

## **Brooklyn Bridge Park Pier 6 Upland Technical Memorandum Update**

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### **A. BACKGROUND**

AKRF, Inc. prepared a technical memorandum in November 2014 (2014 Technical Memorandum) to determine whether two previously approved but unbuilt residential buildings upland of Pier 6 of the Brooklyn Bridge Park Project (Pier 6 Project) would have the potential for any significant adverse environmental impacts not previously identified in the 2005 Final Environmental Impact Statement (the 2005 FEIS) for the Brooklyn Bridge Park Project. The 2014 Technical Memorandum concluded that the proposed Pier 6 Project, accounting for changes in background conditions and any relevant changes in the 2014 *City Environmental Quality Review (CEQR) Technical Manual* methodologies, would not result in any significant adverse environmental impacts not previously identified in the 2005 FEIS for the Brooklyn Bridge Park Project.

In June 2015, a memorandum was prepared to reflect further refinements to the Pier 6 Project, to consider whether background conditions had changed since preparation of the 2014 Technical Memorandum, and to determine if the conclusions of the 2014 Technical Memorandum remained valid. The June 2015 memorandum concluded that there had not been significant changes in background conditions or methodologies that would affect the conclusions of the 2014 Technical Memorandum, and that a proposed modification of the General Project Plan governing the Brooklyn Bridge Park Project (GPP) would not result in new significant adverse environmental impacts that had not been previously identified.<sup>1</sup>

Since June 2015, the Pier 6 Project has been further refined in order to comply with the existing GPP and to make the proposed GPP modification unnecessary. Construction of the Pier 6 Project would still require the authorization of leases for the Pier 6 Project by the BBP Board of Directors. As a further update to the Pier 6 Project's environmental review, this memorandum has been prepared to assess the following: 1) proposed revisions to the Pier 6 Project since the Technical Memorandum, as described below; 2) a revision to the anticipated time frame for the completion of the Pier 6 Project; and 3) the effects, if any, of relevant changes to background conditions and methodologies utilized in the Technical Memorandum or in the 2005 FEIS, as described more fully below.

### **ELIMINATION OF COMMUNITY SPACE AND PRE-KINDERGARTEN**

The existing GPP authorizes the development of two residential buildings upland of Pier 6, and specifies that the lower (Parcel B) building may contain ground floor retail. The GPP does not authorize use of the Pier 6 buildings for community space, including pre-kindergarten. The Pier

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<sup>1</sup> For the purpose of this update, the November 2014 Technical Memorandum and the June 2015 memorandum will be jointly referred to as the Technical Memorandum.

## **Brooklyn Bridge Park Pier 6 Upland Technical Memorandum Update**

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6 Project reviewed in the Technical Memorandum included up to 10,000 square feet of community facility use on the ground floor and second floor, divided between the two buildings, including a 75-seat pre-kindergarten, which as subsequently refined was proposed to be located in the Parcel B building. Without a modification to the GPP, community space, including space for a pre-kindergarten, would not be allowed and the revision to the Pier 6 Project eliminates the community space.

### **MODIFIED RETAIL SPACE**

The existing GPP authorizes the ground floor retail in the lower (Parcel B) building, and does not authorize ground floor retail in the taller (Parcel A) building. The Pier 6 Project reviewed in the Technical Memorandum included up to 5,000 square feet of neighborhood-oriented retail or non-fast food restaurant space on in the Parcel A building. Without a modification to the GPP, retail uses would not be allowed in the Parcel A building, and the revision to the Pier 6 Project eliminates the retail uses in the Parcel A building and proposes up to 6,000 square feet of neighborhood-oriented retail or non-fast food restaurant space on the ground floor of the Parcel B building.

### **MODIFIED BUILDING HEIGHTS**

The existing GPP authorizes the development of two buildings upland of Pier 6. The taller (Parcel A) building is described as approximately 315 feet in height with up to 290 residential units. The lower (Parcel B) building is described as approximately 155 feet in height with up to 140 residential units. Although not required by the existing GPP, the Pier 6 Project reviewed in the Technical Memorandum specified that the heights of both buildings would be inclusive of permanent structures and equipment. This change effectively lowered the heights of each of the buildings by three floors to accommodate mechanical equipment, bulkheads, and other structures within the authorized building envelope. The revision to the Pier 6 Project would retain the height of the Parcel A building (approximately 315 feet in height, including permanent structures and equipment), and add back three floors to the Parcel B building, resulting in a height of approximately 155 feet, exclusive of permanent structures and equipment (approximately 182 feet in height including permanent structures and equipment). To account for the structures and equipment above the building envelope on the Parcel B building, this memorandum assesses the potential impacts of those structures and equipment as they relate to the previous analyses of shadows and urban design in the 2005 FEIS.

### **REDUCTION IN NUMBER OF APARTMENTS AND REALLOCATION OF APARTMENTS**

The existing GPP authorizes a total of 430 apartments at the Pier 6 buildings, 290 apartments in the Parcel A building and 140 apartments in the Parcel B building. The 2005 FEIS assessed the potential environmental impacts of 430 apartments at the Pier 6 buildings. The analysis in the 2014 Technical Memorandum continued to assume that the two buildings constituting the Pier 6 Project would include a total of 430 apartments, but that the number of apartments in the Parcel B building might exceed 140. The revised Pier 6 Project would reduce the total number of units to 300, and reduce the number of apartments in the Parcel A building to a maximum of 160 and the Parcel B building to a maximum of 140. The 2005 FEIS and Technical Memorandum conservatively accounted for the greater number of units and do not need to be revisited as the reduction in units could only reduce any previously identified impacts and would not have the potential to result in new impacts. Further because of the proximity of the two buildings, the

allocation of units between the buildings would not affect any analyses. For purposes of this memorandum, where there are assessments that specifically account for the number of dwelling units (i.e., schools, open space, and transportation) the analyses appropriately consider the reduced number of units.

#### **LATER COMPLETION YEAR**

The Technical Memorandum assumed a project completion year of 2018. Because of delays in advancing the Pier 6 Project, the completion year is now anticipated to be 2019. For most analytical areas, the one year change has no consequence with respect to the assessment and conclusions presented in the Technical Memorandum. However, for certain analyses, specifically community facilities (schools) and open space, the change in the analysis year is relevant to the analysis and is reflected in this memorandum.

#### **POTENTIAL LOOP ROAD CLOSURE**

Consistent with the Technical Memorandum, the Loop Road “elbow,” a portion of the vehicular park road that lies between Parcel A and open space uses to the south and west, may be closed to traffic.

#### **CHANGES IN BACKGROUND CONDITIONS AND METHODOLOGIES**

With respect to changes attributable to the passage of time since the Technical Memorandum, background conditions and methodologies have remained largely the same since June 2015, with the exception that:

1. New schools data have been released, and a new intermediate school and a rezoning will result in additional elementary and intermediate school seats in the relevant school sub-district,
2. There are some changes in the inventory of background projects expected to be completed within the project study area, and
3. New York City has issued a new Waterfront Revitalization Program (WRP) Form and revised its policies. This new form is provided as an attachment.

As detailed below, this memorandum concludes that the revised Pier 6 Project would not result in any significant adverse environmental impacts not previously identified in the 2005 FEIS.

### **B. UPDATED ANALYSES TO ADDRESS PROJECT MODIFICATIONS**

#### **BACKGROUND CONDITIONS**

Since the Technical Memorandum was prepared, there have not been significant changes in background conditions that would affect the conclusions in the Technical Memorandum. Background projects, including work on Brooklyn Bridge Park and other development parcels, have generally progressed as anticipated. However, outside the park there have been some changes in the status and inventory of projects in the area. **Table 1** shows the development projects expected to be completed by the updated analysis year of 2019. Reference numbers 15-23 are new since the list was prepared for the November 2014 Technical Memorandum.

**Brooklyn Bridge Park Pier 6 Upland Technical Memorandum Update**

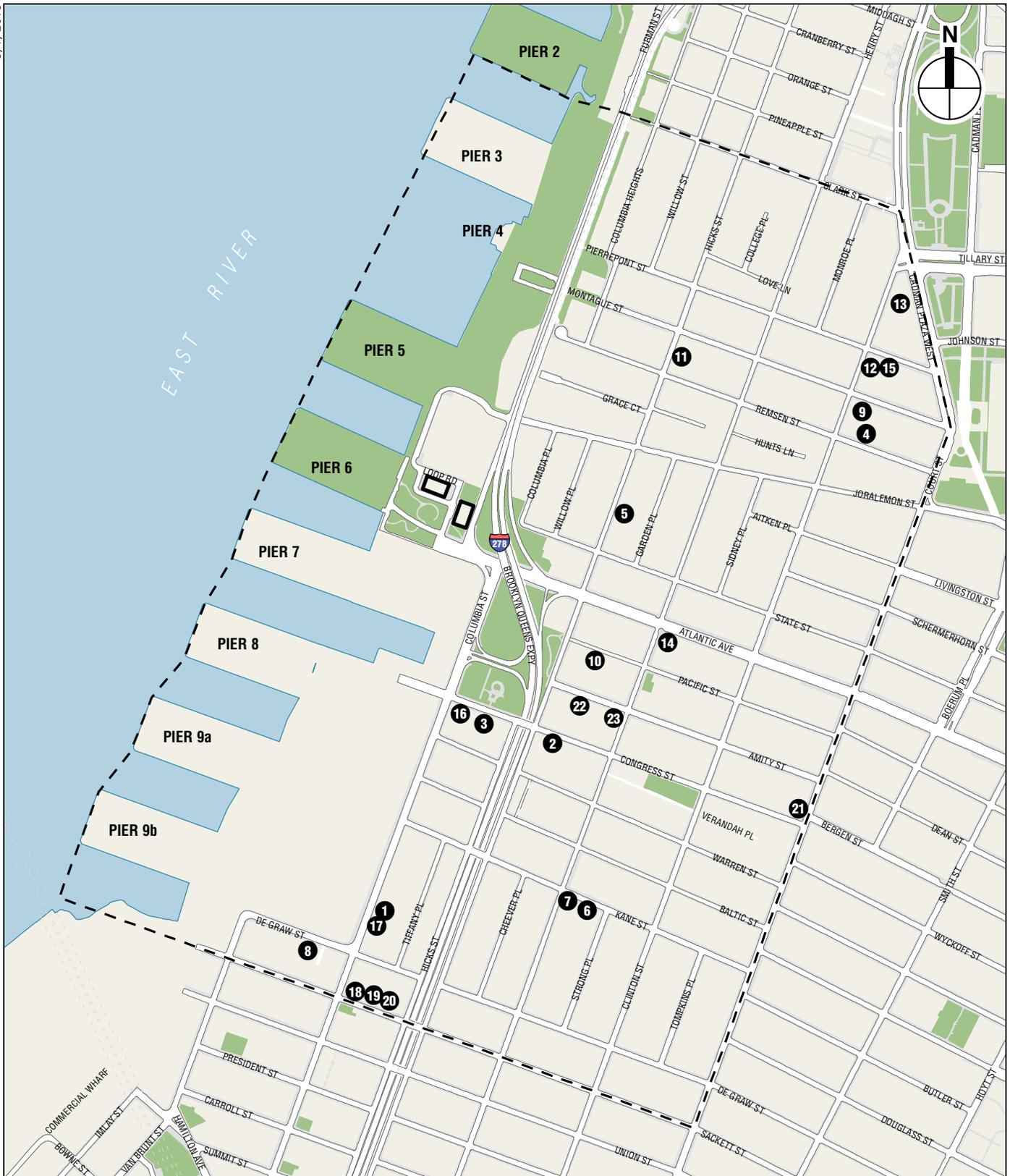
With respect to historic resources, two additional nearby properties have been determined eligible for listing on State and National Registers of Historic Places. The two properties, One Brooklyn Bridge Park, and a section of the Brooklyn-Queens Expressway (BQE), are discussed below under “Historic and Cultural Resources.”

**Table 1  
Development Projects Planned in the Study Area by 2019**

Ref. no. <sup>1</sup>	Project / Location	Potential Program	Status / Build Year
1	161 Columbia Street	4-story, 5,477 zsf residential use (4 units)	Under Construction/2017
2	110-118 Congress Street	9, 4-story single-family residential units	Under Construction
3	84 Congress Street	5-story, 6,720-zsf residential use (4 units)	2015/ CO Issued <sup>2</sup>
4	153 Remsen Street	19-story, 71,746-zsf residential use (60 units); 4,465-zsf restaurant and retail use	Under Construction/2016
5	295-299 Hicks Street	3, 4-story single-family residential units	Parking lot
6	158 Kane Street	2-story single-family residence	Under Construction
7	435 Henry Street	4-story single-family residence	Under Construction
8	96-98 Degraw Street	2, 3-story single-family residential units	Vacant
9	172 Montague Street	19 stories; 134,632 zsf residential (62 units); 13,673 zsf retail	2015/CO Issued <sup>2</sup>
10	Long Island College Hospital (LICH) 339 Hicks Street	900,000 zsf of residential use, 10,000 zsf retail, 105,000 zsf of healthcare use, 40,000 zsf public school	TBD <sup>3</sup>
11	Bossert Hotel 98 Montague Street	Conversion into a 280-room hotel	Under Construction
12	177 Montague Street	Conversion into a 12-unit residential building	2016/ CO Issued <sup>2</sup>
13	Brooklyn Public Library (280 Cadman Plaza West)	36-story building; redevelopment of 21,000-sf library; 139 market rate units; small retail space <sup>4</sup>	2019
14	112 Atlantic Avenue	4-story, 17,355 zsf residential use (8 units); 6,000 zsf of retail	Under Construction
15	146 Pierrepont Street	19-story, 128,758 zsf residential use (86 units); 6,036 zsf retail	Under Construction
16	63 Columbia Street	5-story, 14,219 zsf residential use (10 units)	TBD
17	163 Columbia Street	4-story, 5,485 zsf residential use (4 units)	Under Construction/2017
18	135 Sackett Street	3-story, 4,178 zsf residential use (3 units)	Parking lot
19	137 Sackett Street	4-story, 4,196 zsf residential use (3 units)	Parking lot
20	139 Sackett Street	3-story, 4,178 zsf residential use (3 units)	Parking lot
21	176 Court Street	5,500 zsf retail	Under Construction/2016
22	88-98 Amity Street	8, 5-story single-family residential units	Under Construction
23	350 Henry Street	8-story, 43,125 zsf residential (17 units)	Under Construction
<b>Note:</b>	1. See <b>Figure 1</b> for project locations. 2. Certificate of Occupancy (CO) has been issued; project is complete. 3. Based on updated information, Long Island College Hospital would not be completed by 2019, and therefore is not included in background conditions. 4. The project would also include 115 off-site affordable units within the same community district (Community District 2).		
<b>Sources:</b>	New York City Department of Buildings; media coverage; field visits in August 2014 and May 2016.		

**CEQR TECHNICAL MANUAL**

There have been no updates to the 2014 *New York City Environmental Review Technical Manual* that would result in changes to the conclusion of the Technical Memorandum, which determined that the Pier 6 Project would not result in any significant adverse environmental impacts not previously identified.



- Project Site
- Study Area
- No Build Projects



## **COMMUNITY FACILITIES AND SERVICES (SCHOOLS)**

Since the preparation of the Technical Memorandum, new schools data has been released. Therefore, this analysis uses the most recent data provided in the DOE's *Utilization Profiles: Enrollment/Capacity/Utilization*, 2014-2015 Edition. In addition, since the build year has been changed from 2018 to 2019, this analysis uses enrollment projections for 2019. This analysis accounts for the reduction in the number of residential units from 430 units to 300 units. Overall, accounting for these changes, consistent with the conclusions of the FEIS and the Technical Memorandum, the revised Pier 6 Project would not result in a significant adverse impact to public schools.

### *PREVIOUS ANALYSES*

According to the *CEQR Technical Manual*, a project has a significant adverse impact to schools only if would result in *both*: (1) a collective utilization rate of the elementary or intermediate schools of 100 percent or more in the future with the proposed project and (2) an increase of five percent or more in the collective utilization rate of such schools as a result of the proposed project. Because the Pier 6 Project analyzed in the Technical Memorandum was forecast to increase the utilization of elementary schools by 3.74 percentage points (to 144.33 percent) and increase the utilization of intermediate schools by 1.77 percentage points (to 81.92 percent), the Technical Memorandum concluded that the project would not result in significant adverse impacts to elementary schools or intermediate schools, in accordance with the guidance of the *CEQR Technical Manual*.

### *ANALYSIS OF PUBLIC SCHOOLS*

Following the methodologies in the *CEQR Technical Manual*, the study area for the analysis of elementary and intermediate schools is the school district's "sub-district" (also known as "regions" or "school planning zones") in which the project is located. The Pier 6 Project site is located in Sub-district 2 of CSD 13. According to the most recent enrollment/capacity/utilization data (for the 2014-2015 school year), there are eight elementary schools with 3,376 students in Sub-district 2/CSD 13 and a capacity of 3,116 seats. There are seven intermediate schools with 1,634 students in Sub-district 2/CSD 13 and a capacity of 2,637 seats. Elementary schools are operating at 108.34 percent utilization with a deficit of 260 seats and intermediate schools are operating at 61.96 percent utilization with a surplus of 1,003 seats.

Future conditions are predicted based on School Construction Authority (SCA) enrollment projections and data obtained from SCA's Capital Planning Division on the number of new housing units and students expected at the sub-district level. The future utilization rate for school facilities is calculated by adding the estimated enrollment from proposed residential projects in the schools' study area to DOE's projected enrollment, and then comparing that number with projected school capacity. In accordance with the *CEQR Technical Manual*, projected school capacity does not include temporary classroom buildings or charter school seats. Elementary school utilization is projected to grow in Sub-district 2/CSD 13, from 3,376 students under existing conditions to 4,697 students by 2019 with a capacity of 3,479 seats, which includes an additional 363 seats as a result of the relocation of Satellite West Middle School (135.01 percent utilization). Intermediate school utilization is also projected to grow, from 1,634 students under existing conditions to 2,359 students by 2019 with a capacity of 2,671 seats (88.32 percent utilization), which includes an additional 34 intermediate seats as a result of the Dock Street Campus.

## **Brooklyn Bridge Park Pier 6 Upland Technical Memorandum Update**

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According to *CEQR Technical Manual* methodologies, new capacity from new school projects identified in the DOE Five-Year Capital Plan are included if construction has begun or if deemed appropriate to include in the analysis by the lead agency and the SCA. The Dock Street Campus (I.S. 611) is a new 333-seat<sup>2</sup> intermediate school under construction for the sub-district, located at 19 Dock Street. However, the Satellite West Middle School, which is an existing intermediate school in the sub-district and currently has capacity for 299 seats, is planned to move to the new Dock Street Campus/I.S. 611. Therefore, overall, there will be a net gain of 34 intermediate seats. In addition, P.S. 8 and P.S. 307 have been rezoned so as to reduce the catchment areas for P.S. 8; the change is scheduled to go into effect for the 2016-2017 school year. Together, the rezoning and move of the Satellite West Middle School will result in an additional 363 elementary seats, according to DOE's Educational Impact Statement.<sup>3</sup> Since both of these measures have been approved by the Panel for Educational Policy, they have been included in the No Action condition.

While not accounted for in this analysis, DOE's *2015-2019 Proposed Five-Year Capital Plan—Amended March 2016* identifies additional need to create capacity within the DUMBO/Navy Yard/Fort Greene area of Sub-district 2 of CSD 13. Out of a total identified need for 2,777 seats at the PS/IS levels, DOE is currently proposing to fund creation of 1,953 seats (333 of which have already been funded at Dock Street). The exact locations of the rest of the proposed seats are not yet known.

Based on the proposed development of approximately 300 residential units and the student generation rates provided in the *CEQR Technical Manual* (0.29 elementary and 0.12 intermediate students per housing unit in Brooklyn), the revised Pier 6 Project would generate approximately 87 elementary school students and 36 intermediate school students. Enrollment for elementary schools would increase by 2.50 percentage points (from 135.01 to 137.51 percent utilization) in the future with the revised Pier 6 Project. Intermediate school utilization would increase by 1.35 percentage points in the future with the revised Pier 6 Project, remaining below 100 percent (from 88.32 to 89.67 percent). While utilization would be above 100 percent for elementary schools, the increases to the utilization rate from the Pier 6 Project would be below the 5 percentage point change that is considered a significant adverse impact, and would be lower than the increases projected in the Technical Memorandum. Utilization of intermediate schools with the revised Pier 6 Project is projected to remain below 100 percent. Therefore, the revised Pier 6 Project is not expected to result in a significant adverse impact to public schools.

### **OPEN SPACE**

Since the preparation of the Technical Memorandum, the build year for the revised Pier 6 Project has been changed from 2018 to 2019 and the revised Pier 6 Project is now anticipated to include 300 residential units, 130 fewer than previously proposed. As described above, adjustments have also been made to background projects anticipated to be complete by 2019. Based on this information, this section presents an update to the open space analysis provided in

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<sup>2</sup> DOE 2015-2019 Proposed Five-Year Capital Plan, Amended March 2016.

<sup>3</sup> DOE's Educational Impact Statement: The Proposed Re-Siting of Satellite West Middle School (13K313) to New Building K611 in the 2016-2017 School Year (October 2, 2015). [http://schools.nyc.gov/NR/rdonlyres/7E9BED87-11CB-496C-933A-F0C34FA9A541/187930/EIS13K313\\_vfinal.pdf](http://schools.nyc.gov/NR/rdonlyres/7E9BED87-11CB-496C-933A-F0C34FA9A541/187930/EIS13K313_vfinal.pdf).

## **Brooklyn Bridge Park Pier 6 Upland Technical Memorandum Update**

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the Technical Memorandum. As described above, the Loop Road “elbow” may be closed, which could result in an additional 10,000 sf of publicly accessible open space; however, to be conservative, this amount was not included in the quantitative open space analysis. Overall, accounting for these changes, consistent with the conclusions of the FEIS and the Technical Memorandum, the revised Pier 6 Project would not result in a significant adverse impact to open spaces.

### *PREVIOUS ANALYSES*

The 2005 FEIS concluded that the development of the Brooklyn Bridge Park Project would substantially improve open space conditions and would not result in any significant adverse impacts on open space. The Technical Memorandum concluded that with the Pier 6 Project, the total, active, and passive open space ratios would decrease by approximately 2.76 percent, but that the total open space ratio would remain above the citywide average of 1.5 acres per 1,000 residents. According to the *CEQR Technical Manual*, if a potential decrease in an open space ratio does not exceed 5 percent, it is generally not considered to be a substantial change. In accordance with the *CEQR Technical Manual*, the Technical Memorandum concluded that the Pier 6 Project would not result in any significant adverse impacts on open space resources.

### *PRELIMINARY ASSESSMENT OF OPEN SPACES*

A preliminary assessment of open space consists of calculating total residential and worker population, tallying the open space acreage within the ½-mile study area, and comparing the open space ratios for the future without and with the revised Pier 6 Project with the City’s acceptable open space ratios.

As detailed in **Table 2**, the study area contains eight open spaces that provide approximately 36.38 acres of open space.

**Brooklyn Bridge Park Pier 6 Upland Technical Memorandum Update**

**Table 2**  
**Existing Open Space Resources Within the Residential Study Area**

Name/Address	Owner/Agency	Features	Total Acres	Active Acres	Passive Acres
<b>Brooklyn Bridge Park</b>	BBP				
Pier 6 Upland		Sand volleyball courts, paths, seating, promenade, seating, playground area including water play, tot lot, and active play area	7.00	2.80	4.20
Pier 5		Multi-use recreation fields, play area, promenade, paths, seating	5.30	4.77	0.53
Pier 2-4 Upland		BBP Greenway, granite terrace, sculpture, lawn areas, seating	6.20	1.55	4.65
Pier 2		In-line and ice skating rink, handball, basketball, basketball, and bocce courts, play equipment, exercise equipment, paths, seating	4.60	4.14	0.46
Pier 4 Beach		Beach and tidal pool	1.30	0.00	1.30
Brooklyn Heights Promenade	DPR	Esplanade with vistas, playgrounds, sitting areas, trees, plants	2.56	1.02	1.54
111 Livingston Street		Seating	0.13	0.00	0.13
Adam Yauch Park	DPR	Benches, playground equipment, game tables, fitness equipment, dog run, comfort station, spray showers, sculpture, trees, plantings, basketball courts, community garden	1.36	0.68	0.68
Van Vorhees Park	DPR	Tennis, handball, and basketball courts, athletic field, play equipment, swings, comfort station, spray showers, sculpture, benches, flowers and trees	5.74	2.88	2.88
LICH Open Spaces	LICH	Playgrounds, seating	0.93	0.39	0.54
Cobble Hill Park	DPR	Play equipment, landscaping, trees, benches, tables	0.59	0.13	0.46
P.S. 29 Playground	DOE	Mostly paved play area, play equipment	0.67	0.67	0.00
<b>Total Existing Open Space, Residential Study Area</b>			<b>36.38</b>	<b>19.03</b>	<b>17.37</b>
<b>Sources:</b> Brooklyn Bridge Park Development Corporation; New York City Department of Parks and Recreation; 2005 <i>Brooklyn Bridge Park Project Final Environmental Impact Statement (FEIS)</i> ; field visits in August 2014 and May 2016.					

As shown in **Table 3**, the study area contains approximately 25,835 residents. In the future without the action, the study area is expected to contain approximately 26,763 residents. The revised Pier 6 Project would add approximately 559 new residents. The total open space ratio between the No Action and With Action conditions in 2019 would be reduced from 2.02 to 1.98 acres per 1,000 residents. According to the *CEQR Technical Manual*, if a potential decrease in an open space ratio does not exceed 5 percent, it is generally not considered to be a substantial change warranting a detailed analysis. As shown in the table, the total open space ratio, and the active and passive open space ratios would all decrease by approximately 2.05 percent. Therefore, a detailed open space assessment is not warranted, and the revised Pier 6 Project would not result in any significant adverse impacts on open space resources.

**Table 3**  
**Adequacy of Public Open Space Resources in the Study Area**

	Existing Condition	No Action	With Action
<b>Study Area Population<sup>1,2</sup></b>			
Residents	25,835	26,763	27,322
<b>Open Space Acreage<sup>3</sup></b>			
Total	36.38	53.98	53.98
Passive	17.37	26.51	26.51
Active	19.03	27.49	27.49
<b>Open Space Ratios (acres per 1,000 residents)</b>			
Total/Residents	1.41	2.02	1.98
Passive/Residents	0.67	0.99	0.97
Active/Residents	0.74	1.03	1.01
<b>Percent Change, No Action to With Action</b>			
		Total/Residents	-2.05%
		Passive/Residents	-2.05%
		Active/Residents	-2.05%
<p><b>Notes:</b> Planning Goal Ratios: 2.5 total acres/1,000 residents; 0.5 passive acres/1,000 residents; 2.0 active acres/1,000 residents                      City-wide Average Opens Space for Residents: 1.5 total acres/1,000 residents                      1. Existing residential totals based on 2010 U.S. Census populations for Census Tracts 3.01, 5.01, 5.02, 7, 9, 45, 47, and 49.                      2. The residential population in the future without the proposed project was estimated by applying the weighted average household size for the study area (1.86 persons per household) to the number of new dwelling units expected to be added by developments in the study area.                      3. See Table 2.  <b>Sources:</b> Brooklyn Bridge Park Development Corporation; New York City Department of Parks and Recreation; 2005 <i>Brooklyn Bridge Park Project Final Environmental Impact Statement (FEIS)</i>; field visits in August 2014 and May 2016.</p>			

**SHADOWS**

The 2005 FEIS accounted for two buildings at Pier 6. The Parcel A building was assumed to reach a maximum height of 315 feet and the Parcel B building a maximum height of 155 feet. The shadow analysis in the 2005 FEIS did not account for any structures that could be constructed above the building envelope. The Pier 6 Project would now be modified so that the Parcel A building would include such structures within the 315 foot building envelope and the Parcel B building would result in a maximum height of approximately 182 feet, including permanent structures and equipment. . Based on the guidance of the *CEQR Technical Manual*, this section updates the shadows analysis in the 2005 FEIS.

*PREVIOUS ANALYSES*

The 2005 FEIS identified five sunlight-sensitive resources that would be affected by incremental shadow from the two residential buildings at Pier 6. The durations of incremental shadow on the resources from the 2005 FEIS are presented in the following table (see **Table 4**).

**Table 4**  
**Incremental Shadow Durations Presented in 2005 FEIS**

Analysis day and timeframe window	March 21 / Sept. 21	May 6 / August 6	21-Jun	21-Dec
	7:36 AM-4:29 PM	6:27 AM-5:18 PM	5:57 AM-6:01 PM	8:51 AM-2:53 PM
<b>Incremental Shadow</b>				
Pier 6 Waterfront	7:36 AM – 11:15 AM	6:27 AM – 11:00 AM	5:57 AM – 11:00 AM	8:51 AM - 12:15 PM
	Total: 3 hr 39 min	Total: 4 hr 33 min	Total: 5 hr 3 min	Total: 3 hr 24 min
Pier 6 Upland	7:36 AM – 4:29 PM	6:27 AM – 5:18 PM	5:57 AM – 6:01 PM	8:51 AM - 2:53 PM
	Total: 8 hr 53 min	Total: 10 hr 51 min	Total: 12 hr 4 min	Total: 6 hr 2 min
Pier 5	-	-	-	9:00 AM - 12:45 PM
				Total: 3 hr 45 min
Brooklyn Heights Historic District	3:15 PM – 4:29 PM	3:45 PM – 5:18 PM	3:45 PM – 6:01 PM	2:30 PM – 2:53 PM
	Total: 1 hr 14 min	Total: 1 hr 33 min	Total: 2 hr 16 min	Total: 23 min
Adam Yauch Park (formerly Palmetto Playground)	3:15 AM – 4:29 AM	3:45 PM – 5:18 PM	3:45 PM – 6:01 PM	-
	Total: 1 hr 14 min	Total: 1 hr 33 min	Total: 2 hr 16 min	
<b>Notes</b>				
Table indicates entry and exit times and total duration of incremental shadow for each sunlight-sensitive resource. Daylight saving time is not used—times are Eastern Standard Time, per <i>CEQR Technical Manual</i> guidelines. However, as Eastern Daylight Time is in effect for the March/September, May/August and June analysis periods, add one hour to the given times presented in the 2005 FEIS.				
<b>Source:</b> 2005 FEIS.				

*DETAILED SHADOW ANALYSIS*

Based on the guidance of the *CEQR Technical Manual*, a detailed shadow analysis was performed of the Parcel A and Parcel B building heights in the modified proposal. The analysis did not identify any sunlight-sensitive resources in addition to those identified in the 2005 FEIS that would be affected by the Pier 6 Project. The results of the detailed analysis found small changes in the total duration of incremental shadow falling on the affected resources. Compared to the results of the 2005 FEIS, the change in duration of incremental shadow is presented in the below table (see **Table 5**).

**Table 5**  
**Change in Incremental Shadow Durations from 2005 FEIS**

Analysis Day	March 21 / Sept. 21	May 6 / August 6	June 21	December 21
Pier 6 Waterfront	No Change	No Change	No Change	No Change
Pier 6 Upland	No Change	No Change	No Change	No Change
Pier 5	No Change	No Change	No Change	No Change
Brooklyn Heights Historic District	+ 25 minutes	No Change	No Change	+ 30 minutes
Adam Yauch Park	+ 20 minutes	+ 25 minutes	No Change	No Change

As shown in the table, the Pier 6 Waterfront, Pier 6 Upland and Pier 5 would experience no change in the duration of incremental shadow from what was previously disclosed in the 2005 FEIS. The Brooklyn Heights Historic District would experience a 25 and 30 minute increase in the duration of incremental shadow on the March 21 / September 21 and December 21 analysis days, respectively.. Adam Yauch Park would experience a 20 and 35 minute increase in the duration of incremental shadow on the March 21 / September 21 and May 6 / August 6 analysis

days, respectively. During the June and December analysis period there would be no change in shadow duration.

The minor increase in shadow duration on the Brooklyn Heights Historic District would primarily affect the roofs and backyards of some buildings along portions of Columbia Place and Joralemon Street in the Historic District, locations where sunlight-sensitive architectural features are less common. Brief durations (approximately 10 minutes) of incremental shadow would be added to the street-facing facades of buildings along Willow Place but would not alter the architectural integrity of the resource or prevent the public from enjoyment of the resource. The increase in incremental shadow on Adam Yauch Park would occur in small patches along Columbia Place. The small area affected by new shadow would continue to receive over six hours of direct sunlight on March 21 / September 21 analysis day and over seven hours of direct sunlight on the May 5 / August 5 analysis day. The ample durations of sunlight would allow for continued enjoyment of the open space by its users and survival of vegetation within the park. Therefore, the revised Pier 6 Project would not alter the conclusions reached in the 2005 FEIS that no sunlight sensitive resource would experience a significant adverse shadow impact.

#### **URBAN DESIGN AND VISUAL RESOURCES**

The proposed change in height of the buildings at the Pier 6 Project would not result in significant adverse impacts on urban design or visual resources, or the pedestrian's experience of these characteristics of the built and natural environment. As described above, no modification is proposed with respect to the building footprints or site plan. As revised, the Parcel A building authorized height would include permanent structures and equipment, and the Parcel B building height would remain exclusive of permitted obstructions above the authorized 155 foot building envelope. The change in height would not alter the conclusions of the FEIS. With respect to urban design, the FEIS concluded that the uses proposed for the project site would be consistent or compatible with existing uses in the study area, that the residential uses proposed at the park's edges would serve to lessen the barrier created by the Brooklyn-Queens Expressway (BQE), and that the new uses would increase the level of street life and introduce active uses along the waterfront. The proposed change in height would not alter these conclusions. The proposed height change would also not adversely impact visual resources. The proposed buildings are not located within the area protected by the Brooklyn Heights Scenic View District. While the proposed change in height of the smaller building may make it more visible in certain locations, the change would not obstruct views to any visual resources as identified in the FEIS, including the Lower Manhattan skyline, Governors Island, Brooklyn Bridge, Statue of Liberty, New York Harbor, or nearby buildings located in the Brooklyn Heights Historic District. Overall, the change to the pedestrian experience would be minimal and the proposed change would not adversely impact the vitality, the walkability, or visual character of the area.

#### **HISTORIC AND CULTURAL RESOURCES**

Since completion of the 2005 FEIS, two nearby properties have been determined eligible for listing on the State and National Registers of Historic Places (S/NR). These are the former New York Dock Trade Facilities Building, which has been converted to residential use at 360 Furman Street (aka One Brooklyn Bridge Park) and the three-level section of the BQE. One Brooklyn Bridge Park is a large concrete and steel structure that was designed by Russell G. Cory and built in 1928-29 to house manufacturing tenants. It is significant for its engineering design. The three-level section of the BQE spans approximately 8-blocks north of Atlantic Avenue, overhanging Furman Street. This portion of the BQE is significant as an innovative solution to

## **Brooklyn Bridge Park Pier 6 Upland Technical Memorandum Update**

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construct a modern highway while preserving the integrity of the Brooklyn Heights neighborhood and preserving views to Manhattan.

The revised Pier 6 Project would have no significant adverse contextual impacts on One Brooklyn Bridge Park. Though the proposed buildings to be constructed to the south of One Brooklyn Bridge Park would partially obstruct views from the south, One Brooklyn Bridge Park would remain prominently visible in views from the north, including from Joralemon Street; from the east, including from Furman Street and from the Brooklyn Heights Historic District and Esplanade; and from the west from Brooklyn Bridge Park along the waterfront. The revised Pier 6 Project would not result in significant changes to the views to One Brooklyn Bridge Park.

As described in the August 2008 Construction Protection Plan (CPP) prepared for the Brooklyn Bridge Park project, the selected developers for the development parcels would be responsible for protecting historic structures located within 90 feet of the development sites. Therefore, the selected developer for the revised Pier 6 Project would develop and implement construction protection measures as appropriate to avoid any inadvertent damage to One Brooklyn Bridge Park.

Since the proposed buildings are located across Furman Street from the BQE, they would not adversely affect the setting or significant features of the BQE.

### **TRANSPORTATION**

Compared to the project assessed in the Technical Memorandum, the revised Pier 6 Project would have 130 fewer apartments and up to an additional 1,000 square feet of neighborhood-oriented retail or non-fast food restaurant space for a total of 300 apartments and up to 6,000 square feet of neighborhood-oriented retail or non-fast food restaurant space. **Table 6** presents the trip generation estimates comparison between the project assessed in the Technical Memorandum and the revised Pier 6 Project.

As presented in **Table 6**, the revised Pier 6 Project would result in fewer trips overall as compared to the project assessed in the Technical Memorandum. As with the project evaluated in the Technical Memorandum, given its relatively small scale the revised Pier 6 Project would not require detailed studies and would not have the potential to result in new significant traffic impacts.

**Table 6  
Trip Generation Summary Comparison**

Peak Hour	In/Out	Person Trip							Vehicle Trip				
		Auto	Taxi	Subway	Bus	School Bus	Walk	Total	Auto	Taxi	School Bus	Delivery	Total
<b>Project Assessed in Technical Memorandum</b>													
AM	In	23	1	46	4	0	94	168	15	5	0	3	23
	Out	26	6	204	6	0	77	319	30	5	0	3	38
	Total	49	7	250	10	0	171	487	45	10	0	6	61
Midday	In	31	6	65	6	0	57	165	17	5	0	2	24
	Out	20	4	63	4	0	38	129	12	5	0	2	19
	Total	51	10	128	10	0	95	294	29	10	0	4	43
PM	In	36	7	181	7	0	95	326	34	7	0	0	41
	Out	34	4	96	7	0	115	256	22	7	0	0	29
	Total	70	11	277	14	0	210	582	56	14	0	0	70
<b>Revised Pier 6 Project</b>													
AM	In	6	1	27	1	0	12	47	4	4	0	2	10
	Out	18	4	142	4	0	35	203	15	4	0	2	21
	Total	24	5	169	5	0	47	250	19	8	0	4	31
Midday	In	33	6	47	6	0	61	153	17	5	0	2	24
	Out	20	3	44	3	0	37	107	11	5	0	2	18
	Total	53	9	91	9	0	98	260	28	10	0	4	42
PM	In	32	7	128	7	0	59	233	21	5	0	0	26
	Out	16	3	63	3	0	30	115	11	5	0	0	16
	Total	48	10	191	10	0	89	348	32	10	0	0	42
<b>Difference between Revised Pier 6 Project and Technical Memorandum</b>													
AM	In	-17	0	-19	-3	0	-82	-121	-11	-1	0	-1	-13
	Out	-8	-2	-62	-2	0	-42	-116	-15	-1	0	-1	-17
	Total	-25	-2	-81	-5	0	-124	-237	-26	-2	0	-2	-30
Midday	In	2	0	-18	0	0	4	-12	0	0	0	0	0
	Out	0	-1	-19	-1	0	-1	-22	-1	0	0	0	-1
	Total	2	-1	-37	-1	0	3	-34	-1	0	0	0	-1
PM	In	-4	0	-53	0	0	-36	-93	-13	-2	0	0	-15
	Out	-18	-1	-33	-4	0	-85	-141	-11	-2	0	0	-13
	Total	-22	-1	-86	-4	0	-121	-234	-24	-4	0	0	-28

As described above, the proposed 6,000 square feet of neighborhood-oriented retail or non-fast food restaurant space would be located in the Parcel B building instead of the Parcel A building, as previously analyzed in the Technical Memorandum. This would result in small changes in trip assignment distributions limited to within the internal loop road, but the trip assignment distributions at the external city street locations would be the same as those assumed in the Technical Memorandum.

With respect to parking, the Technical Memorandum assumed the Pier 6 Project would include up to 72 on-site parking spaces, as authorized by the GPP. At this time, it is more likely that the revised Pier 6 Project would not provide on-site parking spaces. In that event, the Project's estimated parking demand for approximately 105 spaces would be distributed to other public parking facilities in the area, with the greatest percentage anticipated to park at the public garage at 360 Furman Street across the street. Accounting for this change would not affect any of the conclusions of the Technical Memorandum's transportation analyses. Absent on-site parking, traffic generated by the revised Pier 6 Project would likely disperse more widely to other garages, thereby reducing the incremental traffic impacts of concentrating such trips to a single location, as assumed in the Technical Memorandum. Moreover, vehicles using the garage at 360 Furman Street would have the same route distribution assumed in the Technical Memorandum for vehicles using a garage at the Pier 6 Project. In either case, the *CEQR Technical Manual* states that if a quantified traffic analysis is not required, it is likely that a parking assessment is

not warranted. As discussed above, a detailed quantitative traffic study is not warranted and the proposed project is not expected to result in any significant adverse traffic impacts. Therefore, a detailed parking analysis is not required and the level of demand would not have the potential to result in significant parking impacts.

### **WATERFRONT REVITALIZATION PROGRAM**

The Pier 6 Project site is located within the boundaries of the coastal zone. Pursuant to Federal legislation, New York State and City have adopted policies aimed at protecting resources in the coastal zone. New York City's Waterfront Revitalization Program (WRP) contains 10 major policies, each with several objectives focused on improving public access to the waterfront; reducing damage from flooding and other water-related disasters; protecting water quality, sensitive habitats, such as wetlands, and the aquatic ecosystem; reusing abandoned waterfront structures; and promoting development with appropriate land uses. The New York State Department of State (NYSDOS) or the applicable state agency has this responsibility on the state level. Planning for the Pier 6 Project was undertaken in accordance with the coastal policies, as demonstrated in the attached completed WRP Form, which provides a detailed explanation of the compatibility with WRP policies. The revised Pier 6 Project would be consistent with the 10 WRP policies.

See **Attachment A** for the WRP Consistency Assessment Form and discussion of the 10 WRP policies.

### **C. CONCLUSION**

Overall, there have not been significant changes to either the Pier 6 Project or to background conditions that would result in new significant adverse environmental impacts that have not been previously identified. For schools, considering the new enrollment, capacity, and utilization data and adjusted build year, consistent with the findings of the 2005 FEIS and Technical Memorandum, the revised Pier 6 Project would not result in a significant adverse environmental impact. For open spaces, accounting for the adjusted build year and background projects, again consistent with the 2005 FEIS and Technical Memorandum, the revised Pier 6 Project would not result in a significant adverse impact to open spaces. Similarly, no new significant adverse impacts have been identified with respect to any other analysis areas. Therefore, the conclusions of the previous studies remain valid and a Supplemental Environmental Impact Statement is not required. \*

FOR INTERNAL USE ONLY

Date Received: \_\_\_\_\_

WRP No. \_\_\_\_\_

DOS No. \_\_\_\_\_

## NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the [New York City Waterfront Revitalization Program](#) (WRP) which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

### A. APPLICANT INFORMATION

Name of Applicant: Brooklyn Bridge Park Corporation

Name of Applicant Representative: David Lowin

Address: 334 Furman Street, Brooklyn, NY 11201

Telephone: (718) 724-6437 Email: dlowin@bbpnyc.org

Project site owner (if different than above): Brooklyn Bridge Park Development Corporation

### B. PROPOSED ACTIVITY

*If more space is needed, include as an attachment.*

#### 1. Brief description of activity

Brooklyn Bridge Park is a 85-acre public park on the East River waterfront in Brooklyn, NY, operated and managed by the Brooklyn Bridge Park Corporation (BBP). The proposed activity is a revision to the proposed development of two residential buildings on the Pier 6 upland (Pier 6 Project). A technical memorandum, dated June 3, 2016, assesses the proposed revisions to the Pier 6 Project since the 2014 Technical Memorandum, a revision to the anticipated time frame for the completion of the Pier 6 Project, and the effects, if any, of relevant changes to background conditions and methodologies utilized in previous environmental reviews. The Pier 6 Project has been refined in order to comply with the existing GPP. The revisions include the elimination of community space, modified retail space, and modified building heights. The revised Pier 6 Project would also reduce the total number of units from a maximum of 430 to a maximum of 300.

#### 2. Purpose of activity

The proposed revisions to the Pier 6 Project would eliminate community space, alter the building heights so that the building on Parcel A would be approximately 315 feet, inclusive of permanent structures and equipment and the building on Parcel B would be 155 feet, exclusive of permanent structures and equipment (approximately 182 feet in height including permanent structures and equipment); and reduce the maximum number of dwelling units from 430 to 300. Parcel A would have up to 160 units and Parcel B would have up to 140 units. Also, retail space would be eliminated from Parcel A and up to approximately 6,000 square feet of retail would be added to Parcel B.

**C. PROJECT LOCATION**

Borough: Brooklyn Tax Block/Lot(s): Block 245, Lot 29.

Street Address: Atlantic Avenue, Furman Street and Loop Road

Name of water body (if located on the waterfront): The East River

**D. REQUIRED ACTIONS OR APPROVALS**

Check all that apply.

**City Actions/Approvals/Funding**

**City Planning Commission**       Yes     No

<input type="checkbox"/> City Map Amendment	<input type="checkbox"/> Zoning Certification	<input type="checkbox"/> Concession
<input type="checkbox"/> Zoning Map Amendment	<input type="checkbox"/> Zoning Authorizations	<input type="checkbox"/> UDAAP
<input type="checkbox"/> Zoning Text Amendment	<input type="checkbox"/> Acquisition – Real Property	<input type="checkbox"/> Revocable Consent
<input type="checkbox"/> Site Selection – Public Facility	<input type="checkbox"/> Disposition – Real Property	<input type="checkbox"/> Franchise
<input type="checkbox"/> Housing Plan & Project	<input type="checkbox"/> Other, explain: _____	
<input type="checkbox"/> Special Permit		

(if appropriate, specify type:  Modification  Renewal  other) Expiration Date: \_\_\_\_\_

**Board of Standards and Appeals**       Yes     No

<input type="checkbox"/> Variance (use)	
<input type="checkbox"/> Variance (bulk)	
<input type="checkbox"/> Special Permit	

(if appropriate, specify type:  Modification  Renewal  other) Expiration Date: \_\_\_\_\_

**Other City Approvals**

<input type="checkbox"/> Legislation	<input type="checkbox"/> Funding for Construction, specify: _____
<input type="checkbox"/> Rulemaking	<input type="checkbox"/> Policy or Plan, specify: _____
<input type="checkbox"/> Construction of Public Facilities	<input type="checkbox"/> Funding of Program, specify: _____
<input type="checkbox"/> 384 (b) (4) Approval	<input type="checkbox"/> Permits, specify: _____
<input checked="" type="checkbox"/> Other, explain: <u>Authorization of leases for the Pier 6 Project</u>	

**State Actions/Approvals/Funding**

<input type="checkbox"/> State permit or license, specify Agency: _____	Permit type and number: _____
<input type="checkbox"/> Funding for Construction, specify: _____	
<input type="checkbox"/> Funding of a Program, specify: _____	
<input type="checkbox"/> Other, explain: _____	

**Federal Actions/Approvals/Funding**

<input type="checkbox"/> Federal permit or license, specify Agency: _____	Permit type and number: _____
<input type="checkbox"/> Funding for Construction, specify: _____	
<input type="checkbox"/> Funding of a Program, specify: _____	
<input type="checkbox"/> Other, explain: _____	

Is this being reviewed in conjunction with a [Joint Application for Permits?](#)       Yes       No

## E. LOCATION QUESTIONS

1. Does the project require a waterfront site?  Yes  No
2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters?  Yes  No
3. Is the project located on publicly owned land or receiving public assistance?  Yes  No
4. Is the project located within a FEMA 1% annual chance floodplain? (6.2)  Yes  No
5. Is the project located within a FEMA 0.2% annual chance floodplain? (6.2)  Yes  No
6. Is the project located adjacent to or within a special area designation? See [Maps – Part III](#) of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).
  - Significant Maritime and Industrial Area (SMIA) (2.1)
  - Special Natural Waterfront Area (SNWA) (4.1)
  - Priority Martine Activity Zone (PMAZ) (3.5)
  - Recognized Ecological Complex (REC) (4.4)
  - West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (2.2, 4.2)

## F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder or Not Applicable (N/A). For more information about consistency review process and determination, see **Part I** of the [NYC Waterfront Revitalization Program](#). When assessing each policy, review the full policy language, including all sub-policies, contained within **Part II** of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).

For those policies checked Promote or Hinder, provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.

		Promote	Hinder	N/A
<b>I</b>	<b>Support and facilitate commercial and residential redevelopment in areas well-suited to such development.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.4	In areas adjacent to SMIA's, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
I.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

		Promote	Hinder	N/A
<b>2</b>	<b>Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>3</b>	<b>Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.1.	Support and encourage in-water recreational activities in suitable locations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.3	Minimize conflicts between recreational boating and commercial ship operations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4</b>	<b>Protect and restore the quality and function of ecological systems within the New York City coastal area.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.5	Protect and restore tidal and freshwater wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.8	Maintain and protect living aquatic resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Promote	Hinder	N/A
<b>5</b>	<b>Protect and improve water quality in the New York City coastal area.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.1	Manage direct or indirect discharges to waterbodies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>6</b>	<b>Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in <i>New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms</i> ) into the planning and design of projects in the city's Coastal Zone.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7</b>	<b>Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.2	Prevent and remediate discharge of petroleum products.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>8</b>	<b>Provide public access to, from, and along New York City's coastal waters.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.3	Provide visual access to the waterfront where physically practical.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>9</b>	<b>Protect scenic resources that contribute to the visual quality of the New York City coastal area.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.2	Protect and enhance scenic values associated with natural resources.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>10</b>	<b>Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.2	Protect and preserve archaeological resources and artifacts.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

## G. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: David Lowin

Address: 334 Furman Street, Brooklyn, NY 11201

Telephone: (718) 724-6437 Email: dlowin@bbpnyc.org

Applicant/Agent's Signature: 

Date: 6/2/2016

## Submission Requirements

For all actions requiring City Planning Commission approval, materials should be submitted to the Department of City Planning.

For local actions not requiring City Planning Commission review, the applicant or agent shall submit materials to the Lead Agency responsible for environmental review. A copy should also be sent to the Department of City Planning.

For State actions or funding, the Lead Agency responsible for environmental review should transmit its WRP consistency assessment to the Department of City Planning.

For Federal direct actions, funding, or permits applications, including Joint Applicants for Permits, the applicant or agent shall also submit a copy of this completed form along with his/her application to the [NYS Department of State Office of Planning and Development](#) and other relevant state and federal agencies. A copy of the application should be provided to the NYC Department of City Planning.

The Department of City Planning is also available for consultation and advisement regarding WRP consistency procedural matters.

### **New York City Department of City Planning**

Waterfront and Open Space Division  
120 Broadway, 31<sup>st</sup> Floor  
New York, New York 10271  
212-720-3525  
wrp@planning.nyc.gov  
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### **New York State Department of State**

Office of Planning and Development  
Suite 1010  
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## Applicant Checklist

- Copy of original signed NYC Consistency Assessment Form
- Attachment with consistency assessment statements for all relevant policies
- For Joint Applications for Permits, one (1) copy of the complete application package
- Environmental Review documents
- Drawings (plans, sections, elevations), surveys, photographs, maps, or other information or materials which would support the certification of consistency and are not included in other documents submitted. All drawings should be clearly labeled and at a scale that is legible.

## WRP POLICY ANALYSIS

For each policy and sub-policy question that was answered “promote” or “hinder” in the CAF, the analysis provided below includes a discussion of the policy’s applicability to the proposed revisions to the Pier 6 Project (the “proposed revisions”) and the revised Pier 6 Projects’ consistency with the respective policy.

**Policy 1:** *Support and facilitate commercial and residential redevelopment in areas well-suited to such development.*

*Policy 1.1: Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.*

The Pier 6 Project (Parcels A and B) would be developed adjacent to properties that have mixed commercial and residential land uses. The Pier 6 Project site is well served by public transit; and is located within walking distance of the Borough Hall, Court Street and Jay Street Metro Tech Subway Stations. The Area is also accessible by the B63 and B61 Bus Routes. The proposed revisions do not affect the Pier 6 Project’s compatibility with this policy, therefore the Pier 6 Project and its proposed revisions are consistent with this policy.

*Policy 1.2: Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.*

The Pier 6 Project would contribute funding for the operation and maintenance of Brooklyn Bridge Park, which provides waterfront access, open space, visual access, upland connections, and water-related uses. The revised Pier 6 Project will therefore enhance the public enjoyment of the waterfront. For these reasons, the Pier 6 Project and the proposed revisions are consistent with this policy.

*Policy 1.3: Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.*

The Pier 6 Project would be built at a density compatible with the capacity of the surrounding roadways, mass transit, and other essential community services such as public schools. The project would not cause significant adverse impacts with respect to public facilities and infrastructure, including schools and open space. Moreover, the proposed revisions would decrease the unit count of the Pier 6 Project, which would in turn reduce the demand previously assumed from the associated population. Therefore, the Pier 6 Project with the proposed revisions is consistent with this policy.

*Policy 1.4: In areas adjacent to SMIA's, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.*

The Pier 6 Project is near the Red Hook Significant Maritime Industrial Area (SMIA); it is separated from the Red Hook SMIA by open spaces in Brooklyn Bridge Park and/or Atlantic Avenue. The proposed revisions would not result in significant adverse impacts to noise, air, and traffic. Further, in accordance with Policy 1.4, the lease for the proposed Pier 6 Project would require that the developer disclose to potential residents that the development is located within one block of the Red Hook SMIA and that active industrial uses are present in the SMIA consistent with City policy. The proposed revisions would not alter aspects of the Pier 6 Project that pertain to this policy. For these reasons, the revised Pier 6 Project would be consistent with this policy.

*1.5: Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.*

The Pier 6 Project would fully consider potential risks related to coastal flooding. The proposed revisions and the Pier 6 Project would be in full compliance with the *New York City Building Code*. Furthermore, residential units would be located above the Base Flood Elevation (BFE). For these reasons, the Pier 6 Project with the proposed revisions is consistent with this policy.

**Policy 4:** *Protect and restore the quality and function of ecological systems within the New York City Coastal Area.*

*Policy 4.4: Identify, remediate and restore ecological functions within Recognized Ecological Complexes.*

The Pier 6 Project would not adversely affect the Pier 4 Beach and Habitat Island a Recognized Ecological Complex, within Brooklyn Bridge Park. As evaluated in the 2005 FEIS, implementation of the Storm Water Pollution Prevention Plan (SWPPP) during and following construction would minimize the potential for stormwater runoff to adversely affect the Pier 4 Beach and Habitat Island. Additionally, the proposed revisions to the Pier 6 Project would not result in any change to landscaping between the project and the Pier 4 Beach and Habitat Island. Therefore, the Pier 6 Project with the proposed revisions is consistent with this policy.

**Policy 5:** *Protect and improve water quality in the New York City coastal area.*

*Policy 5.1: Manage direct or indirect discharges to waterbodies.*

As described above, a SWPPP will be implemented as part of the construction and operation of the Pier 6 Project. All effluent discharges that result from heating, air conditioning and industrial facilities will be managed properly and will not cause negative impacts to fish and wildlife habitats in Brooklyn Bridge Park or the surrounding areas. The proposed revisions to the Pier 6 Project would not alter aspects of the Pier 6 Project that pertain to this policy. Therefore, the Pier 6 Project with the proposed revisions would be consistent with this policy.

*Policy 5.2: Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.*

As described above, the SWPPP prepared for the Pier 6 Project would include erosion and sediment control measures consistent with the New York Standards and Specifications for Erosion and Sediment Controls to minimize the potential for discharge of sediments to the East River during construction. The post-construction stormwater control measures implemented under the SWPPP would comply with the applicable version of the *New York State Stormwater Management Design Manual*. Therefore, the Pier 6 Project with the proposed revisions is consistent with this policy.

*5.5: Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.*

The Pier 6 Project is expected to implement grey-water strategies, including connecting to subsurface retention tanks in the Park. Additionally, the implementation of the SWPPP will minimize the potential for stormwater discharges to adversely affect aquatic resources of the East River. The proposed revisions would not alter aspects of the Pier 6 Project that pertain to this policy. Therefore, the Pier 6 Project with the proposed revisions is consistent with this policy.

**Policy 6:** *Minimize loss of life, structures, and natural resources caused by flooding and erosion.*

*Policy 6.1: Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.*

The Pier 6 Project is located within the 100-year floodplain, within Zone AE. The 100-year flood elevation is at 12 feet NAVD88. The design of the Pier 6 Project would comply with *New York City Building Code* requirements for construction within the 100-year floodplain for the applicable building category.

The *New York City Building Code* has been updated to improve the resiliency of all new buildings in flood zones. In addition, the proposed buildings would include preemptive design decisions to be responsive to the risk of flooding due to current and future storm flood levels (see Policy 6.2). If

rising sea levels require additional modifications, such as flood proofing the outer perimeter of the ground floor, these modifications could be made at a later date and are not inhibited by any of the proposed project designs. Therefore, the Pier 6 Project with the proposed revisions would be consistent with this policy.

*Policy 6.2: Integrate consideration of the latest New York City projections of climate change and sea level rise (as published by the NPCC, or any successor thereof) into the planning and design of projects in the city's Coastal Zone.*

As noted in the 2005 FEIS, the design and construction of the Pier 6 Project would include measures to minimize potential floodplain impacts and losses due to flooding. The project's design would take into account potential sea level rise due to climate change and would include measures to address resiliency. The heights of the buildings within the Pier 6 Project would be approximately 315 feet, inclusive of permanent structures and equipment, for the building on Parcel A and approximately 155 feet for the building on Parcel B, exclusive of permanent structures and equipment (approximately 182 feet in height including permanent structures and equipment).

The City, State and Federal standards for flood resiliency are incorporated into Appendix G of the *New York City Building Code*, which outlines the flood-resilient construction techniques that are required for buildings in the 100-year floodplain (the area which would potentially flood with a probability of 1 percent in any given year). These requirements include dry flood-proofing to ensure watertight structures, wet flood-proofing, to allow for flood drainage, and elevating structures and critical systems above the 100-year flood elevation.

The lease for the proposed Pier 6 Project would require the buildings to comply with the *New York City Building Code* and thus incorporate the Building Code's resiliency measures. The proposed buildings on Parcels A and B would include preemptive design decisions to not only be responsive to the risk of flooding due to current storm flood levels, but also to future storm flood levels when accounting for future sea level rise. These preemptive measures include either raising all utility infrastructure to, at minimum, 16 feet NAVD88, and/or enclosing systems below 16 feet NAVD88 (the 100-year flood level projected for 2080), that could not be raised, in a watertight enclosure as appropriate. These utilities would include:

- Electrical service;
- Incoming telephone and data connection and distribution rooms and other related building technology spaces;
- Chilled water plant;
- Hot water boiler plant;
- Domestic hot water heaters;
- Building heating systems; and
- Fuel oil storage tank.

The buildings would have backup generators, likely located on the buildings' roofs.

Based on NPCC projections, the BFE for the Project Site may rise to between approximately 13 feet NAVD88 (low projection) and approximately 18 feet NAVD88 (high projection) by 2080. There would not be any residential units located on the ground floor of either building—since the ground floor is required to be elevated one foot above current 100-year flood level, second floor residential units would all be above the 18 feet NAVD88 (the 100-year flood level projected for 2080). These preemptive measures are all either required by the *New York City Building Code* or would be enforceable through the lease for the Pier 6 Project. If rising sea levels require additional modifications, such as flood proofing the outer perimeter of the ground floor, these modifications

would be possible at a later date and are not inhibited by any of the proposed project designs. Therefore, the Pier 6 Project with the proposed revisions would be consistent with these policies.

**Policy 7:** *Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.*

*Policy 7.1: Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.*

As identified in the 2005 FEIS, the Pier 6 Project will be located on an old industrial waterfront where there are potentially hazardous materials. The environmental conditions of the Pier 6 Project were evaluated as per *CEQR Technical Manual* guidelines during previous environmental studies. Potential impacts during construction and development activities would be avoided by implementing a construction health and safety plan (CHASP). Such a plan would insure that the construction workers, the surrounding community, and the environment are not adversely affected by environmental conditions exposed by or encountered during the construction activities. With the proposed measures in place, the health and safety of construction workers and the visiting public can be protected from adverse hazardous materials identified on the Pier 6 Project area. As the proposed revisions do not alter the proposed CHASP or related environmental studies for the Pier 6 Project, the Pier 6 Project with the proposed revisions is consistent with this policy.

*Policy 7.2: Prevent and remediate discharge of petroleum products.*

Prior studies and investigations of Brooklyn Bridge Park, which included the Pier 6 Project, have identified potential sources of contamination due to prior uses on the site and in the surrounding area as well as historic fill, including the location of numerous underground and above ground petroleum storage tanks.

To avoid the potential for hazardous materials impacts during or following construction, a Subsurface (Phase II) Investigation of Brooklyn Bridge Park, including the site of the Pier 6 Project, was performed in accordance with a New York City Department of Environmental Protection (DEP)-approved Work Plan. Based upon the findings of the investigation, a DEP-approved Remedial Action Plan (RAP) would be implemented during construction. The RAP will address requirements for items such as soil management, including stockpiling, transport, and disposal; dust control; quality assurance; and contingency measures, should petroleum storage tanks or contamination be encountered during soil disturbance. Additionally as mentioned above, a DEP-approved CHASP will be prepared for implementation during construction. With these measures in place, the Pier 6 Project would not result in any significant adverse hazardous materials impacts and is consistent with these policies. As the proposed revisions do not alter the proposed DEP-approved work plans for the Pier 6 Project, the Pier 6 Project with the proposed revisions is consistent with this policy.

*Policy 7.3: Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.*

Potential hazardous materials would be remediated and disposed of in conformance with all applicable laws, rules, and regulations, thus avoiding the potential for adverse impacts on the coastal zone resources.

As identified in the 2005 FEIS the Pier 6 Project would not result in the introduction of any new hazardous substances to the development site, and the operation of the project would not result in any impacts to public health from hazardous substances. Furthermore, the Pier 6 Project also does not include the siting of solid or hazardous waste facilities. All solid waste would be transported in conformance with federal, state, and local regulations. The proposed revisions make no alteration to

the siting or handling of hazardous materials on the Pier 6 Project area. For these reasons, the Pier 6 Project with the proposed revisions is consistent with this policy.

**Policy 8:** *Provide public access to, from, and along New York City's coastal waters.*

*Policy 8.1: Preserve, protect, maintain, and enhance physical, visual, and recreational access to the waterfront.*

The Pier 6 Project would not penetrate a view plane within the Special Scenic View District mapped across most Brooklyn Bridge Park. The location of the Parcels A and B buildings would be located so as not to obstruct view corridors extending from the upland streets. Additionally, the proposed project would not affect existing or planned park amenities. The proposed revisions make minor alterations to Parcel B's building height but have no effect on the Special Scenic View District or view corridors from the upland streets. Therefore, the Pier 6 Project with the proposed revisions is consistent with this policy.

*Policy 8.2: Incorporate public access into new public and private development where compatible with proposed land use and coastal location.*

As described in the 2005 FEIS, Brooklyn Bridge Park would provide greatly enhanced physical and recreational access to the waterfront from Atlantic Avenue at the southern end to Jay Street at the northern end. The Pier 6 Project and proposed revisions to Parcel A and B would not impact the public's access to the waterfront and would, therefore, be consistent with this policy.

*Policy 8.3: Provide visual access to the waterfront where physically practical.*

As described above, Brooklyn Bridge Park provides new visual access to the waterfront; the Pier 6 Project would maintain the existing visual access. The Pier 6 Project is instrumental to the operation and maintenance of Brooklyn Bridge Park which provides high quality public spaces in appropriate locations. The proposed revisions would not alter aspects of the Pier 6 Project that pertain to this policy. Therefore, the Pier 6 Project with the proposed revisions is consistent with this policy.

*8.4: Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.*

As described in the 2005 FEIS, Brooklyn Bridge Park would provide greatly enhanced physical and recreational access to the waterfront from Atlantic Avenue at the southern end to Jay Street at the northern end. The Pier 6 Project and proposed revisions would not impact the public's access to the waterfront and would, therefore, be consistent with this policy.

*Policy 8.5: Preserve the public interest in and use of lands and waters held in public trust by the State and City.*

The Pier 6 Project would not adversely impact any lands held in public trust by the State or City. The proposed revisions to the Pier 6 Project reduce the number of proposed residential units from a maximum of 430 to a maximum of 300, a portion of which will be affordable. The Pier 6 Project would also include up to approximately 6,000 sf of neighborhood-oriented retail or non-fast food restaurant space. The portion of the vehicular park road between Parcel A and open space uses to the south and west, known as the Loop Road "elbow," may be closed to traffic. The proposed uses would complement the Brooklyn Bridge Park by bringing new public amenities to the park. The Pier 6 Project and proposed revisions are therefore consistent with this policy.

*Policy 8.6: Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.*

As noted above, the Pier 6 Project supports the operation and maintenance of the 85-acre Brooklyn Bridge Park. There are ample open spaces that were certified pursuant to ZR 62-811 and an authorization pursuant to ZR 62-822, certifying compliance with the requirements of waterfront

access and visual corridors. Therefore, the Pier 6 Project and proposed revisions would include waterfront public space with an appropriate design that will enhance the public's connection to the waterfront, and would not alter or affect the design for waterfront public space or the public's connection to the waterfront, and is therefore consistent with this policy.

**Policy 9:** *Protect scenic resources that contribute to the visual quality of the New York City coastal area.*

*Policy 9.1: Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.*

As stated above, the Pier 6 Project would contribute funding for the maintenance of Brooklyn Bridge Park, which provides physical and visual access to New York City's waterfront. The building height adjustments in the proposed revisions would not be subject to Scenic View District regulations and would not have significant adverse impacts on views. Therefore, the Pier 6 Project with the proposed revisions is consistent with this policy.

*Policy 9.2: Protect and enhance scenic values associated with natural resources.*

The Pier 6 Project is located one-block adjacent to the Pier 4 Beach and Habitat Island a Recognized Ecological Complex within Brooklyn Bridge Park. Development on Parcels A and B would be fully sensitive to ecology and habitats of Brooklyn Bridge Park. The Pier 6 Project is not located within the Recognized Ecological Complex and would not result in adverse impacts to resources of the adjacent Pier 4 Beach and Habitat Island Ecological Complex. Therefore, the Pier 6 Project with the proposed revisions is consistent with this policy.

**Policy 10:** *Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.*

*Policy 10.1: Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.*

No historic resources were identified within the Pier 6 Project site. The analyses conducted for the 2016 Technical Memorandum Update concluded that the proposed revisions would not have significant adverse impacts on other historic resources. The Pier 6 Project would provide funding for the operation and maintenance of the Park, which promotes public awareness of New York's waterfront through educational and cultural facilities, events, and programming. Therefore, the Pier 6 Project with the proposed revisions is consistent with this policy.

*Policy 10.2: Protect and preserve archaeological resources and artifacts.*

Based on the New York City Landmarks Preservation Commission's (LPC) and the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) evaluation of Brooklyn Bridge Park and the upland areas, a Phase IA Archaeological Assessment was prepared by Historical Perspectives, Inc. The report concluded that Brooklyn Bridge Park, including the Pier 6 project area, had the potential to contain significant archaeological resources related to the 17th, 18th, and 19th centuries development of the Brooklyn waterfront that have not been disturbed through later development. Where potential archaeological resources could be impacted (i.e., where construction would extend to the depths of potential archaeological sensitivity), testing measures would be developed in consultation with OPRHP and LPC to determine whether archaeological resources may be present. Should the testing confirm the presence of significant archaeological resources in locations that would be impacted by the Pier 6 Project, mitigation measures would be developed and implemented in consultation with OPRHP and LPC. The proposed revisions would not alter aspects of the Pier 6 Project that pertain to this policy. Therefore, the Pier 6 Project with the proposed revisions is consistent with this policy.