Avenue Stairs; and the West Park Landscape.

As indicated in the EAS Part II checklist, the Proposed Project does not include components or characteristics with the potential to significantly affect technical areas such as: Land Use, Zoning, Public Policy; Socioeconomics; Community Facilities; Shadows; Solid Waste; Energy; Transportation; Air Quality; Noise; and, Neighborhood Character. The technical analysis areas that required further analysis are: Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Natural Resources; Hazardous Materials; Water and Sewer Infrastructure; Greenhouse Gas Emissions and Climate Change; Public Health; and Construction Impacts. The conclusions from those analyses are summarized below:

Open Space: The Proposed Project honors the original design of the Lower Plaza and Memorial areas of Fort Greene Park, as well as improves drainage and erosion, safety, accessibility, circulation and connectivity in the Park that will result in beneficial effects to use and enjoyment of the Park. Thus, no significant impacts to Open Space are expected as a result of the Proposed Project

Historic and Cultural Resources: The New York City Landmarks and Preservation Commission (LPC) has reviewed the Proposed Project and indicated their approval in a series of LPC Binding Reports. To address archaeological concerns, an Unknown Discoveries Plan will be in place during excavation. Thus, no significant impacts to Historic and Cultural Resources are expected to result from the Proposed Project.

Urban Design and Visual Resources: The Proposed Project would not result in a change to the arrangement, appearance or functionality of the built environment that adversely affects the pedestrian experience. Further, the Proposed Project reintroduces the Martyrs' Monument to the plaza area of Fort Greene Park. Therefore, the Proposed Project is not expected to result in significant adverse impacts to Urban Design and Visual Resources.

Natural Resources: As part of the Proposed Project there are 78 trees to be removed - 30 trees removed for their condition and 48 trees removed to accommodate the design of the Proposed Project. However, the Proposed Project will result in the planting of 200 more diverse and native trees that will mitigate the loss of trees and canopy from the tree removals. There would be minimal impact to overall park canopy and replacement trees will have the equivalent trunk area of removed trees. Ample suitable habitat area exists in the Park for wildlife during construction and the Proposed Project will introduce new areas of vegetation that will create attractive habitat areas for Park wildlife. To protect less common migratory species, the construction contract will discourage tree removals during the breeding season and will only be allowed during this time under oversight of a qualified biologist. No site specific Rare, Threatened or Endangered species are known to be in the Park. Therefore, no adverse impacts to Natural Resources are anticipated to result from the Proposed Project.

Hazardous Materials: Based on the environmental conditions identified at the Project Site, a Remedial Action Plan (RAP) and Construction Health and Safety Plan (CHASP) were prepared and submitted to New York City Department of Environmental Protection to establish health and safety protocols and material management procedures to be followed during construction. The RAP and CHASP were reviewed and accepted by the New York City Department of Environmental Protection. Accordingly, no significant adverse impacts related to hazardous materials would result from the proposed Project.

Water and Sewer Infrastructure: The Proposed Project will address erosion at the Park, will direct stormwater to planted areas, and incorporates green infrastructure elements to reduce stormwater in the local sewer system. Therefore, no adverse Water and Sewer Infrastructure impacts are anticipated to result from the Proposed Project.

Greenhouse Gas Emissions and Climate Change: The proposed Project would generate similar levels of operational GHG emissions as the existing condition. Construction activities would have temporary contributions to GHG emission; however, the Proposed Project will make the Park more resilient and help reduce stormwater to the sewer system. Overall, the Proposed Project is not expected to result in significant GHG emissions contributions.

Public Health: The proposed Project would not result in unmitigated significant adverse impacts to air quality, water quality, hazardous materials, or noise. Therefore, no adverse impacts to Public Health are anticipated to result from the Proposed Project.

Construction: Construction activities of the project would be thoughtfully staged to accommodate park access and quality of experience during the construction period. Construction activities would be limited to the areas of proposed work to minimize site disturbances to the park. While there would be some minor temporary impacts during construction, there would be no adverse operational impacts to the park. Hazardous Materials will be addressed according to DEP-approved means and methods. An Unknown Discoveries Plan will be in place to address any unanticipated archaeological finds. Tree removals would be compensated for in accordance with the NYC Parks Tree Valuation Protocol and Local Law 3. Overall, the Proposed Project's construction effects would be considered short-term (i.e., less than 24 months) and there are not expected to be significant and adverse impacts related to construction activities from the Proposed Project.

No other significant effects upon the environment that would require the preparation of a Draft Environmental Impact Statement are foreseeable. This Negative Declaration has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law (SEQRA).

TITLE Director of Environmental Review and Program Delivery	LEAD AGENCY New York City Department of Parks & Recreation
NAME Emily Humes	DATE 6/2/2023
SIGNATURE <i>Emily V. Humes</i>	