



**Comments on the Draft Scope of Work for an Environmental Impact Statement
Brooklyn Piers 7-12
October 26, 2006**

The Municipal Art Society offers the following comments to the Economic Development Corporation, the lead agency in the City Environmental Quality Review of the Brooklyn Piers 7-12 Redevelopment Project, with the intention of identifying where the Draft Scope is insufficient, inaccurate, or incomplete in describing the scope of the EIS for the project, the methodology for studying the project, and its impacts.

The piers in Red Hook represent a critical piece of New York City's waterfront infrastructure. Proceeding with the disposition of piers under the jurisdiction of the Port Authority of New York and New Jersey without a comprehensive analysis of and plan for the movement of goods to, through, and from New York City undermines the city's future ability to incorporate existing infrastructure into a long-term sustainability plan that could result in a reduction of truck traffic in New York. Despite the possible increase in use of neighboring piers in New Jersey to accommodate cargo transfer, goods arriving in New Jersey destined for New York must be loaded onto trucks which then must make their way through dense urban areas to distribution points throughout the city. More comprehensive analysis, including the possibility of cargo transport by rail utilizing piers for break of bulk, is warranted before New York City takes action to reduce its waterfront infrastructure capacity.

It has also been noted that a Request for Proposals for the reuse of some portions of the project site has been distributed, despite the fact that the proposed action has not completed the required approval process.

Brief note on presentation: We respectfully request that subsequent documentation of this proposal include high-resolution maps on which street names and other neighborhood identifiers can be clearly read.

Parcel A

The Scoping document is unclear with regard to the kind of "water dependent development" and cargo that EDC anticipates. For instance, how much of this development will be recreational or directly related to cruise industry, such as food storage and laundries?

Parcel B

The Comprehensive Port Improvement Plan projected a four-fold increase in the number of containers coming into New York over the next 50 years. Pier 10, in its existing use, is poised to service that increase in demand and to provide stable, well-paying jobs over the lifetime of its use. The capacity of Pier 10 far outstrips that of Piers 7-9B, and represents a unique piece of infrastructure poised to meet the rising demands for movement of cargo by water. The siting of a hotel and meeting space at this site would permanently remove this capacity and reduce New York's ability to maintain a working waterfront.

Parcel M

The proposed residential development on Parcel M would be situated across the street from active pier operations. This proximity poses compatibility issues which may undermine the full, effective use of the piers for the proposed uses of warehousing and cargo transport. Pier operations normally take place at all hours, are noisy, involve the use of bright lights, air horns, and loudspeakers—activities incompatible with residential uses.

With regard to zoning, the MX district is not very effective at preserving manufacturing and other industrial activities. It is mapped next to the Northern Piers, the stated location of waterfront industrial uses, which does not bode well for the future of shipping and maritime activity at the northern piers. (See figure 2). This is an incompatible use, and the effects of such incompatibility must be fully examined and discussed.

Parcel D

The proposed reuse of Parcel D for artists and galleries would directly displace an existing business, the Williamsburg Paper Stock Company. More discussion with the owner of this company is warranted to fully understand the impact of this displacement and the potential for compatibility of new uses.

Land Use, Zoning, and Public Policy

While the draft scope notes the Red Hook 197-a Plan and the Red Hook Peninsula Urban Renewal Plan as public policies by which the proposal will be assessed for compatibility, it does not mention the Mayor's Industrial Plan or the recent establishment of the Industrial Business Zone. Several public policy documents, including the consensus-based 197-A Plan, have designated the proposal site for continued industrial use. Closer examination of the proposal for its compatibility with these policies is warranted; any rationale for a deviation from these policies should be substantiated with documentation that the proposal serves the public interest through jobs, taxes, and general neighborhood sustainability. Although we do not advocate the construction of housing on Parcel M, any housing that is contemplated on city-owned property within the proposal area should be built in accordance with the Mayor's Affordable Housing Plan, and should be affordable to area residents.

Socioeconomic Conditions

Analysis of economic characteristics should be examined in partnership, as noted with Brooklyn DCP and real estate brokers. Additional, vital information can also be obtained by working in partnership with local development corporations, who have long-term business relationships with affected business owners and renters, and with the Office of Manufacturing and Industrial Business, which maintains an active database of relevant information.

The job creation and displacement analysis should go beyond a simple calculation of the number of jobs lost versus jobs gained. The analysis should focus on the structure of wages, job stability and permanence, and job benefits for each SIC code anticipated for the proposed new uses and a comparison of the same variable for jobs lost. The complete economic picture must include an analysis of direct, indirect, and induced economic impacts, primarily but not exclusively through an examination of multiplier effects.

Historic Resources

The Scope document states that applicant will submit the Proposed Action to the New York City Landmarks Preservation Commission for its review and determination. It should also submit plan to New York State Historic Preservation Office.

According to CEQR Technical Manual, “Examples of situations for which a larger study area may be appropriate include: 1) Actions that affect historic districts. ... 3) Actions that result in changes over a larger area (e.g, a large-scale development or an area rezoning). For generic or programmatic actions, it may be appropriate to identify any “soft” sites that may be developed because of the action (see Chapter 2C, Section 400 for more information on identifying soft sites) and then consider study areas for each of those sites that are appropriate in size for the expected changes. 4) Actions that result in changes that are highly visible and can be perceived from farther than 400 feet *and* could affect the context of historic resources some distance away (e.g., changes to the skyline around Central Park).”

Because this is a major rezoning that will result in changes over a large area, and is in close proximity to three New York City Historic Districts (Cobble Hill Historic District and Extension, Brooklyn Heights Historic District, Governor’s Island Historic District, which is also a National Monument) the study area should be for a radius of a full ½ mile radius, not a 400-foot radius as indicated.

The State Historic Preservation Office describes the area where the project site is located as “Archeological Sensitive Area.” This sensitive area extends into Buttermilk Channel, which should be considered part of the study area as part of the full ½ mile radius. Underwater archaeological resources must be identified.

Scope document states that applicant will identify, map and describe *designated* historic/architectural resources (New York City Landmarks or pending Landmark

designation and properties listed on the State and National Registers of Historic Places) in the immediate vicinity of the Project Site. However, “The term ‘historic resources’ encompasses districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. For CEQR, this includes . . . [p]roperties not identified by one of the programs listed above, but that meet their eligibility requirements.” Therefore, applicants must conduct field survey to study and identify resources potentially eligible for State and National Register listing or New York City landmark or historic district designation.

The field survey should be of the entire study area, not just those with known impacts. The range of possible effects needs to be analyzed on all of the potential resources. Limiting the scope of review to a small subset of buildings is to determine in advance what those impacts might be.

The following potential historic resources should be researched and the impacts of the project examined.

1. Atlantic Basin Terminal -- One of the oldest terminal sites in the harbor, on which construction began in 1841;
2. Trade Facilities Building -- This large loft building was built 1928-1929 at Joralemon Street and Furman St;
3. New York Dock Company buildings, including 160 Imlay Street; and
4. Any other potential historic resources located within or near the project area.

Neighborhood Character

The Draft Scope states that “[s]ince most of these elements will already be covered in other EIS sections, this assessment will essentially represent a summary of the key findings of these other analyses.” It is unsatisfactory to just include a summary discussion of other sections and patch them together into an EIS analysis of neighborhood character. The studies conducted in the other impact categories were not analyzed in light of neighborhood character—they were analyzed in light of that impact category. Therefore, it is insufficient to rely upon the “key findings” in the analyses of other impact categories.

We believe that the proposed plan’s effect on the neighborhood character will be significant. Under the proposed plan, it is likely that the Atlantic Basin area will lose its industrial and working waterfront heritage, two qualities that have previously defined the neighborhood of Red Hook. The significance in the change in the neighborhood, including the addition of new residents, likely living in luxury waterfront housing, will change the face of this neighborhood. This effect on neighborhood character must be individually and fully studied in the EIS.

Open Space

Kings County has the least open space per capita than any county in New York State; therefore, the act of adding almost 2 million square feet of development requires a careful study of the open space ratio in this area.

First of all, conducting two separate study areas for Open Space does not seem to make sense. Please use one study area. Secondly, we question whether the proposed Brooklyn Bridge Park should be counted toward the open space ratio for this particular project. Lastly, the only green spaces that should count toward the Open Space ratio is space that is never closed off to the public for loading and unloading of cruise ship traffic, parking, staging, etc.

Energy

The Draft Scope concludes that the added energy demand is not expected to create an adverse impact on the supply of energy here, and recommends that only a “qualitative assessment/screening analysis will be provided in the EIS, as appropriate, including an estimate of the Proposed Projects estimated energy usage.”

However, with the addition of a second cruise terminal, a hotel, 350,000 square feet of residential space, a brewery, restaurants, retail, thousands of square feet of office space, and thousands of square feet of art galleries, the proposed project will increase the existing floor area by 1.9 million square feet. This is no small development, and will significantly increase the energy demand in the Atlantic Basin area.

The CEQR technical manual states that “[a] detailed assessment of energy impacts would be limited to actions that could significantly affect the transmission or generation of energy or that generate substantial indirect consumption of energy (such as a new roadway that could lead to a substantial increase in the number of vehicle miles traveled, and thus, fuel consumed in the City).” Here, a detailed assessment is needed because adding 1.9 million square feet of space and new uses to the proposed site could significantly affect the transmission or generation of energy in that area.

Currently, this area is used for maritime industrial activities and plays an integral role in Brooklyn’s working waterfront. While there are warehouses located on the site, the current energy demand in the buildings is likely not significant. By dramatically changing the site’s uses to more energy-demanding uses, such as offices, residences, a hotel, retail, restaurants, and a brewery, there is potential for significant transmission congestion because the area is not currently used for such energy-intensive activities. The area’s energy infrastructure and transmission capabilities are likely not currently equipped for the change in energy usage, and a detailed assessment is needed in order to measure the demand increase and the potential for transmission congestion. In this same vein, the potential significant effects to the generation of energy in the surrounding area must be studied as well.

In addition to the new development's effect on transmission and generation of energy, the development will potentially cause a significant indirect effect on the consumption of fuel. The plan proposes to add streets, thereby adding car and truck traffic. Also, the plan's phasing out of any sort of significant shipping and container industry in the area will only increase the truck traffic coming from New Jersey to supply the goods that formerly were delivered to Piers 7-12 in Brooklyn. This addition of trucks and their consumption of additional fuel should be fully studied.

We cannot continue to rubber-stamp the energy portion of the EIS, simply because, in the past, the added demand has not caused environmental harm. The effect of the demand from the new structures, the added streets and car traffic, and the additional truck traffic caused throughout the city based upon the phasing out of the shipping industry (and allowing New Jersey to take over) most certainly raise energy concerns, and must be fully detailed and studied in the EIS, examining the long term and cumulative impacts.

Alternatives

We request consideration of the following alternatives, developed by the New York Industrial Retention Network.

Alternative 1: Retain Port Authority ownership of Piers 7-10 (Parcels A and B), in order to consolidate governmental authority to manage the region's piers.

Alternative 2: Retain cargo operations on Pier 10 (Parcel B), in order to ensure New York's continued ability to utilize existing waterfront infrastructure for movement of goods.

Alternative 3: Construct a park and greenway on Parcel M, retaining M-zoning, to provide space for transition between the upland residential neighborhood and the active pier operations, as well as to provide additional open space for neighborhood residents and workers.

In addition to these recommendations, please consider alternative power generation:

Alternative 4: For this project, which could significantly affect the transmission or generation of energy, the lead agency should also consider clean on-site generation alternatives. Because the development is located on the waterfront, the lead agency should look into the alternative of tidal and/or wave power.