

POSITIVE DECLARATION
NOTICE OF INTENT TO PREPARE A
DRAFT ENVIRONMENTAL IMPACT STATEMENT

PROJECT: Borough Based Jail System CEQR Number: 18DOC001Y ULURP Number: Pending	LEAD AGENCY: New York City Department of Correction 75-20 Astoria Blvd., Suite 160 East Elmhurst, NY 1137
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DATE ISSUED: August 14, 2018

TYPE OF ACTION: Type I

NAME: Borough Based Jail System

LOCATION: Bronx Community District 1: Block 2574, Lot 1

Brooklyn Community 2: Block 175, Lot 1

Manhattan Community District 1: Block 166, Lot 27

Queens Community District 9: Block 9653, p/o Lots 1 and 100; Block 9657, Lot 1

PROPOSED PROJECT:

The proposed project would establish four new detention facilities in the Bronx (320 Concord Avenue), Brooklyn (275 Atlantic Avenue), Manhattan (80 Centre Street), and Queens (126-02 82nd Avenue). The sites under consideration consist of the following:

- Bronx Site—320 Concord Avenue
- Brooklyn Site—275 Atlantic Avenue
- Manhattan Site—80 Centre Street
- Queens Site—126-02 82nd Avenue

The City has issued the 2017 report *Smaller, Safer, Fairer*, which provides a roadmap for creating a smaller, safer, and fairer criminal justice system while also upgrading its facilities. The proposed project would establish four new modern borough-based detention facilities at sites located in the Bronx, Brooklyn, Manhattan, and Queens so that all individuals in DOC's custody could be housed in the new facilities and the City would no longer detain people on Rikers Island. Each of the proposed facilities would provide approximately 1,510 beds, support space for correctional programming and therapeutic services, community space, and parking. The support space would include the public entrance and lobby, visitation space, space for detainee programs and services, health services, infirmary and therapeutic units, and administrative space. The community space is intended to provide community facility programming or street-level retail space with the goal to integrate the proposed jail facilities with the surrounding community.

The facilities are designed to be self-sufficient, with units that allow direct supervision and direct lines of sight while optimizing access to natural light. Each facility would be designed to minimize the effect on the neighborhood urban design while also achieving efficient and viable floorplans.

Each proposed facility location is City-owned property, but requires a number of discretionary actions that are subject to the City’s Uniform Land Use Review Procedures (ULURP) including, but not limited to, site selection for public facilities, zoning approvals, and for certain sites, changes to the City Map.

DISCRETIONARY ACTIONS SUBJECT TO CEQR

The Proposed Project would require multiple City approvals. These approvals are discretionary actions requiring review under the City Environmental Quality Review (CEQR). The New York City Department of Correction is the lead agency for CEQR. The actions necessary to develop the proposed facility at each site are shown in **Table 1**. Site selection actions are required at each site to allow the City to select the location for the proposed facilities. Certain sites would also require changes to the City Map to demap adjacent streets. In addition to the actions listed in Table 1, the proposed project would require a zoning text amendment to create a special permit for borough jail facilities to modify zoning requirements for bulk including floor area and height and setback, as well as for parking. Each site would seek a special permit to waive zoning requirements and allow a zoning envelope that would accommodate the proposed structure, permit the necessary density, and/or permit the proposed parking.

Table 1		
Preliminary Identification of Proposed Actions		
Site Name	Address	Actions
Bronx	320 Concord Avenue	Site selection for public facilities Special permit to modify regulations pertaining to bulk and parking Zoning Map Amendment to map an M1-4/R7-X District (western portion of site) Zoning Text Amendment to designate a Mandatory Inclusionary Housing (MIH) Area (western portion of site) Site Disposition (western portion of site)
Brooklyn	275 Atlantic Avenue	Site selection for public facilities Special permit to modify regulations pertaining to bulk and parking
Manhattan	80 Centre Street	Site selection for public facilities City map change to demap Hogan Place between Centre Street and Baxter Street Special permit to modify regulations pertaining to bulk and parking
Queens	126-02 82nd Avenue	Site selection for public facilities City map change to demap 82nd Avenue between 126th Street and 132nd Street Special permit to modify regulations pertaining to bulk and parking
Notes: Preliminary Draft List Subject to Ongoing Master Planning Team Work and DCP Review		
Source: Perkins Eastman		

STATEMENT OF SIGNIFICANT EFFECT

In accordance with Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York (CEQR), the Office of the Deputy Mayor for Housing and Economic Development, lead agency for the referenced project, has determined that the proposed project may have a significant impact on the quality of the human environment. Accordingly, an Environmental Impact Statement (EIS) is required to evaluate and disclose the extent to which impacts may occur.

Aspects that may require evaluation of potential environmental impacts include:

- 1) The potential for substantial impacts related to land use, zoning, and public policy;
- 2) The potential for substantial impacts related to socioeconomic conditions;
- 3) The potential for substantial impacted related to community facilities and services;
- 4) The potential for substantial open space impacts;
- 5) The potential for substantial shadows impacts;
- 6) The potential for substantial impacts related to historic and cultural resources;
- 7) The potential for substantial urban design/visual resource impacts;
- 8) The potential for substantial hazardous materials impacts;
- 9) The potential for substantial impacts related to water and sewer infrastructure;
- 10) The potential for substantial impacts related to transportation;
- 11) The potential for substantial impacts related to air quality;
- 12) The potential for substantial greenhouse gas emissions and climate change;
- 13) The potential for substantial impacts related to noise;
- 14) The potential for substantial impacts related to public health;
- 15) The potential for substantial impacts related to neighborhood character; and
- 16) The potential for substantial construction impacts.

Statement in Support of Determination:

The above determination is based on an Environmental Assessment Statement (EAS) prepared for the actions which finds that:

- 1) Land Use, Zoning and Public Policy. The proposed actions would include a zoning map amendment, zoning text amendments, and changes in the City Map. In addition, the proposed actions would result in a change in land use and site selection. Therefore, the potential for the proposed project to affect land use, zoning, and public policy will be examined.
- 2) Socioeconomic Conditions. The residential and commercial development generated by the proposed actions would exceed thresholds set forth in the *CEQR Technical Manual* for potential socioeconomic impacts. Therefore, the potential for indirect residential displacement and indirect business displacement will be examined. The potential for adverse effects on a specific industry will also be assessed.
- 3) Community Facilities. The additional number of dwelling units that the project would generate exceeds the thresholds listed in the *CEQR Technical Manual* for potential impacts on elementary schools, intermediate schools, high schools, child care facilities, and libraries. Therefore the potential for the proposed actions to affect community facilities is warranted.

- 4) Open Space. The additional number of employees that the project would generate exceeds the thresholds listed in the *CEQR Technical Manual* for potential open space impacts. Therefore, an open space assessment will be prepared to consider the effects of the proposed project on open space resources.
- 5) Shadows. The proposed project would result in new tall structures that would otherwise not be permitted. Therefore an assessment of the potential for shadows impacts is warranted.
- 6) Historic and Cultural Resources. The proposed project would result in development that will result in new in-ground disturbance and would involve new structures with the potential to affect the context of nearby areas, the proposed actions' potential to result in impacts to archaeological and architectural resources will be considered in the EIS.
- 7) Urban Design and Visual Resources. As the proposed actions include a rezoning that would allow for the construction of additional floor area on the development site and the proposed buildings would be substantially taller than what currently exists on the sites, a detailed analysis of urban design and visual resources is expected to be required.
- 8) Hazardous Materials. The development site are located on current and former manufacturing sites where there is reason to suspect the presence of contamination and hazardous materials. Because the proposed project would result in soil disturbance activities and would include residential, commercial and community facility uses, the proposed project's potential to result in significant adverse hazardous materials impacts will be assessed and, if necessary, a description of any additional testing, remediation, or other measures that would be necessary to avoid impacts will be provided.
- 9) Water and Sewer Infrastructure. The increase in residents that would be generated by the proposed project exceeds the *CEQR Technical Manual* thresholds for potential impacts on water and sewer infrastructure. Therefore, an assessment of water and sewer infrastructure will be undertaken.
- 10) Transportation. Pedestrian and vehicular traffic that would be generated from the proposed project is expected to exceed the *CEQR Technical Manual* thresholds for an analysis of transportation, and consequently could have significant traffic, parking, and pedestrian impacts. Therefore, a detailed analysis of the potential transportation impacts of the proposed project is warranted and will be provided.
- 11) Air Quality. The proposed project would result in new stationary and mobile sources of pollutant emissions. The development site is located in a manufacturing zoned district and the proposed project would include a mix of residential, non-residential and light industrial uses. Stationary sources of pollutant emissions include fossil fuel-fired heat and hot water systems serving new buildings, manufacturing uses in the proposed project, and manufacturing uses in the surrounding manufacturing zoned district. Mobile sources could include increased vehicle trips generated by the proposed project. Therefore an air quality analysis is warranted.
- 12) Greenhouse Gas Emissions and Climate Change. The proposed project would result in the contribution of greenhouse gas (GHG) emissions. Therefore, a GHG consistency assessment will be provided to assess the projects consistency with the City's GHG reduction goal. Since a portion of the proposed site is located in a current and future flood hazard zone, an analysis of the potential impacts of climate change on the proposed project is also warranted.
- 13) Noise. The proposed project would generate vehicular traffic and introduce new sensitive noise receptors. Therefore, an analysis to determine the potential for significant noise impacts will be provided.
- 14) Public Health. The proposed project has the potential to result in localized effects on air quality, hazardous materials, and noise. If significant unmitigated adverse impacts are found in these

technical areas, an assessment of the potential impacts of the proposed project on public health may be warranted.

- 15) Neighborhood Character. If it is determined that the proposed project has the potential to alter certain elements contributing to the affected area's neighborhood character in other technical analysis areas—land use, zoning, and public policy; open space; urban design and visual resources; transportation; and noise—a neighborhood character analysis will be provided.
- 16) Construction. Construction is expected to occur through 2027. The construction activities for the proposed project may result in effects related to traffic systems, hazardous materials, air quality, noise, and natural resources. Therefore, an analysis of potential construction impacts is warranted and will be provided.

Accordingly, the New York City Department of Correction directs that a Draft Environmental Impact Statement be prepared in accordance with 6 NYCRR 617.9 and Sections 6-08 and 6-09 of Executive Order No. 91 of 1977, as amended.

PUBLIC SCOPING:

Public Scoping is the process whereby the public is invited to comment on the proposed scope of analysis planned for the Draft EIS. A Draft Scope of Work has been prepared outlining analysis methodologies proposed for use in the Draft EIS.

Public meetings have been scheduled at the following date/time/location to provide a forum for public comments on the Draft Scope of Work:

Borough of Brooklyn, September 20, 2018
PS 133 William A. Butler School
610 Baltic Street, Brooklyn, NY 11217

Borough of Queens, September 26, 2018
Queens Borough Hall
120-55 Queens Boulevard, Kew Gardens, NY 11424

Borough of Manhattan, September 27, 2018
Manhattan Municipal Building
1 Centre Street, New York, NY 10007

Borough of Bronx, October 3, 2018
Bronx County Courthouse
851 Grand Concourse, Bronx, NY 10451

The meetings will take place at 6:00 PM.

Written comments on the Draft Scope of Work will be accepted by the Lead Agency through October 15, 2018 and may be submitted at the public scoping meeting or to the New York City Department of Correction at the contact info below:

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New York City Department of Correction
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Copies of the Positive Declaration and Draft Scope of Work for the project may be obtained by any member of the public from:

Mayor's Office of Environmental Coordination
Attn: Hilary Semel, Director
253 Broadway, 14th Floor
New York, New York 10007
Telephone: (212)-676-3273
Email: hsemel@cityhall.nyc.gov

These documents are also available on the website of the Mayor's Office of Environmental Coordination:
<https://a002-ceqraccess.nyc.gov/ceqr/>

The Positive Declaration has been prepared in accordance with Article 8 of the Environmental Conservation Law.



Howard Fiedler
Director of Design Unit

August 14th 2018
Date