



The City of New York  
**Manhattan Community Board 1**  
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**Comment on Draft Second Supplemental Generic Environmental Impact Statement (DSSGEIS) for Phased Redevelopment of Governors Island - South Island Development Zones (11DME007M)**

On December 22, 2020 Manhattan Community Board 1 (CB1) [adopted a resolution regarding the proposed Governors Island rezoning](#) (ULURP applications 210126 ZRM and 210127 ZMM). CB1 voted to oppose the application unless the conditions outlined in the resolution were satisfied. We recommend referencing the full resolution for the full scope and context of comment regarding the Governors Island rezoning proposal. This submission specifies CB1's comment on the Draft Second Supplemental Generic Environmental Impact Statement (DSSGEIS) for Phased Redevelopment of Governors Island - South Island Development Zones.

The potential environmental impacts of the rezoning of Governors Island are significant and must be addressed comprehensively. CB1 adopted a resolution on the Governors Island Draft Scope of Work (DSOW) for the previous Draft Environmental Impact Statement from September 2018 which states: "CB1 is very troubled by the scope and magnitude of development being assessed for the Southern island and believes that it is excessive. CB1 does not endorse many aspects of the DSOW and we look forward to working with the Trust to modify the final scope"

CB1 has requested that the Trust provide clear and precise plans and as to how the laudable mission to become a true model of environmental sustainability will be realized and CB1 requests that the Trust review and respond to the community as to how the zoning might better assure the public that any development will adhere to the most innovative and stringent global resiliency and sustainability practices.

The DSSGEIS discloses that the proposed project will have significant impacts on transportation (traffic, transit, and pedestrians) in Manhattan and Brooklyn, as well as various construction related impacts. No other significant impacts are disclosed, though there are conditions required by the DSSGEIS specifically to prevent significant impacts in other areas, including Air Quality and Hazardous Materials. The community urges that the final EIS include the potential environmental impacts on natural resources on the Island as well as all the areas included in this comment letter, and those noted in the CB1 resolution on the ULURP for the rezoning.

**Analysis Framework and Screening Analyses**

**Reasonable Worst Case Development Scenario (RWCDS)**

The Reasonable Worst Case Development Scenario (RWCDS) is a critical aspect of the DSSGEIS and the community believes it is not fully accurate. The DSSGEIS assumes there is no

development in the Open Space Subarea, which is not a reasonable assumption as the zoning proposal does in fact allow for significant potential development in the Open Space Subarea. While the Open Space Subarea produces no zoning floor area, the zoning proposal allows buildings up to 35 feet which are considered permitted obstructions housing a large number of allowable uses including theaters, entertainment venues and parking. All the potential activities in the Open Space Subarea associated with the numerous proposed uses were ignored in the RWCDS and hence the impacts disclosed in the DSSGEIS are seriously understated.

In a letter sent to CB1 by the Trust on December 22, 2020, the applicant agreed to change the allowed uses and development in the Open Space Subarea. Buildings would still be allowed with no FAR limit, but the applicant has proposed limiting them to 25 feet, removing amusement park and nightclub uses, permitting only open-air theaters, as well as other changes. While the changes are meaningful, the RWCDS is still incomplete and inaccurate.

The proposal currently allows for piers of unlimited size at the shoreline. Typical maritime uses would be allowed on the piers along with warehouses, sewage disposal plants, marine transfer stations and boatels. No new piers or activities on the piers were studied in the DSSGEIS because they were not a part of the RWCDS. The impacts with regard to potential activities on the piers have not been disclosed. The EIS must fully complete the RWCDS and include all the impacts for each proposed use that could potentially be added to the Island and include the piers.

## **Probable Impacts of the Proposed Project**

### Urban Design, Visual Resources, Historic and Cultural Resources

The public has expressed widespread concern with regard to the project's potential impacts on the Urban Design, Visual Resources and Historic and Cultural Resources of the Island. The analyses of these areas are reviewed in a schematic, subjective way and are indicated as receiving no impact. These topic areas are also noted as less impacted by the understated scenario captured in the RWCDS. CB1 feels strongly that these areas must be provided with a more comprehensive review, taking both the quantitative and qualitative aspects of the topics at hand with more reliance upon the data shown in the photo simulations and expert review of these topics in the DSSGEIS.

### Open Space

The public has expressed widespread concern that the existing open space resources on the Island be fully preserved and not be impacted in any way with the proposed rezoning. As noted above, the EIS must include the potential impacts of each use allowed in the Open Space Subarea.

### Shadows

CEQR requirements regarding shadow impacts often relate to the survivability of vegetation and mitigation of shadow impacts often simply involve changing plantings. To most people,

however, shadows qualitatively relate to the usability and desirability of an open space, which CEQR does not study. Though not a technical requirement of the CEQR, the EIS must include a complete, more holistic review of how shadows qualitatively relate to the usability and desirability of the Island's open space.

The DSSGEIS shadow review shows substantial shadow impact in autumn through spring, largely because the eastern development site is directly to the south (and east) of much of the open space. These shadows will undoubtedly qualitatively impact the open space, especially close to the eastern development area.

### Energy

Though new development resulting from the proposed project is not noted to result in significant adverse energy impacts, it is critical that the proposed project show how it will meet the Trust's objective that the Island be an example of sustainability. CB1 has requested that the project seek to achieve self-powered, off-grid or near off-grid environmental self-sustainability, or near self-sustainability within 3 years of inception. The EIS must carefully consider energy impacts and should consider alternative scenarios under an off-grid or near off-grid scenario.

### Transportation

The DSSGEIS discloses significant permanent impacts with regard to transportation. There is concern that assumptions made on this topic could be significantly different in reality than what is reviewed in the DSSGEIS. Trip generation and mode split assumptions using other projects and studies do not clearly align with access to the Island and should be more deeply investigated and customized for the Island.

### Greenhouse Gas Emissions (GHG) and Climate Change

It is critical that the development RFP's for the Island include the highest level of national building energy efficiency standards and GHG emissions. Most of the project area is within the 1 percent annual chance floodplain and is also within a wave impact zone. The potential for climate change to affect the proposed project is extremely high and should be further explored with regard to the impacts that severe flooding will have in terms of the wet and dry flood proofing materials and specific examples of how flooding will affect each of the proposed adaptive management strategies. The EIS must address the public's concern that large-scale development in the coastal floodplain of the proposed density and scale contradicts current recommendations and trends for development best adapted to climate change.

### Natural Resources

The EIS should carefully consider impacts on birds and migration patterns. CB1 has received comment from the public concerning this matter, specifically that Governors Island serves as a vital stopover point for shorebirds travelling along the Atlantic flyway during spring and fall

migration. Any design for developing this part of the island should include wetland features in the green buffers and planted areas so that shorebirds may continue to use this important location for their survival.

In addition, provisions should be in place for preserving habitat for the common tern colony on Lima and Tango Piers. Common terns are a species of concern in New York State, and this colony is the only one located in the Manhattan area of NY Harbor. Each year adult terns produce many young on the piers, so the colony should be protected through any construction projects that occur.

### **Potential Future Impacts of the Proposed Project**

The EIS must take into consideration how Governors Island will be affected by the city's developing proposal to build a resiliency infrastructure offshore extension in the Financial District/Seaport area in lower Manhattan which will include many potential impacts including the modification of the Battery Maritime ferry terminal.

### **Zoning for Coastal Flood Resiliency (ZCFR)**

Currently in the ULURP process is the ZCFR citywide zoning text amendment application. As ZCFR would apply to the entire Island, the EIS must include analysis of a scenario assuming that the ZCFR zoning text amendment is adopted. This should include additional shadow, light and air impacts from potential increased height or bulk, as well as how the zoning will impact the urban design on Governors Island.