

**LITTLE W 12TH ST INC
51 LITTLE WEST 12TH STREET BSA USE VARIANCE**

**CITY ENVIRONMENTAL QUALITY REVIEW (CEQR)
ENVIRONMENTAL ASSESSMENT STATEMENT**



Lead Agency:

New York City Board of Standards and Appeals
22 Reade Street, Main Floor
New York, New York 10007

Prepared for:

Little W. 12th St Inc
51 Little West 12th Street
New York, New York 10014

Site Location:

51 Little West 12th Street
New York, New York 10014
Block 645, Lot 21

CEQR No. 26BSA002M

BSA Reference No. 2025-22-BZ

Prepared by:

Matrix New World Engineering
20 West 37th Street, 12th Floor
New York, New York 10018

April 2026



City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

FOR UNLISTED ACTIONS ONLY • Please fill out and submit to the appropriate agency ([see instructions](#))

Part I: GENERAL INFORMATION

1. Does the Action Exceed Any Type I Threshold in 6 NYCRR Part 617.4 or 43 RCNY §6-15(A) (Executive Order 91 of 1977, as amended)? YES NO

If “yes,” STOP and complete the **FULL EAS FORM**.

2. Project Name 51 Little West 12th Street BSA Use Variance

3. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency) 26BSA002M	BSA REFERENCE NUMBER (if applicable) 2025-22-BZ
ULURP REFERENCE NUMBER (if applicable) N/A	OTHER REFERENCE NUMBER(S) (if applicable) (e.g., legislative intro, CAPA) N/A

4a. Lead Agency Information			4b. Applicant Information		
NAME OF LEAD AGENCY New York City Board of Standards and Appeals			NAME OF APPLICANT Novac Noury, Little West 12th St Inc.		
NAME OF LEAD AGENCY CONTACT PERSON Tracie Behnke, Director, Environmental Projects			NAME OF APPLICANT’S REPRESENTATIVE OR CONTACT PERSON Olga Abinader, Matrix New World Engineering		
ADDRESS 22 Reade Street, Main Floor			ADDRESS 20 West 37th Street, 12th Floor		
CITY New York	STATE NY	ZIP 10007	CITY New York	STATE NY	ZIP 10018
TELEPHONE (212) 386-0086	EMAIL tbehnke@bsa.nyc.gov		TELEPHONE (973) 240-1800	EMAIL OAbinader@mnwe.com	

5. Project Description

The Applicant is requesting a use variance (the “Proposed Action”) from the New York City (NYC) Board of Standards and Appeals (BSA) to permit the construction of a new 19,590-gross-square-foot (-GSF) / 11,392-zoning-square-foot (-ZSF), 9-story with cellar / 131.3-foot tall mixed-use residential and groundfloor commercial buildings, including 3,176 GSF of commercial floor area in the first and third floors of the building (to be used as a restaurant), 13,403 GSF of residential floor area with six (6) residential dwelling units, with the remaining 2,525 GSF of building area in the cellar utilized for building utility and mechanical systems (the “Proposed Project”) within a mapped M1-5 zoning district (which does not permit residential uses as-of-right) at 51 Little West 12th Street (Block 645, Lot 21) in the West Village neighborhood of Manhattan Community District 2 (the “Project Site”). Aside from the use variance, the proposed building would otherwise conform to all area and bulk regulations of the existing M1-5 zoning district.

Project Location

BOROUGH Manhattan	COMMUNITY DISTRICT(S) 2	STREET ADDRESS 51 Little W. 12 th Street
TAX BLOCK(S) AND LOT(S) Block 645		ZIP CODE 10014
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS The Project Site is bounded by Little West 12th Street to the south and commercial uses to the west, north, and east.		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY M1-5		ZONING SECTIONAL MAP NUMBER 8b

6. Required Actions or Approvals (check all that apply)

City Planning Commission: YES NO UNIFORM LAND USE REVIEW PROCEDURE (ULURP)

<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 AUTHORIZATION	<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: <input type="checkbox"/> modification; <input type="checkbox"/> renewal; <input type="checkbox"/> other); EXPIRATION DATE:		

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Board of Standards and Appeals: YES NO

- VARIANCE (use)
- VARIANCE (bulk)

SPECIAL PERMIT (if appropriate, specify type: modification; renewal; other); EXPIRATION DATE:
SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

Department of Environmental Protection: YES NO Cogeneration Facility Title V Permit

Other City Approvals Subject to CEQR (check all that apply)

LEGISLATION FUNDING OF CONSTRUCTION, specify:
 RULEMAKING POLICY OR PLAN, specify:
 CONSTRUCTION OF PUBLIC FACILITIES FUNDING OF PROGRAMS, specify:
 384(b)(4) APPROVAL PERMITS, specify:
 OTHER, explain:

Other City Approvals Not Subject to CEQR (check all that apply)

PERMITS FROM DOT'S OFFICE OF CONSTRUCTION MITIGATION AND COORDINATION (OCMC) LANDMARKS PRESERVATION COMMISSION APPROVAL
 OTHER, explain:

State or Federal Actions/Approvals/Funding: YES NO If "yes," specify:

7. Site Description: *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*
Graphics: *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

SITE LOCATION MAP ZONING MAP SANBORN OR OTHER LAND USE MAP
 TAX MAP FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)
 PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

Physical Setting (both developed and undeveloped areas)
 Total directly affected area (sq. ft.): 2,581 SF Waterbody area (sq. ft) and type: N/A
 Roads, buildings, and other paved surfaces (sq. ft.): 2,581 SF Other, describe (sq. ft.): N/A

8. Physical Dimensions and Scale of Project (if the project affects multiple sites, provide the total development facilitated by the action)
 SIZE OF PROJECT TO BE DEVELOPED (gross square feet): 19,590
 GSF
 NUMBER OF BUILDINGS: One (1) GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): 19,590 GSF
 HEIGHT OF EACH BUILDING (ft.): 131.3 Feet (including a 124.3-foot building height and seven (7) feet of additional height associated with mechanical and elevator bulkheads). NUMBER OF STORIES OF EACH BUILDING: 9

Does the proposed project involve changes in zoning on one or more sites? YES NO
 If "yes," specify: The total square feet owned or controlled by the applicant: N/A
 The total square feet not owned or controlled by the applicant: N/A

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading? YES NO
 If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):
 AREA OF TEMPORARY DISTURBANCE: 2,581 sq. ft. (width x length) VOLUME OF DISTURBANCE: 27,759 cubic ft. (width x length x depth)
 AREA OF PERMANENT DISTURBANCE: 2,581 sq. ft. (width x length)

Description of Proposed Uses (please complete the following information as appropriate)

	Residential	Commercial	Community Facility	Industrial/Manufacturing
Size (in gross sq. ft.)	13,403	3,176	N/A	N/A
Type (e.g., retail, office, school)	Six (6) units	Restaurant	N/A	N/A

Does the proposed project increase the population of residents and/or on-site workers? YES NO
 If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: 11 NUMBER OF ADDITIONAL WORKERS: 16
 Provide a brief explanation of how these numbers were determined: Based on an average household size of 1.71 persons in Manhattan Community District 2 (in which the Project Site is located) and one (1) employee per 200 GSF of restaurant space, pursuant to NYC Racial Equity Report factors.

Does the proposed project create new open space? YES NO If "yes," specify size of project-created open space: N/A sq. ft.

Has a No-Action scenario been defined for this project that differs from the existing condition? YES NO

Part II: TECHNICAL ANALYSIS

INSTRUCTIONS: For each of the analysis categories listed in this section, assess the proposed project’s impacts based on the thresholds and criteria presented in the CEQR Technical Manual. Check each box that applies.

- If the proposed project can be demonstrated not to meet or exceed the threshold, check the “no” box.
- If the proposed project will meet or exceed the threshold, or if this cannot be determined, check the “yes” box.
- For each “yes” response, provide additional analyses (and, if needed, attach supporting information) based on guidance in the CEQR Technical Manual to determine whether the potential for significant impacts exists. Please note that a “yes” answer does not mean that an EIS must be prepared—it means that more information may be required for the lead agency to make a determination of significance.
- The lead agency, upon reviewing Part II, may require an applicant to provide additional information to support the Short EAS Form. For example, if a question is answered “no,” an agency may request a short explanation for this response.

	YES	NO
1. LAND USE, ZONING, AND PUBLIC POLICY: CEQR Technical Manual Chapter 4		
(a) Would the proposed project result in a change in land use and/or zoning different from the surrounding area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Is there the potential to affect an applicable public policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If “yes,” to (a) and/or (b), complete a preliminary assessment and attach. See Attachment		
(d) Is the project a large, publicly sponsored project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” complete a OneNYC assessment and attach. N/A		
(e) Is any part of the directly affected area within the City’s Waterfront Revitalization Program boundaries ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If “yes,” complete the Consistency Assessment Form . See Attachment		
2. SOCIOECONOMIC CONDITIONS: CEQR Technical Manual Chapter 5		
(a) Would the proposed project:		
o Generate a net increase of 250 or more residential units?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Generate a net increase of 200,000 or more square feet of commercial space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Directly displace more than 500 residents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Directly displace more than 100 employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Create a retail concentration?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Affect conditions in a specific industry?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3. COMMUNITY FACILITIES: CEQR Technical Manual Chapter 6		
(a) Direct Effects		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Indirect Effects		
o Early Childhood Programs: Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in Chapter 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Public Schools: Would the project result in 100 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in Chapter 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Libraries: Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in Chapter 6)	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Health Care Facilities and Fire/Police Protection: Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4. OPEN SPACE: CEQR Technical Manual Chapter 7		
(a) Would the project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the project generate a net increase of more than 175 residential units in an existing R1-R4 district or 250 units in an existing R5 or above, C, or M district?	<input type="checkbox"/>	<input type="checkbox"/>
(c) Would the project generate more than 500 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. SHADOWS: CEQR Technical Manual Chapter 8		
(a) Would the proposed project result in with-action structures of 250 feet or more?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in with-action structures between 50-250 feet and be located adjacent to, within, or across the street from a sunlight-sensitive resource?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	YES	NO
(c) Would the proposed project result in greater than 50 feet of incremental height change or substantial changes in bulk?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. HISTORIC AND CULTURAL RESOURCES: CEQR Technical Manual Chapter 9		
(a) Does the proposed project site or an adjacent site contain any architectural and/or archaeological resource that is eligible for or has been designated (or is calendared for consideration) as a New York City Landmark, Interior Landmark or Scenic Landmark; that is listed or eligible for listing on the New York State or National Register of Historic Places; or that is within a designated or eligible New York City, New York State or National Register Historic District? (See the GIS System for Archaeology and National Register to confirm)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project involve construction resulting in in-ground disturbance to an area not previously excavated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to either of the above, list any identified architectural and/or archaeological resources and attach supporting information on whether the proposed project would potentially affect any architectural or archeological resources. See Attachment		
7. URBAN DESIGN AND VISUAL RESOURCES: CEQR Technical Manual Chapter 10		
(a) Would the proposed project result in a building over 250 feet tall, have a project area greater than 1.5 acres or be classified as a general large-scale development?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Does the project require a special permit to allow the modification of bulk and yard requirements or special uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Does the proposed project introduce new, or change the location of, streets or public open spaces?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the proposed project result in obstruction of publicly accessible views to visual resources not currently allowed by existing zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. NATURAL RESOURCES: CEQR Technical Manual Chapter 11		
(a) Does the proposed project site or a site adjacent to the project contain natural resources as defined in Section 100 of Chapter 11 ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," list the resources and attach supporting information on whether the proposed project would affect any of these resources.		
(b) Is any part of the directly affected area within the Jamaica Bay Watershed ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," complete the Jamaica Bay Watershed Protection Plan Project Tracking Form , and submit according to its instructions . N/A		
9. HAZARDOUS MATERIALS: CEQR Technical Manual Chapter 12		
(a) Would the proposed project allow commercial or residential uses in an area that is currently, or was historically, a manufacturing area that involved hazardous materials?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project introduce new activities or processes using hazardous materials and increase the risk of human or environmental exposure?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to hazardous materials that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the project require soil disturbance in a manufacturing area or any development on or near a manufacturing area or existing/historic facilities listed in the Hazardous Materials Appendix (including nonconforming uses)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Would the project result in the development of a site where there is reason to suspect the presence of hazardous materials, contamination, illegal dumping or fill, or fill material of unknown origin?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(f) Would the project result in development on or near a site that has or had underground and/or aboveground storage tanks (e.g., gas stations, oil storage facilities, heating oil storage)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Would the project result in renovation of interior existing space on a site with the potential for compromised air quality; vapor intrusion from either on-site or off-site sources; or the presence of asbestos, PCBs, mercury or lead-based paint?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Would the project result in development on or near a site with potential hazardous materials issues such as government-listed voluntary cleanup/brownfield site, current or former power generation/transmission facilities, coal gasification or gas storage sites, railroad tracks or rights-of-way, or municipal incinerators?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(i) Has a Phase I Environmental Site Assessment been performed for the site?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," were Recognized Environmental Conditions (RECs) identified? Briefly identify: See Attachment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(j) Based on the Phase I Assessment, is a Phase II Investigation needed? See Attachment	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. WATER AND SEWER INFRASTRUCTURE: CEQR Technical Manual Chapter 13		
(a) Would the project result in water demand of more than one million gallons per day?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If the proposed project located in a combined sewer area, would it result in at least 1,000 residential units or 250,000 square feet or more of commercial space in Manhattan, or at least 400 residential units or 150,000 square feet or more of commercial space in the Bronx, Brooklyn, Staten Island, or Queens?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If the proposed project located in a separately sewered area , would it result in the same or greater development than the amounts listed in Table 13-1 in Chapter 13 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Would the proposed project involve development on a site that is 5 acres or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
(e) If the project is located within the Jamaica Bay Watershed or in certain specific drainage areas , including Bronx River, Coney Island Creek, Flushing Bay and Creek, Gowanus Canal, Hutchinson River, Newtown Creek, or Westchester Creek, would it involve development on a site that is 1 acre or larger where the amount of impervious surface would increase?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(f) Would the proposed project be located in an area that is partially sewerred or currently unsewerred?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11. SOLID WASTE AND SANITATION SERVICES: CEQR Technical Manual Chapter 14		
(a) Using Table 14-1 in Chapter 14 , the project's projected operational solid waste generation is estimated to be (pounds per week): 4,203 lbs / week (based on a factor of 17 lbs per week per individual and 11 projected residents and 251 lbs per week per restaurant employee and 16 projected restaurant employees)		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12. ENERGY: CEQR Technical Manual Chapter 15		
(a) Using energy modeling or Table 15-1 in Chapter 15 , the project's projected energy use is estimated to be (annual BTUs): 2.38 Million BTUs (Based on 3,176 GSF of commercial floor area and an energy consumption rate of 216.3 Thousand BTU per SF of commercial floor area, and 34,403 GSF of residential floor area and an energy consumption rate of 126.7 thousand BTU per SF of residential floor area).		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13. TRANSPORTATION: CEQR Technical Manual Chapter 16		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in Chapter 16 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of Chapter 16 for more information.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail, bus trips, or 50 Citywide Ferry Service ferry trips per project peak hour?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction), 200 subway/rail trips per station or line, or 25 or more Citywide Ferry Service ferry trips on a single route (in one direction), or 50 or more passengers at a Citywide Ferry Service landing?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop, or Citywide Ferry Service landing?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
14. AIR QUALITY: CEQR Technical Manual Chapter 17		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in Chapter 17 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in Chapter 17 ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in Chapter 17 ? (Attach graph as needed) See Attachment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Does the proposed project involve multiple buildings on the project site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
15. GREENHOUSE GAS EMISSIONS: CEQR Technical Manual Chapter 18		
(a) Is the proposed project a city capital project or a power generation plant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project fundamentally change the City's solid waste management system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in Chapter 18 ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16. NOISE: CEQR Technical Manual Chapter 19		
(a) Would the proposed project generate or reroute vehicular traffic?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	YES	NO
(b) Would the proposed project introduce new or additional receptors (see Section 114 in Chapter 19) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
17. PUBLIC HEALTH: CEQR Technical Manual Chapter 20		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality; Hazardous Materials; Noise?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) If “yes,” explain why an assessment of public health is or is not warranted based on the guidance in Chapter 20 , “Public Health.” Attach a preliminary analysis, if necessary. The Proposed Project would adhere to all relevant recommendations and conclusions of the Hazardous Materials, Noise, and Air Quality analyses, such that no significant adverse impacts would result and that a Public Health analysis is not warranted.		
18. NEIGHBORHOOD CHARACTER: CEQR Technical Manual Chapter 21		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) If “yes,” explain why an assessment of neighborhood character is or is not warranted based on the guidance in Chapter 21 , “Neighborhood Character.” Attach a preliminary analysis, if necessary.		
19. CONSTRUCTION: CEQR Technical Manual Chapter 22		
(a) Would the project’s construction activities involve:		
o Construction activities lasting longer than two years?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction activities within a Central Business District or along an arterial highway or major thoroughfare?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o The operation of several pieces of diesel equipment in a single location at peak construction?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Closure of a community facility or disruption in its services?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Activities within 400 feet of a historic or cultural resource?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o Disturbance of a site containing or adjacent to a site containing natural resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If any boxes are checked “yes,” explain why a preliminary construction assessment is or is not warranted based on the guidance in Chapter 22 , “Construction.” It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination. <p>Construction of the Proposed Project could result in the temporary closing of the Project Site's adjacent sidewalk along the north side of Little West 12th Street. All sidewalk and related closures would be coordinated through NYC DOT's Office of Construction Mitigation and Coordination. The Project Site is located within the S/NR-designated Gansevoort Market Historic District. Pursuant to the NYS Office of Parks, Recreation, and Historic Preservation’s (OPRHP’s) Cultural Resources Information System (CRIS), accessed on October 22, 2024, there are two (2) contributing resources to the historic district within 90 feet of the Project Site, including: (1) 49 Little West 12th Street (USN No. 06101.015368) and (2) 53-55 Little West 12th Street (USN No. 06101.015370). As such, in addition to the standard NYC DOB protection controls, the Applicant will implement the NYC DOB’s TPPN #10/88, including monitoring programs to reduce the likelihood of construction damage to contributing structures to the S/NR-designated Gansevoort Market Historic District that are within 90 feet of the Project Site.</p> <p>With respect to construction air quality and noise, the Applicant will adhere to best management practices during construction, including: (1) diesel equipment reduction; (2) use of clean fuel; (3) use of best available tailpipe reduction technologies; (4) use of diesel particle filters on applicable equipment; (5) use of newer / modern equipment; (6) implementation of dust control measures; and (7) restrict vehicle idling. Additionally, construction noise is regulated by</p>		

YES	NO
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the NYC Noise Control Code and by EPA’s noise emission standards for construction equipment. These local and federal requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emission standards; that construction activities be limited to weekdays between the hours of 7AM and 6PM; and that construction materials be handled and transported in such a manner as not to create unnecessary noise. If weekend or after hour work is necessary, permits would be required to be obtained, as specified in the NYC Noise Control Code.

Based on the foregoing, no significant adverse construction impacts related to transportation, historic and cultural resources, or noise and air quality are anticipated as a result of the Proposed Project and no further analysis is warranted.

20. APPLICANT’S CERTIFICATION

I swear or affirm under oath and subject to the penalties for perjury that the information provided in this Environmental Assessment Statement (EAS) is true and accurate to the best of my knowledge and belief, based upon my personal knowledge and familiarity with the information described herein and after examination of the pertinent books and records and/or after inquiry of persons who have personal knowledge of such information or who have examined pertinent books and records.

Still under oath, I further swear or affirm that I make this statement in my capacity as the applicant or representative of the entity that seeks the permits, approvals, funding, or other governmental action(s) described in this EAS.

APPLICANT/REPRESENTATIVE NAME Olga Abinader, Matrix New World	DATE April 9, 2026
--	-----------------------

SIGNATURE 

PLEASE NOTE THAT APPLICANTS MAY BE REQUIRED TO SUBSTANTIATE RESPONSES IN THIS FORM AT THE DISCRETION OF THE LEAD AGENCY SO THAT IT MAY SUPPORT ITS DETERMINATION OF SIGNIFICANCE.

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

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

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.		Potentially Significant Adverse Impact	
		YES	NO
IMPACT CATEGORY			
Land Use, Zoning, and Public Policy		<input type="checkbox"/>	<input type="checkbox"/>
Socioeconomic Conditions		<input type="checkbox"/>	<input type="checkbox"/>
Community Facilities and Services		<input type="checkbox"/>	<input type="checkbox"/>
Open Space		<input type="checkbox"/>	<input type="checkbox"/>
Shadows		<input type="checkbox"/>	<input type="checkbox"/>
Historic and Cultural Resources		<input type="checkbox"/>	<input type="checkbox"/>
Urban Design/Visual Resources		<input type="checkbox"/>	<input type="checkbox"/>
Natural Resources		<input type="checkbox"/>	<input type="checkbox"/>
Hazardous Materials		<input type="checkbox"/>	<input type="checkbox"/>
Water and Sewer Infrastructure		<input type="checkbox"/>	<input type="checkbox"/>
Solid Waste and Sanitation Services		<input type="checkbox"/>	<input type="checkbox"/>
Energy		<input type="checkbox"/>	<input type="checkbox"/>
Transportation		<input type="checkbox"/>	<input type="checkbox"/>
Air Quality		<input type="checkbox"/>	<input type="checkbox"/>
Greenhouse Gas Emissions		<input type="checkbox"/>	<input type="checkbox"/>
Noise		<input type="checkbox"/>	<input type="checkbox"/>
Public Health		<input type="checkbox"/>	<input type="checkbox"/>
Neighborhood Character		<input type="checkbox"/>	<input type="checkbox"/>
Construction		<input type="checkbox"/>	<input type="checkbox"/>
2. Does the project have the potential to disproportionately affect disadvantaged communities, or cause or increase a disproportionate pollution burden on a disadvantaged community.		<input type="checkbox"/>	<input type="checkbox"/>
3. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials? If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.		<input type="checkbox"/>	<input type="checkbox"/>
4. Check determination to be issued by the lead agency:			
<input type="checkbox"/> Positive Declaration: If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a <i>Positive Declaration</i> and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).			
<input type="checkbox"/> Conditional Negative Declaration: A <i>Conditional Negative Declaration</i> (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.			
<input type="checkbox"/> Negative Declaration: If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a <i>Negative Declaration</i> . The <i>Negative Declaration</i> may be prepared as a separate document (see template) or using the embedded Negative Declaration on the next page.			
5. LEAD AGENCY'S CERTIFICATION			
TITLE		LEAD AGENCY	
NAME		DATE	
SIGNATURE			

NEGATIVE DECLARATION (Use of this form is optional)

Statement of No Significant Effect

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

Reasons Supporting this Determination

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

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

TITLE	LEAD AGENCY
NAME	DATE
SIGNATURE	

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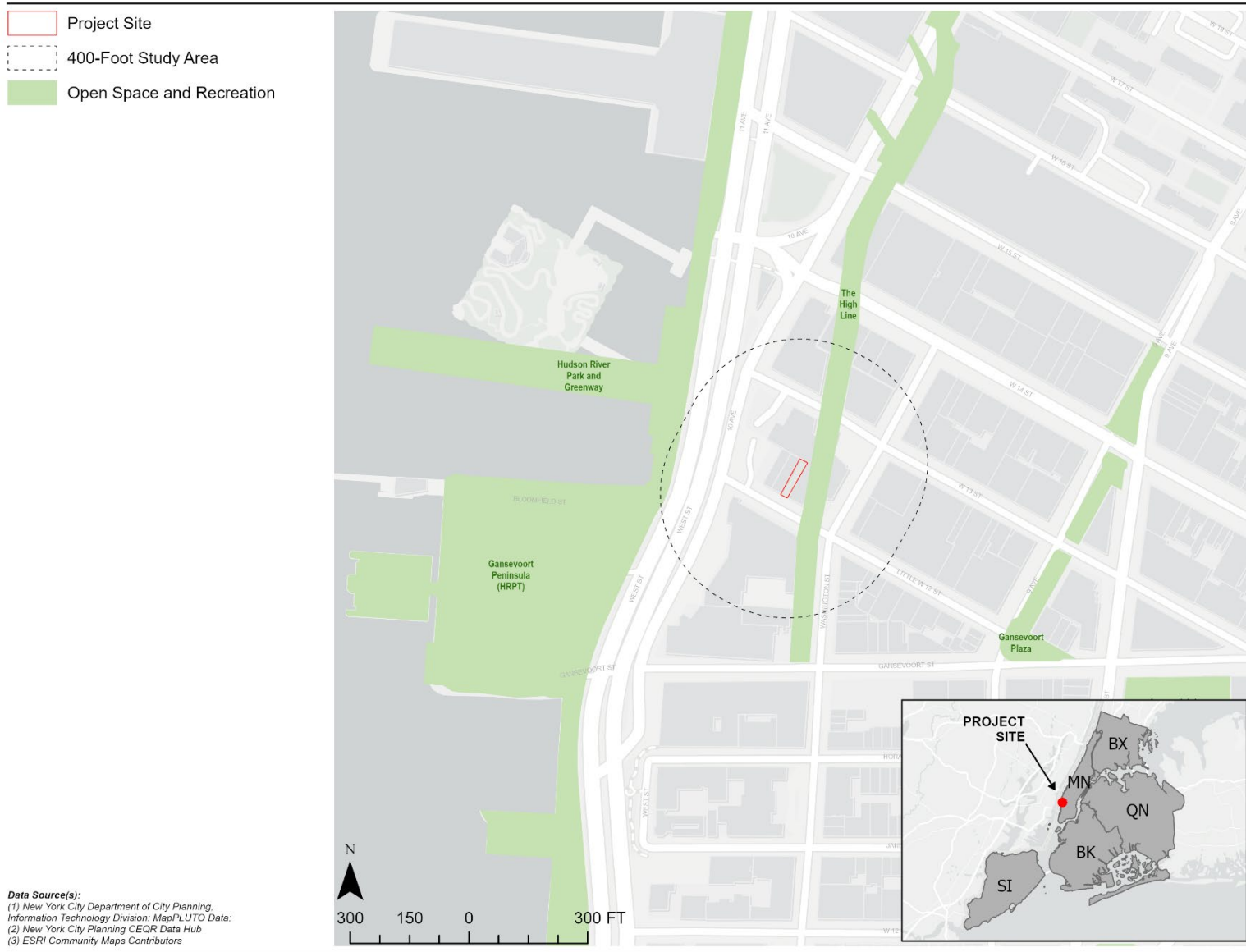
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APPENDICES

- Appendix A – Waterfront Revitalization Policy (WRP) Assessment
- Appendix B – Historic and Cultural Resources Appendix
- Appendix C – Natural Resources Appendix
- Appendix D – Air Quality Appendix

EAS Form Figure 1, Project Site Location Map



EAS Form Figure 2, Official Tax Map



NYC Digital Tax Map

Effective Date : 06-27-2016 08:52:58
 End Date : 04-17-2017 14:41:30
 Manhattan Block: 645

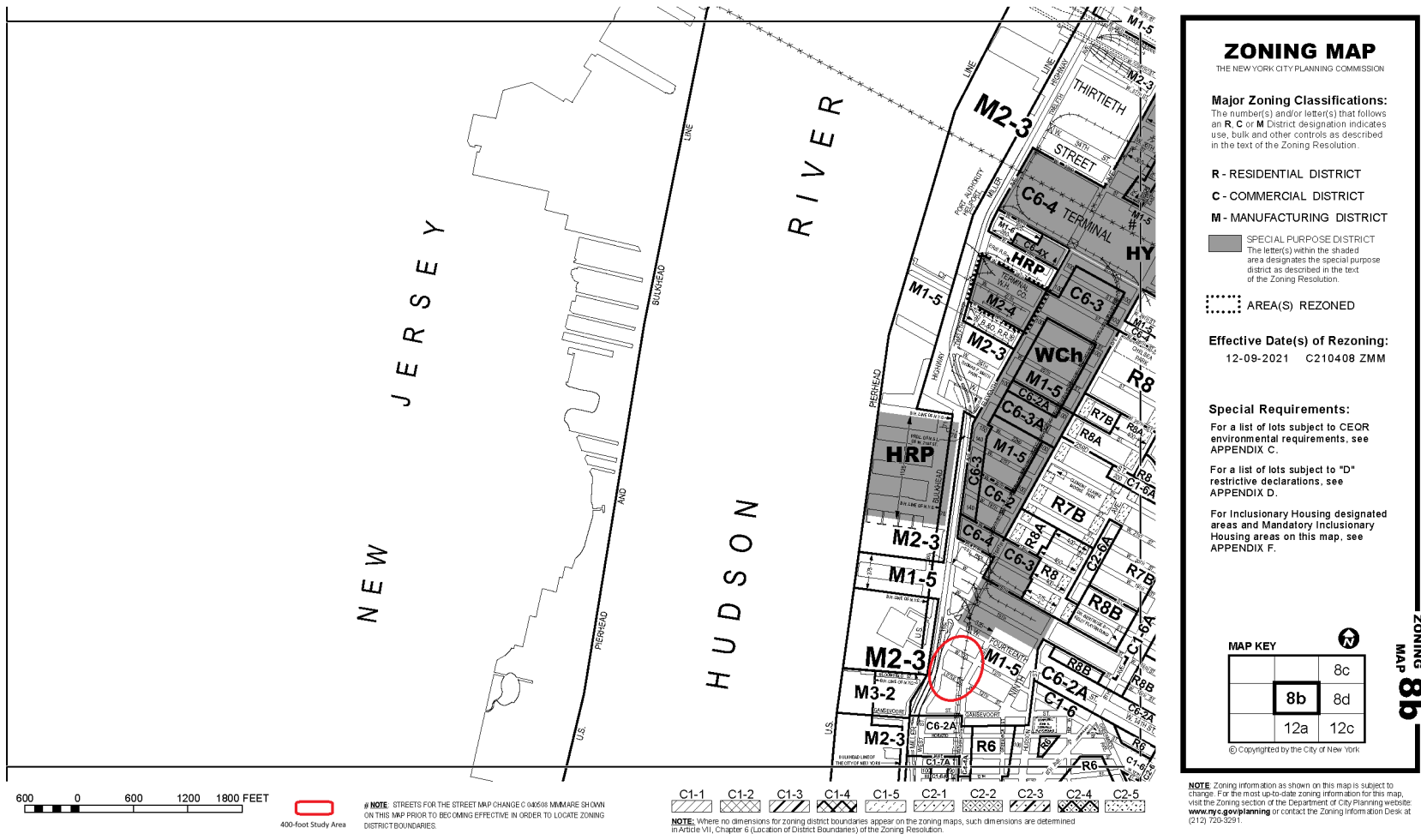
Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Project Site



0 5 10 20 30 40 Feet

EAS Form Figure 3, Existing Zoning Map

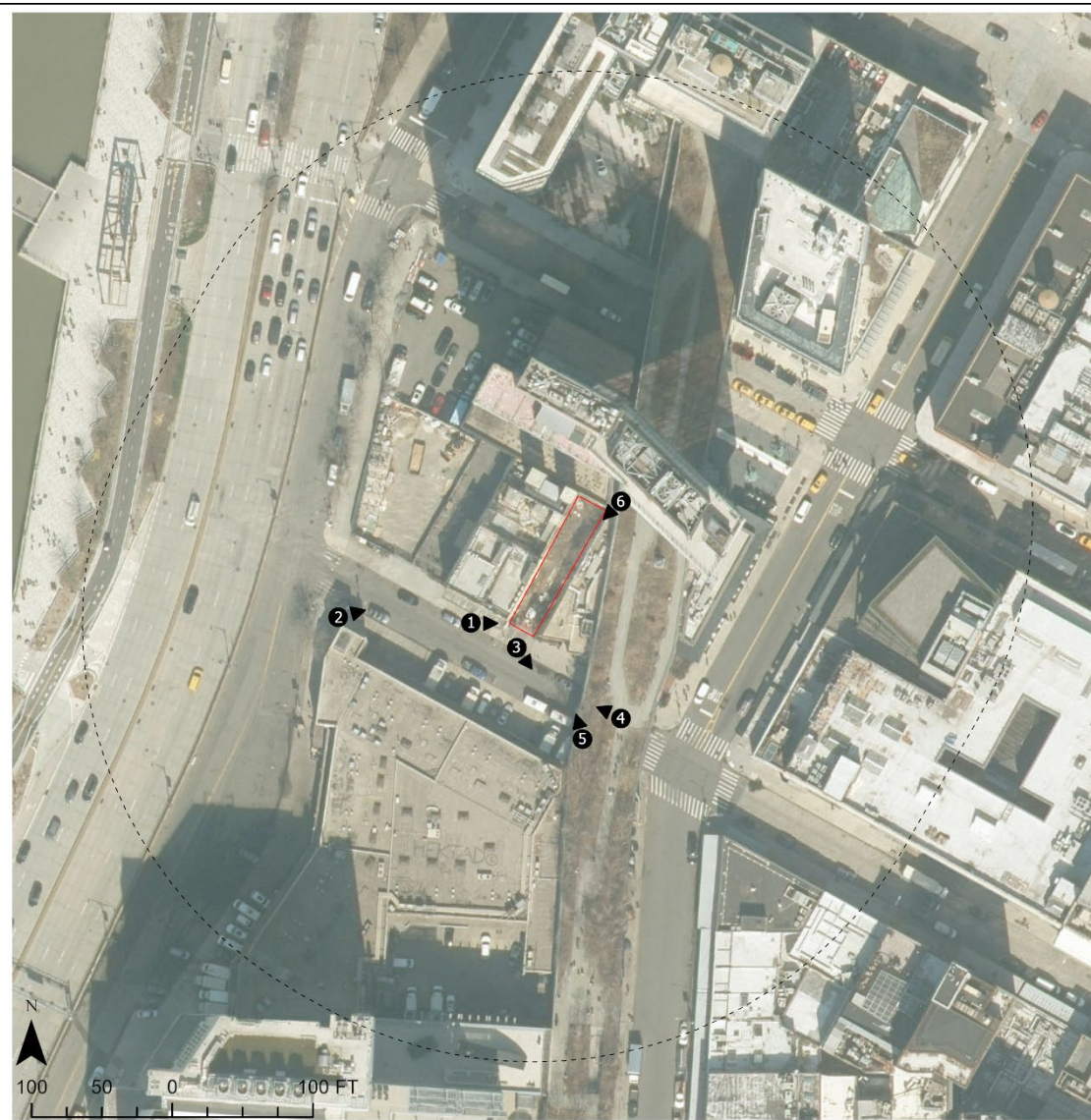


EAS Form Figure 4, Existing Land Use Map



EAS Form Figure 5, Aerial Photography and Photograph Key

-  Project Site
-  400-Foot Study Area
-  Photo Location



Data Source(s):
(1) New York City Department of City Planning,
Information Technology Division; MapPLUTO Data;
(2) ESRI Community Maps Contributors

EAS Form Figure 6, Project Site and Surrounding Area Photographs



Photo No. 1: View of the Project Site looking north from Little West 12th Street



Photo No. 2: View of the Project Site looking northeast from the intersection of Little West 12th Street and 10th Avenue



Photo No. 3: View looking southeast from the Project Site along Little West 12th Street



Photo No. 4: View looking northwest toward the Project Site along Little West 12th Street from the High Line

All photographs taken on October 29, 2024

EAS Form Figure 6, Project Site and Surrounding Area Photographs (Continued)



Photo No. 5: View from the High Line looking east towards the Project Site; due to vegetation/landscaping along the western edge of the High Line in this area, direct views of ground conditions of the Project Site are not possible.

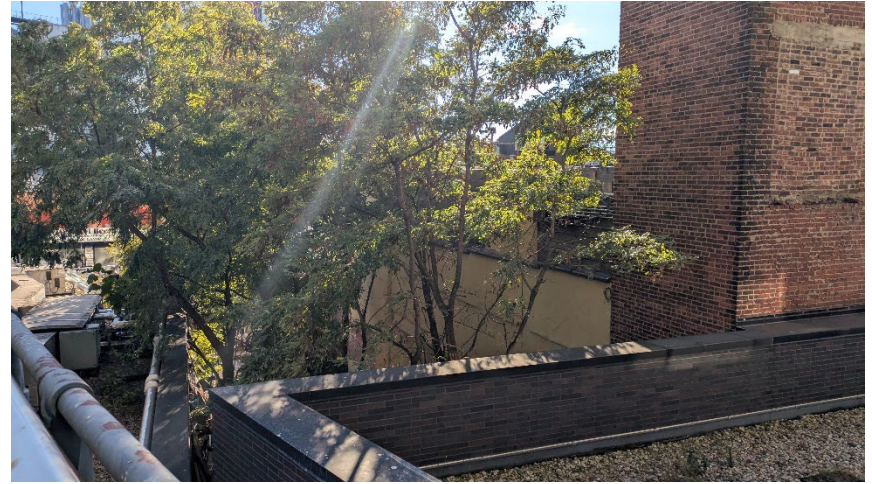


Photo No. 6: View from the High Line looking southwest towards the Project Site.

All photographs taken on October 23, 2025

EAS Form Figure 7, Coastal Zone Boundary Map

-  Project Site
-  400-Foot Study Area
-  Coastal Zone Boundary



Data Source(s):
(1) New York City Department of City Planning,
Information Technology Division: MapPLUTO Data;
(2) ESRI Community Maps Contributors

1 PROJECT DESCRIPTION

1.1 Introduction

The Applicant is requesting a use variance (the “Proposed Action”) from the New York City (NYC) Board of Standards and Appeals (BSA) to permit the construction of a new 19,590-gross-square-foot (-GSF) / 11,392-zoning-square-foot (-ZSF), 9-story with cellar / 131.3-foot tall mixed-use residential and groundfloor commercial buildings, including 3,176 GSF of commercial floor area in the first and third floors of the building (to be used as a restaurant), 13,403 GSF of residential floor area with six (6) residential dwelling units, with the remaining 2,525 GSF of building area in the cellar utilized for building utility and mechanical systems (the “Proposed Project”) within a mapped M1-5 zoning district (which does not permit residential uses as-of-right) at 51 Little West 12th Street (Block 645, Lot 21) in the West Village neighborhood of Manhattan Community District 2 (the “Project Site”). Aside from the use variance, the proposed building would otherwise conform to all area and bulk regulations of the existing M1-5 zoning district.

1.2 Background and Site History

Pursuant to New York City (NYC) Department of Buildings (DOB) records, the Project Site was previously developed with a three (3) story residential building, which was demolished in 2009 under a DOB emergency declaration.

The High Line, which runs nearly adjacent to the Project Site to the east, previously an abandoned elevated rail line, has been incrementally repurposed as a public park since 2009, which has spurred various accessory redevelopment along its path since that time, including at Block 645, in which the Project Site is located, as well as its immediate vicinity. The Standard Hotel, a luxury hotel located adjacent to the Project Site to the north, as well as modern commercial office buildings on Block 646 to the north and the Whitney Museum facility on Block 644 to the south, exemplify new development catalyzed by the High Line redevelopment.

The Project Site and surrounding area are located within the State and National Register of Historic Places (S/NR) Gansevoort Market Historic District (05NR05491). The Gansevoort Market Historic District is distinctive for its architectural character which reflects the area's long history of continuous, varied use as a place of dwelling, industry, and commerce, particularly as a marketplace, and its urban layout. A more detailed discussion of this historic resource and the Project Site's location and function within the district is found in **Section 3 , Historic and Cultural Resources**.

1.3 Description of the Project Site

The Project Site is comprised of one tax lot located at 51 Little West 12th Street (Block 645, Lot 21) in the West Village neighborhood of Manhattan Community District 2. The 2,581-square-foot (-SF) lot is vacant and used for art exhibits and storage, featuring 25 feet of frontage along Little West 12th Street. The Project Site is located within an M1-5 zoning district, which is often a buffer between more intense M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities.

1.4 Description of the Surrounding Area

The Project Site is located within the West Village neighborhood of the borough of Manhattan, within an area known as the Meatpacking District. The Meatpacking District has become a hub for fashion, design, and art, with the presence of renowned fashion boutiques, art galleries, the Whitney Museum of American Art, and the High Line. The neighborhood has become a popular destination for locals

and tourists alike. The block in which the Project Site is located is developed with various commercial uses, including The Standard Hotel and restaurants, with undeveloped properties at the western end of the block that are utilized as unlicensed parking facilities. Further west is the West Side Highway (i.e., New York State (NYS) Route 9A) with the Little Island portion of the Hudson River Park, and the Hudson River itself, beyond. To the south and southeast of the Project Site, on the south side of Little West 12th Street, is a mix of commercial, institutional, and mixed-use residential and commercial development.

1.5 Description of the Applicant’s Proposed Project

The Proposed Project consists of the construction of a new 19,590-GSF / 11,392-ZSF, 9-story with cellar / 131.3-foot tall mixed-use residential and groundfloor commercial buildings at the Project Site, including 3,176 GSF of commercial floor area in first and third floors of the building (to be used as a restaurant), 13,403 GSF of residential floor area with six (6) residential dwelling units, and a 2,525 GSF of building area in the cellar utilized for building utility and mechanical systems. The second floor would house utility rooms and bicycle storage, as well as a 486-SF mechanical terrace area at the rear of the floor. The third floor would feature a secondary restaurant space (from which the second-floor mechanical terrace would be accessed), as well as a 410-SF open-air terrace at the front of the building (considered part of the overall commercial GSF). The 4th through 9th floors would feature residential apartments (one (1) on each floor, for six (6) in total). Mechanical and elevator bulkheads would be located on the roof of the building. The southern façade of the building would slope northwards above the 9th floor to comply with sky exposure plane requirements associated with the M1-5 zoning district mapped at the Project Site.

1.6 Action(s) Necessary to Facilitate the Applicant’s Proposed Project

The Applicant is requesting a use variance from the NYC BSA to permit the development of residential uses at the Project Site, which are not permitted under the existing mapped M1-5 zoning district (the Proposed Action).

1.7 Purpose and Need

The Project Site, a relatively small lot within an M1-5 zoning district, is inadequate for modern manufacturing uses, which require large, uniform floor plates and wide frontages to accommodate loading. Conforming uses in this area are clearly established on larger parcels. The small lot size of the Project Site is not conducive to a conforming manufacturing use, and its longstanding history of vacancy reflects the absence of a market for smaller sites for conforming uses. Manufacturing activities typically involve the use of large machinery and equipment. A small lot may not provide sufficient space to accommodate necessary tools and machinery, leading to congestion and hindered operations. A small lot may also pose challenges for storage, and adequate storage space is crucial to store materials, work-in-progress inventory, and finished goods. Finally, the small lot size limits the rent potential of the Project Site to a warehouse building, which is insufficient to offset development costs.

This, in conjunction with other challenges of the Project Site, including subsurface conditions (high water table and poor soil quality) and its prolonged vacancy, legitimize a need for the Proposed Action, as their combination presents a unique set of physical conditions that severely limit its reasonable use as-of-right. Because of the unique factors discussed above, unnecessary hardship arises in complying strictly with the use provisions of the Zoning Resolution, and the granting of a use variance is, therefore, necessary to enable the owner to realize a reasonable return at the Project Site.

1.8 Analysis Framework

The analysis framework compares the incremental difference between future development under the Proposed Action (the Future With-Action Scenario) and the development that could occur at the Project Site absent the Proposed Action (the Future No-Action Scenario). This EAS studies the potential for individual and cumulative environmental impacts related to the Proposed Action occurring in a study area of approximately 400 feet around the Project Site.

1.8.1 Project Analysis Year

Based on an anticipated development approval process by Fall 2026 (including CEQR, BSA Approval, and the issuance of building permits for the Applicant's Proposed Project two (2) months later), and an 18-month construction timeline for the Proposed Project, the Project Analysis Year is projected to be 2028 (from Fall 2026 to Spring 2028). The Proposed Project's construction timeline is expected to generally follow the below schedule:

- Site Preparation (1 month)
- Excavation and Foundation Construction (2 months)
- Superstructure Construction and Exterior Fit Out (14 months)
- Interior Fit Out and Project Close Out (1 month)

1.8.2 Future No-Action Scenario

Pursuant to information provided by the Applicant, the Project Site would not be redeveloped absent the Proposed Action, such that the existing conditions as described in **Section 1.3** above would remain.

1.8.3 Future With-Action Scenario

The Future With-Action Scenario is equivalent to the Applicant's Proposed Project. Therefore, the Future With-Action Scenario consists of the construction of a new 19,590-GSF / 11,392-ZSF, 9-story with cellar / 131.3-foot tall mixed-use residential and groundfloor commercial buildings at the Project Site, including 3,176 GSF of commercial floor area in first and third floors of the building (to be used as a restaurant), 13,403 GSF of residential floor area with six (6) residential dwelling units, and a 2,525 GSF of building area in the cellar utilized for building utility and mechanical systems. The second floor would house utility rooms and bicycle storage, as well as a 486-SF mechanical terrace area at the rear of the floor. The third floor would feature a secondary restaurant space (from which the second-floor mechanical terrace would be accessed), as well as a 410-SF open-air terrace at the front of the building (considered part of the overall commercial GSF). The 4th through 9th floors would feature residential apartments (one (1) on each floor, for six (6) in total). Mechanical and elevator bulkheads would be located on the roof of the building. The southern façade of the building would slope northwards above the 9th floor to comply with sky exposure plane requirements associated with the M1-5 zoning district mapped at the Project Site.

Table 1-1, CEQR Analysis Framework Table

Site Info				Future No-Action Scenario						
Site ID	Block	Lot(s)	Lot Area (sf)	Zoning	Vacant (gsf)	Utility (gsf)	Comm (gsf)	Res (gsf)	Total (gsf)	Total DUs
Project Site	645	21	2,581	M1-5	2,581	0	0	0	0	0
TOTAL:	-	-	2,581	-	2,581	0	0	0	0	0
Site Info				Future With-Action Scenario						
Site ID	Block	Lot(s)	Lot Area (sf)	Zoning	Vacant (gsf)	Utility (gsf)	Comm (gsf)	Res (gsf)	Total (gsf)	Total DUs
Project Site	645	21	2,581	M1-5	0	3,011 ¹	3,176	13,403	19,590	6
TOTAL:	-	-	2,581	-	0	3,011	3,176	14,905	19,590	6

Note(s): ¹ Includes the 2,525 GSF cellar space and 486 SF mechanical terrace

1.8.1 CEQR Analysis Increments

As indicated in **Table 1-2** below, the Future With-Action Scenario would result in several incremental increases in various analysis metrics over the Future No-Action Scenario. The maximum overall building height would increase by 131.3 feet, from 0 feet in the Future No-Action Scenario to 131.3 feet in the Future With-Action Scenario. Residential-related incremental increases from the Future No-Action Scenario to the Future With-Action Scenario include an increase in residential floor area from 0 GSF to 13,403 GSF (a 13,403-GSF incremental increase), total dwelling units from 0 to 6 (a 6-unit increase), and total projected residents from 0 to 11 people (a 11-person increase). As the Future No-Action Scenario does not feature commercial uses, the proposed 3,176 GSF commercial space under the Future With-Action Scenario also represents the forecasted incremental floor area increase for this use. The 16 projected employees associated with this proposed commercial use also represent the incremental employee increase at the Project Site from the Future No-Action Scenario to the Future With-Action Scenario.

Table 1-2, CEQR Analysis Increments

	Future No-Action Scenario	Future With-Action Scenario	CEQR Analysis Increment
<u>Proposed Building Height (FT)</u>	0 FT	131.3 FT ¹	+131.2 FT
<u>Vacant Land Uses (SF)</u>	2,581	0	-2,581 SF
<u>Residential Uses</u>			
GSF	0 GSF	13,403 GSF	+13,403 GSF
Dwelling Units	0	6	+6 dwelling units
Residents	0	11	+11 residents
<u>Commercial Uses</u>			
GSF	0 GSF	3,176 GSF	+3,176 GSF
Employees	0	16	+16 Employees

Note(s): ¹ Includes a 124.3-foot building height and seven (7) feet of additional height associated with mechanical and elevator bulkheads.

1.8.2 Supplemental Shadows Screening

As indicated in accompanying EAS Form, **Part II, Section 5(b)** is checked 'YES,' indicating the Future With-Action Scenario is between 50 to 250 feet in height and located adjacent to, within, or across the street from a sunlight sensitive resource (The High Line). Pursuant to the *2025 CEQR Technical Manual*, a preliminary shadows screening is appropriate if the Future With-Action Scenario would:

- (a) result in with-action structures of 250 feet or more;
- or
- (b) result in with-action structures of between 50 and 250 feet and be located adjacent to, within, or across the street from a sunlight-sensitive resource; and

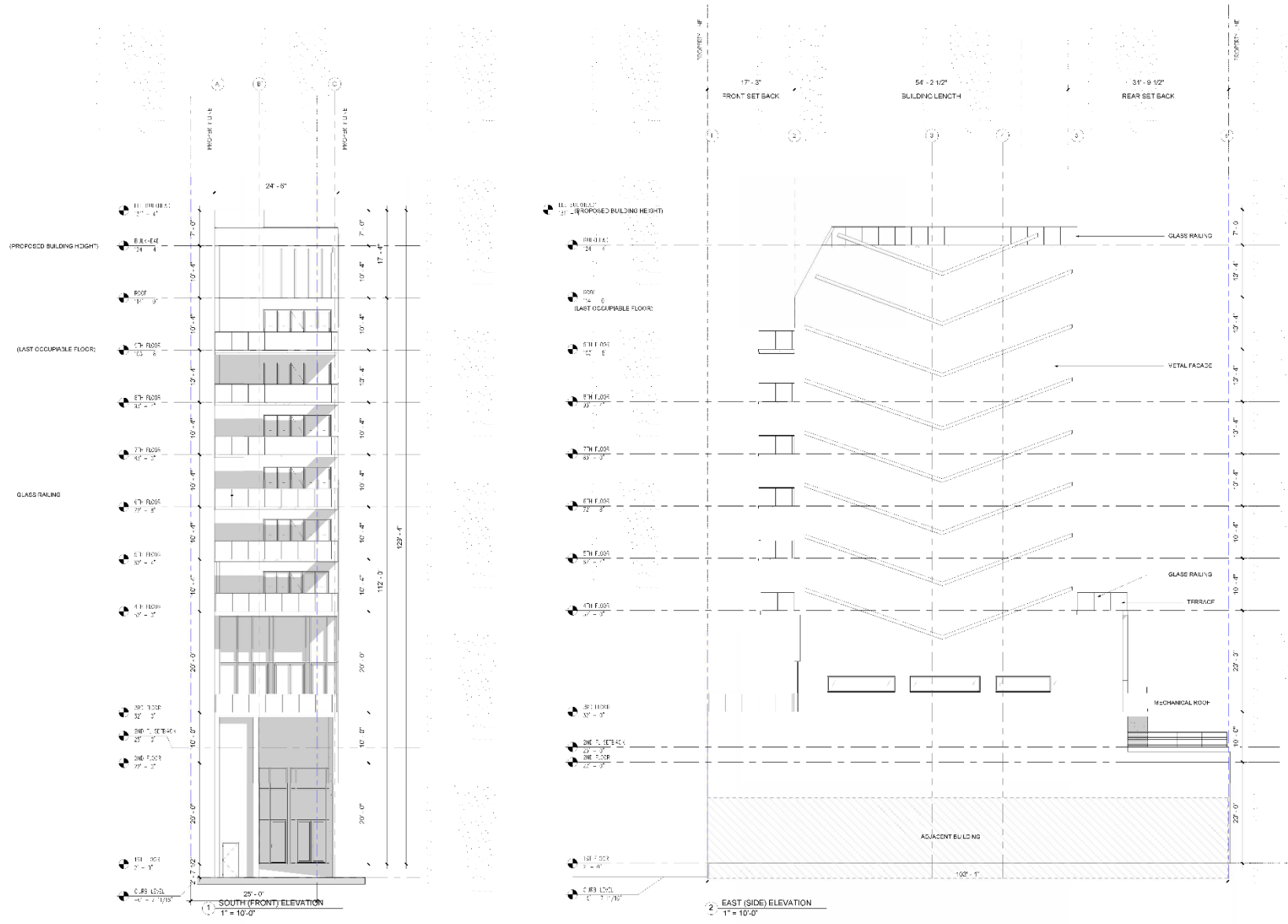
- (c) result in greater than 50 feet of incremental height change or substantial changes in bulk (i.e. a wider with-action building envelope than the no-action building).

Regarding Criteria A, as indicated in **Table 1-2**, the Future With-Action Scenario would result in a maximum 131.3-foot incremental height increase at the Project Site, such that it would not trigger this threshold for a preliminary shadows screening.

Regarding the combined screening of Criterion B and C, while the Future With-Action Scenario would result in a building between 50 and 250 feet in height and be located adjacent to a sunlight sensitive resource (The High Line) it would not result in a building with substantial changes in bulk; the Future With-Action Scenario would be constructed as-of-right pursuant to the area and bulk regulations of the underlying M1-5 zoning district, such that absent the Proposed Action, a building of the exact same area and bulk could be constructed at the Project Site, that would result in identical shadow conditions on nearby sunlight sensitive resources.

Based on the foregoing, the Future With-Action Scenario does not meet the individual or combined criterion for a preliminary shadows screening analysis, and no further analysis is warranted.

Figure 1-1, Future With-Action Scenario Building Diagram



2 LAND USE, ZONING, AND PUBLIC POLICY

2.1 Introduction

The *2025 CEQR Technical Manual* recommends procedures for the analysis of land use, zoning, and public policy to ascertain the impacts of a project on the Surrounding Area. Land use, zoning, and public policy are described in detail below. This section considers existing conditions, development trends, zoning, and other public policies in relation to the Project Site and its associated Study Area, as well as the larger area in which the Proposed Action may have an effect. As the Proposed Action would facilitate the development of a new land use (i.e., residential dwelling units) that differ from the surrounding area, a preliminary assessment of Land Use, Zoning, and Public Policy is required.

2.2 Methodology

This analysis assesses the impact of the Proposed Action on land use, zoning, and public policy at the Project Site and its associated Study Area. The analysis includes a description of the Existing Conditions, Future No-Action Scenario, and Future With-Action Scenario at the Project Site and Study Area geographies; the impact of the Proposed Action is then assessed through a comparison of the Future No-Action and With-Action Scenarios.

The assessment considers the direct effects of the project, including: (1) how the Project Site would be zoned; what use(s) would the Proposed Project create at the Project Site; and (3) would that use be different from the use that would otherwise be located on the site in the build year? The analysis then focuses on the project's compatibility and consistency with surrounding land uses, zoning, and applicable public policies as they would exist in the future without the project. Finally, the analysis should determine whether the project would have the ability to generate land use change in the study area. This analysis addresses the interplay between the Proposed Project in its particular location and conditions in the surrounding area. Key conditions most often include the size, use, and special characteristics of the development expected with the proposed project; the current and anticipated land use trends; linkages among land uses; presence (or absence) of underutilized properties appropriately zoned for the expected new use; and zoning or other public policies in the area that promote, permit, or prohibit the development of the expected new use.

Existing land uses were determined by reference to the New York City Zoning and Land Use (ZoLa) database and PLUTOTM 25v2 shapefiles. The evaluation of lots within the 400-foot Study Area was performed with reference to New York City Zoning Maps and the Zoning Resolution of the City of New York and served as the basis for the zoning evaluation of the Future No-Action and Future With-Action Conditions. Public Policy research was performed through an evaluation of the NYC Department of City Planning (DCP) and other city agencies' programs and documentation. The Hudson River roughly delineates the 400-foot study area to the west, buildings fronting along 14th Street (between 10th Avenue and Washington Street) to the north, mid-block on Manhattan Tax Block 645 to the east, and the Whitney Museum to the south.

2.3 Preliminary Land Use, Zoning, and Public Policy Analysis

2.3.1 Land Use

Existing Conditions

Project Site

The Project Site is comprised of one tax lot located at 51 Little West 12th Street (Block 645, Lot 21) in the West Village neighborhood of Manhattan Community District 2. The 2,581-SF lot is vacant and used for art exhibits and storage, featuring 25 feet of frontage along Little West 12th Street.

Study Area

The land use character of the area within 400 feet of the Project Site is a mixture of commercial uses, with The High Line open space bisecting the Study Area north-south and Hudson River Park, another north-south linear park, at the western extent of the Study Area along the Hudson River. Block 645, on which the Project Site is located, includes an extensive hotel complex (i.e., the Standard Hotel at the High Line; Use Group (UG) V), and several eating and drinking establishments (UG VI), with the lots comprising the west side of the block (including Lots 1, 2, 5, and 8, all of which are owned by the New York State (NYS) Department of Transportation (DOT)) and front on 10th Avenue) are used as informal surface parking facilities (UG IX(C)). North of the Project Site tax block, on Block 646, are large-scale commercial office buildings, some of which feature ground-floor retail spaces (UGs VII and VI, respectively). East of Washington Street within the Study Area also includes commercial office buildings and ground-floor retail spaces, though at a smaller scale than those to the west. South of the Project Site, on the south side of Little West 12th Street on Block 644, is a large commercial food distribution building (UG VI). The Whitney Museum is found at the southern extent of the Study Area (UG III(B)).

As previously mentioned, portions of both The High Line and Hudson River Park are found within the Study Area (UG I). That portion of the High Line within the Study Area includes walking paths and landscaping/vegetation, as well as access points to various facilities in the area, including The Standard Hotel and Whitney Museum. Similarly, the portion of the Hudson River Park within the Study Area is characterized by walking paths and landscaping and vegetation, with an access point to the Gansevoort Peninsula recreation area (another publicly accessible park considered part of Hudson River Park) while running parallel to NYS Route 9A.

Refer to **EAS Form Figure 4** for a visualization of land uses within the Study Area.

Future No-Action Scenario

Project Site

Absent the Proposed Action (i.e., the Future No-Action Scenario), the Applicant would not be able to develop any elements of the Proposed Project, such that the existing land use conditions at the Project Site, as described above, would remain.

Study Area

Based on a review of NYC's Active Major Construction¹ (AMC) and Zoning Application Portal² (ZAP), there are no significant projects that would change the land use character of the 400-foot study area as it is described above. This includes the four (4) undeveloped lots at the western end of the Project Site Tax Block, for which no known planned or active redevelopment plans were identified.

It is noted that there is a preliminary proposal to redevelop Block 644, Lot 1 (immediately south of the Project Site, featuring the food distribution retailers described above; referred to as "Gansevoort Square"), with a large affordable housing development and Whitney Museum expansion.³ However, at the time this proposal is considered preliminary and would be completed after the 2028 Project Analysis Year.

¹ <https://www.nyc.gov/assets/buildings/html/active-major-construction.html>, accessed July 31, 2025

² <https://zap.planning.nyc.gov/projects>, accessed July 31, 2025

³ <https://edc.nyc.gov/project/gansevoort-square>, accessed July 31, 2025

Future With-Action Scenario

Project Site

The Future With-Action Scenario consists of the construction of a new 19,590-GSF / 11,392-ZSF, 9-story with cellar / 131.3-foot tall mixed-use residential and groundfloor commercial buildings at the Project Site, including 3,176 GSF of commercial floor area in first and third floors of the building (to be used as a restaurant), 13,403 GSF of residential floor area with six (6) residential dwelling units, and a 2,525 GSF of building area in the cellar utilized for building utility and mechanical systems. The second floor would house utility rooms and bicycle storage, as well as a 486-SF mechanical terrace area at the rear of the floor. The third floor would feature a secondary restaurant space (from which the second-floor mechanical terrace would be accessed), as well as a 410-SF open-air terrace at the front of the building (considered part of the overall commercial GSF). The 4th through 9th floors would feature residential apartments (one (1) on each floor, for six (6) in total). Mechanical and elevator bulkheads would be located on the roof of the building. The southern façade of the building would slope northwards above the 9th floor to comply with sky exposure plane requirements associated with the M1-5 zoning district mapped at the Project Site.

Study Area

The Future With-Action Scenario would be limited to the Project Site, such that there would be no changes in land use within the Study Area associated with the Proposed Action.

Land Use Conclusions

The Future With-Action Scenario would result in the redevelopment of a currently underutilized and vacant Project Site with a modern, mixed-use multi-family residential and ground-floor commercial development. The proposed commercial service establishment is appropriate for the area, as the tax block, as well as the larger surrounding area, already features a number of such establishments, and this portion of the West Village neighborhood is known as a destination for such. While the proposed residential use is not permitted as-of-right under the existing zoning at the Project Site, the proposed residential land use is still appropriate for the area, given the prevalence of open space and transit options in the vicinity of the Project Site. Additionally, a large affordable housing project is planned just south of the Project Site, such that the residential uses proposed under the Future With-Action Scenario are compatible with planned development trends for the area.

As such, the Future With-Action Scenario would complement and reinforce land use patterns of the Study Area, and no significant adverse impacts would result. As such, no further analysis is warranted.

2.3.2 Zoning

Existing Conditions

Project Site

The Project Site is within a mapped M1-5 zoning district. M1-5 zoning districts are designated for areas with light industries, as well as wholesale service and storage facilities. They are often buffers between more intensive M2 or M3 districts and adjacent residential or commercial districts. The M1-5 district features a maximum permitted manufacturing FAR of 5.0 and a maximum community facility FAR of 6.50. The M1-5 zoning district does not feature a minimum parking requirement. The M1-5 district features a maximum base height of 85 feet before required setbacks (15 feet along wide streets and 20 feet along narrow streets), with overall building height limited by the sky exposure plane (2.7-to-1 along narrow streets and 5.6-to-1 along wide streets). Permitted uses within the M1-5 zoning district generally include UGs I (Agricultural and Open Uses), III (Community Facilities), IV (Public Service

Facilities and Infrastructure), VI (Retail Trade Establishments and Service), VII (Offices and Laboratories), VIII (Recreation, Entertainment, and Assembly Spaces), IX (Storage), and X (Production).

Study Area

Zoning districts within the Study Area include the M1-5 zoning district (described above), the M2-3 and M3-2 zoning districts at the western extent of the Study Area, and the C6-2A zoning district at the southern extent of the Study Area (see **EAS Form Figure 3**). Additionally, a southern portion of the Special West Chelsea District is mapped in the northern portion of the Study Area.

M2-3 Zoning District

M2 districts occupy the middle ground between light and heavy industrial areas. The four M2 districts, with different floor area ratios (FAR) and parking requirements, are mapped mainly in the city's older industrial areas along the waterfront. M2-1 districts, for example, are mapped along much of Brooklyn's Red Hook and Sunset Park waterfronts. Manhattan's Hudson River piers, including the Passenger Ship Terminal and many municipal facilities, are within M2-3 districts.

The M2-3 zoning district features a maximum permissible floor area of 2.0 with no accessory parking requirements. There is a minimum 20-foot rear yard requirement in this district. The M2-3 district features a maximum base height of 60 feet (or four (4) stories, whichever is less) before required setbacks (15 feet along wide streets and 20 feet along narrow streets), with overall building height limited by the sky exposure plane (2.7-to-1 along narrow streets and 5.6-to-1 along wide streets). Permitted uses within the M2-3 zoning district generally include UGs IV (Public Service Facilities and Infrastructure), VI (Retail Trade Establishments and Service), VII (Offices and Laboratories), VIII (Recreation, Entertainment, and Assembly Spaces), IX (Storage), and X (Production).

M3-2 Zoning District

M3 districts are designated for areas with heavy industries that generate noise, traffic, or pollutants. Typical uses include power plants, solid waste transfer facilities, recycling plants, and fuel supply depots. Even in M3 districts, uses with potential nuisance effects are required to conform to minimum performance standards. Like M2 districts, M3 districts are usually located near the waterfront and buffered from residential areas. Large M3 districts are mapped along the Arthur Kill in Staten Island, along the East River shore of the South Bronx, and along the Gowanus Canal in Brooklyn. Smaller M3 districts, such as portions of Astoria, are located along the waterfront in all five boroughs and accommodate public utilities.

The M3-2 zoning district features a maximum permissible floor area of 2.0 with no accessory parking requirements. A minimum 20-foot rear yard is required in this district. The M2-3 district features a maximum base height of 60 feet (or four (4) stories, whichever is less) before required setbacks (15 feet along wide streets and 20 feet along narrow streets), with overall building height limited by the sky exposure plane (2.7-to-1 along narrow streets and 5.6-to-1 along wide streets). Permitted uses within the M3-2 zoning district generally include UGs IV (Public Service Facilities and Infrastructure), VI (Retail Trade Establishments and Service), VII (Offices and Laboratories), VIII (Recreation, Entertainment, and Assembly Spaces), IX (Storage), and X (Production).

C6-2A Zoning District

C6 districts permit a wide range of high-bulk commercial uses requiring a central location. Most C6 districts are in Manhattan, Downtown Brooklyn, and Downtown Jamaica. Corporate headquarters, large hotels, department stores, and entertainment facilities in high-rise mixed buildings are permitted

in C6 districts. The C6-2A zoning district is a contextual zoning district, which features building envelope controls, including contextually based, mandatory height and setback requirements to ensure development is consistent with the existing built character of the area.

The C6-2A zoning district has a maximum commercial FAR of 6.0 and 6.5 for community facility uses. A 20-foot minimum rear yard is required in this district. The building height and setbacks of commercial contextual districts are governed by the residential equivalent height and setback requirements, in this case, the R8A district. As such, the maximum building height permitted in the C6-2A district is 125 feet, with a required base height ranging from 60 to 95 feet. Required setbacks after the base height include 1 foot along wide streets and 15 feet along narrow streets.

Special West Chelsea District

The Special West Chelsea District provides a regulatory framework for the continued development of a dynamic mixed residential and commercial area centered around the public open space created by the reuse of the High Line, a former elevated rail line running north-south through the length of the district. Bounded generally by Tenth and Eleventh Avenues between West 16th and West 30th Streets, the district contains regulations to facilitate enjoyment of the High Line, including a floor area transfer mechanism to preserve light, air, and views, as well as floor area bonuses related to access and open space development. Special bulk regulations respond to unique conditions along the High Line and the areas surrounding West Chelsea, including the Hudson River to the west, the higher-density Special Hudson Yards District to the north, and the lower-scale Chelsea Historic District to the east. The Inclusionary Housing Designated Area Program facilitates the development of affordable housing to ensure an economically diverse neighborhood.

Future No-Action Scenario

Project Site

No changes to zoning at the Project Site would take place absent the Proposed Action.

Study Area

Based on a review of NYC's Zoning Application Portal (ZAP) database,⁴ no changes to zoning are proposed within the 400-foot Study Area that would change existing land uses by the Project Build Year of 2028.

Future With-Action Scenario

Under the Future With-Action Scenario, there would be no changes to zoning at the Project Site. The requested use variance would permit the development of residential uses within the M1-5 zoning district, which are not permitted as-of-right. As previously discussed, while the proposed residential use is not permitted as-of-right under existing zoning at the Project Site, the proposed residential land use is still appropriate for the area, given the prevalence of open space and transit options in the vicinity of the Project Site. Additionally, a large affordable housing project is planned just south of the Project Site, such that the residential uses proposed under the Future With-Action Scenario are compatible with planned development trends for the area.

It is further noted that while the Future With-Action Scenario's proposed built FAR (4.51 FAR, including a 3.41 residential FAR [permitted via the Proposed Action] and 1.10 commercial FAR) would comply with the maximum permitted FAR of 5.0 and 6.50 for commercial / light industrial and community facility

⁴ <https://zap.planning.nyc.gov/projects>, accessed February 6, 2024

uses, respectively. Finally, the Future With-Action Scenario would be compliant with all other provisions of the M1-5 zoning district, including signage, lighting, and noise.

Zoning Conclusions

Based on the foregoing, the requested use variance to permit residential development within the mapped M1-5 zoning district at the Project Site would not result in significant adverse impacts related to zoning, and no further analysis is warranted.

2.3.3 Public Policy

According to the *2025 CEQR Technical Manual*, a project that would be located within areas governed by public policies controlling land use, or that has the potential to affect land use regulation or policy controlling land use substantially, requires an analysis of public policy. A preliminary assessment of public policy should identify and describe any public policies, including formal plans or published reports, that pertain to the Study Area. If the Proposed Action could potentially alter or conflict with identified policies, a detailed assessment should be conducted; otherwise, no further analysis of public policy is necessary.

Existing Conditions

The Project Site is located within the NYC Coastal Zone Boundary (and therefore subject to the NYC Waterfront Revitalization Program (WRP); see **EAS Form Figure 7**). The Project Site's location within the NYC Coastal Zone Boundary also warrants consideration of the applicability of the NYC 2020 Comprehensive Waterfront Plan (CWP). The Project Site is also located within the Meatpacking Business Improvement District (BID). As previously discussed in **Section 1.2** above, the Project Site and surrounding area are located within the S/NR-designated Gansevoort Market Historic District (05NR05491). A more detailed discussion of this historic resource and the Project Site's location and function within the district is found in **Section 4, Historic and Cultural Resources**.

The Project Site is not part of, or subject to, an Urban Renewal Plan (URP), adopted community 197-a Plan, Solid Waste Management Plan, Industrial Business Zone (IBZ), or the New York City Landmarks Law.

NYC Coastal Zone Boundary / NYC Waterfront Revitalization Program

The Project Site is located within the NYC Coastal Zone Boundary, which defines the geographic scope of New York City's WRP. Pursuant to Federal statute, the boundary encompasses all land and water of direct and significant impact on coastal waters. The NYC WRP establishes the City's policies for waterfront planning, preservation, and development projects to ensure consistency over the long term. The goal of the program is to maximize the benefits derived from economic development, environmental conservation, and public use of the waterfront while minimizing any potential conflicts among these objectives. The WRP is authorized by New York State's Waterfront Revitalization of Coastal Areas and Inland Waterways Act, which was enacted in response to the Federal Coastal Zone Management Act and allows municipalities to participate in the State's Coastal Management Program by creating their own local Waterfront Revitalization Program.

NYC 2020 Waterfront Comprehensive Plan

The 2020 CWP builds upon the vibrancy of today's waterfront while also putting forth new strategies for an equitable, resilient, and healthy waterfront in the face of climate change. The Plan is organized by six topic areas, each with its vision for the next 10 years of NYC's waterfront. Each topic area includes a set of goals to advance a vision for a more equitable, more resilient, and healthier waterfront. Each goal is followed by strategies that the City has identified to achieve the specific goal.

Meatpacking Business Improvement District

The Meatpacking BID serves the businesses, residents, and visitors of the area with a common goal: to program, promote, and take care of the Meatpacking District. There is a broad community that makes the Meatpacking District distinct. The BID organizes community events and entertainment, as well as partnering with the City to maintain and keep clean over 30,000 square feet of plazas and four Open Streets. The BID's staff are on the ground seven days a week, sweeping the sidewalks and engaging with visitors. The BID has planted trees and made gardens in planters that soften the industrial architecture. The BID works to ensure that businesses succeed and the characters who work, live, and play here enjoy it and are happy to return.

Future No-Action Scenario

No changes to any policies applicable to the Project Site, including the NYC Coastal Zone Boundary, NYC 2020 CWP, or Meatpacking BID, are anticipated under the Future No-Action Scenario.

Future With-Action Scenario

NYC Coastal Zone Boundary / NYC Waterfront Revitalization Program

An analysis of the Future With-Action Scenario's consistency with the applicable regulations of the NYC WRP is included in **Appendix A** of this EAS, including the completed NYC WRP Form and associated supplemental narrative. As indicated in that documentation, the Future With-Action Scenario would be consistent with the applicable regulations of the NYC WRP.

In correspondence dated August 26, 2025, the NYC DCP's Climate & Sustainability Division, on behalf of the NYC Coastal Commission, having reviewed the provided WRP documentation, indicated the Proposed Action would not substantially hinder the achievement of any WRP policy, and the project was assigned a WRP number (25-126). Refer to **Appendix A** for a copy of this correspondence.

NYC 2020 Waterfront Comprehensive Plan

Two goals associated with the "Climate Resiliency and Adaptation" topic area of the 2020 CWP are relevant to the Future With-Action Scenario, identified and discussed below.

Preserve and create new housing for a mix of incomes in appropriate locations and provide waterfront residents with new resources to manage flood impacts on their homes.

The Future With-Action Scenario would result in the creation of 7 new dwelling units at the Project Site (where none existed previously) in a coastal area suitable for this kind of development due to the availability of transit and recreational amenities. The Future With-Action Scenario would comply with the applicable regulations of the NYC WRP as well (see **Appendix A**).

Expand resilient design practices that allow waterfront buildings and infrastructure to withstand the impacts of coastal storms, increased precipitation, extreme heat, and sea level rise.

As indicated in the WRP assessment, the Future With-Action Scenario would integrate appropriate flood resiliency design measures, including:

- The Design Flood Elevation (DFE) for the Proposed Project is calculated at 13 feet, two feet higher than the Base Flood Elevation (BFE) of 11 feet (NAVD88).
- The only occupiable space below the DFE is a cellar level below the proposed entrance, lobby, and commercial service space. This space will be dry floodproofed with cast-in-place concrete walls.

- The residential elevator pits would be dry floodproofed, with access into the pits from above the DFE.
- Utility POE connections will be located primarily on the mechanical floor, above DFE. All utility components that must be routed below DFE will have enclosures and fittings to prevent water from entering during a flood.

Additionally, the Applicant must comply with all applicable flood regulations, including Article 6, Chapter 4, of the Zoning Resolution and Appendix G of the Building Code, as reviewed and approved by the Department of Buildings.

Based on the foregoing, the Future With-Action Scenario would promote this policy of the 2020 CWP.

Meatpacking BID

Based on a review of the Meatpacking BID’s website on July 30, 2025, the BID has made no specific statements or positions regarding the Project Site or Proposed Project.

Public Policy Conclusions

As discussed in the preceding sections, the Future With-Action Scenario would be consistent with and reinforce applicable goals, policies, and objectives of the NYC WRP, the 2020 CWP, and the Meatpacking BID. As such, the Proposed Action is not anticipated to result in any significant adverse public policy impacts, and no further analysis is warranted.

3 HISTORIC AND CULTURAL RESOURCES

3.1 Introduction

An assessment of historic and cultural resources is usually necessary for projects that are located near historic or landmark structures or districts, or for projects that require in-ground disturbance, unless such disturbance occurs in an area that has been formerly excavated, according to the *2025 CEQR Technical Manual*.

The term “historic resources” defines districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, architectural, and archaeological importance. In assessing both historic and cultural resources, the findings of the appropriate New York City, New York State, and Federal agencies are consulted. Historic resources include the New York City Landmarks Preservation Commission (LPC) designated landmarks, interior landmarks, scenic landmarks, and historic districts; locations being considered for landmark status by the LPC; properties/districts listed on, or formally determined eligible for, inclusion on the State and/or National Register (S/NR) of Historic Places; locations recommended by the New York State Board for Listings on the State and/or National Register of Historic Places and National Historic Landmarks.

3.2 Methodology

Archaeological and architectural resources usually need to be assessed for projects that would result in any in-ground disturbance. In-ground disturbance is any disturbance to an area not previously excavated, including new excavation that is deeper and/or wider than previous excavation on the same site. For projects that may affect historic or cultural resources, the first step in evaluating a project's potential effects on historic resources is to consider what area the project might affect and then identify historic resources, whether officially recognized or eligible for such recognition, within that area. The area of subsurface work for a proposed project is considered the impact area for archaeological resources, while the Study Area for architectural resources is the area in which any resources may be affected by the project, which is defined by a radius of 400 feet from the borders of a site for most proposals.

After the study areas have been established, all known archaeological and architectural resources within the study areas are identified, and the potential for unknown resources is investigated, it is recommended that lead agencies and applicants contact LPC for archaeological and architectural resources review. Based on the report from LPC, if any listed historic or cultural resources are located in the study areas, then further analysis of the project's impact on these resources must be performed. The proposed project's effects on any designated or potential archaeological and architectural resources are then analyzed under existing conditions, the Future No-Action Scenario, and the Future With-Action Scenario. The assessment explicitly considers whether the project may result in the disturbance or destruction of those archaeological and architectural resources as a result of the Proposed Action.

The Future With-Action Scenario would result in in-ground disturbance to areas of the Project Site that have likely never been disturbed before. Further, the Project Site is located within the S/NR-designated Gansevoort Market Historic District. As such, a preliminary Historic and Cultural Resources analysis is warranted.

3.3 Architectural Resources

Per *2025 CEQR Technical Manual* guidelines, impacts on historic resources are considered on those sites affected by the Proposed Action(s) and an area extending 400 feet from those sites (i.e., the historic resources Study Area). According to the *2025 CEQR Technical Manual*, significant adverse impacts to historic and cultural resources could potentially result if a proposed action affects those characteristics that make a resource eligible for LPC designation or S/NR listing. This section assesses the potential for the Proposed Action to result in significant adverse impacts on identified historic and cultural resources. Generally, architectural resources should be surveyed and assessed if the proposed project would result in any of the following, whether or not any known historic resources are located near the site of the project:

- Construction resulting in ground disturbance, including construction of temporary roads and access facilities, grading, and landscaping.
- Below-ground construction, such as excavation or installation of utilities.
- Physical destruction, demolition, damage, alteration, or neglect of all or part of a historic property.
- Changes to the architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.
- Isolation of the property from, or alteration of, its setting or visual relationship with the streetscape. This includes changes to the resource's visual prominence so that it no longer conforms to the streetscape in terms of height, footprint, or setback; is no longer part of an open setting; or can no longer be seen as part of a significant view corridor.
- Introduction of incompatible visual, audible, or atmospheric elements to a resource's setting.
- Replication of aspects of the resource to create a false historical appearance.
- Elimination or screening of publicly accessible views of the resource.
- Construction-related impacts such as falling objects, vibration, dewatering, flooding, subsidence, or collapse.
- Introduction of significant new shadows, or significant lengthening of the duration of existing shadows, over a historic landscape or a historic structure to the extent that the architectural details that distinguish that resource as significant are obscured.

Direct Effects

Historic resources could be directly affected by physical destruction, demolition, damage, alteration, or neglect of all or part of a historic resource. For example, alterations, such as the addition of a new wing to a historic building, could result in significant adverse impacts, depending on the design. Direct effects also include changes to an architectural resource that cause it to become a different visual entity, such as a new location, design, materials, or architectural features.

NR-listed and eligible resources are given a measure of protection from the effects and impacts of projects sponsored, assisted, or approved by federal agencies under Section 106 of the National Historic Preservation Act. Although preservation is not mandated, federal agencies must attempt to avoid adverse impacts on such resources through a notice, review, and consultation process. S/NR-listed and eligible resources are similarly protected against impacts resulting from projects sponsored, assisted, or approved by State agencies under the State Historic Preservation Act. However, private owners of S/NR-listed and eligible resources using private funds can alter or demolish their properties without such a review process. Privately owned properties that are NYCLs, in LPC-designated historic

districts, or pending designation as Landmarks by LPC are protected under the New York City Landmarks Law. The law requires LPC review and approval before any alteration or demolition occurs, regardless of whether the project is publicly or privately funded. Publicly owned resources are also subject to review and advisement by LPC before project implementation.

Construction Impacts

The assessment of construction impacts on historic and cultural resources considers the possibility of physical damage to any architectural or archaeological resources identified in the Proposed Project's historic and cultural resources assessment. Pursuant to Chapter 22, Section 300 of the *2025 CEQR Technical Manual*, if a project's construction activities are located within 400 feet of a historic or cultural resource, potential hazards should be assessed, such as whether certain character-defining elements of a structure, including but not limited to rooftops or stained-glass windows, could be impacted by falling objects from an adjacent construction site. The City has two procedures for the avoidance of damage to historic structures from adjacent construction.

1. All buildings are provided with some protection from accidental damage through New York City Department of Buildings (DOB) controls that govern the protection of any adjacent properties from construction activities, under Building Code Section 27-166 (C26-112.4). For all construction work, Building Code section 27-166 (C26-112.4) serves to protect buildings by requiring that all lots, buildings, and service facilities adjacent to foundation and earthwork areas be protected and supported in accordance with the code requirements.
2. The second protective measure applies only to designated NYCL and S/NR-listed historic buildings that are located within 90 linear feet of a proposed construction site. For these structures, the DOB's Technical Policy and Procedure Notice (TPPN) #10/88 is applicable. The DOB's TPPN 10/88 supplements the standard building protections afforded by the Building Code C26-112.4 by requiring, among other things, a monitoring program to reduce the likelihood of construction damage to adjacent LPC-designated or S/NR-listed resources (within 90 feet), and to detect at an early stage the beginnings of damage so that construction procedures can be changed.

If the project is not located within 90 feet of a historic or cultural resource that is NYC-landmark eligible, eligible for the State and National Register of Historic Places, or within an eligible New York City Historic District, then no special protections apply. Therefore, the potential for physical disturbance and adverse impacts on those historic and cultural resources should be disclosed.

Indirect Effects

As per the *2025 CEQR Technical Manual*, visual and contextual impacts on historic resources can include: the isolation of a property from or alteration of its setting or visual relationship with the streetscape; introduction of incompatible visual, audible, or atmospheric elements to a resource's setting; elimination or screening of publicly accessible views of a resource; or introduction of significant new shadows, over a historic landscape or on a historic structure (if the features that make the resource significant depend on sunlight) to the extent that the architectural details that distinguish that resource as significant are obscured.

The *2025 CEQR Technical Manual* indicates that a Historic and Cultural Resources Study Area should generally extend 400 feet from the development site ("the Surrounding Area" or "Study Area"). The Hudson River roughly delineates the 400-foot study area to the west, buildings fronting along 14th Street (between 10th Avenue and Washington Street) to the north, mid-block on Manhattan Tax Block

645 to the east, and the Whitney Museum to the south (see **Figure 3-1** for a visualization of the Study Area).

3.3.2 Archaeological Resources

Unlike the architectural evaluation of a Study Area that extends beyond the footprint of a project's block and lot lines, the analysis of potential and/or projected impacts on archaeological resources is controlled by the actual footprint of the limits of soil disturbance. Archaeological resources are physical remains, usually subsurface, of the prehistoric and historic periods, such as burials, foundations, artifacts, wells, and privies. The *2025 CEQR Technical Manual* requires a detailed evaluation of a project's potential effect on the archeological resources if it would potentially result in an in-ground disturbance to an area not previously excavated.

As the Proposed Action would result in the redevelopment of the entirety of Projected Development Site 1, the archaeological Study Area for the Future With-Action Scenario is the extent of the site.

3.4 Preliminary Historic and Cultural Resources Assessment

3.4.1 Existing Conditions

Architectural Resources

Direct Effects

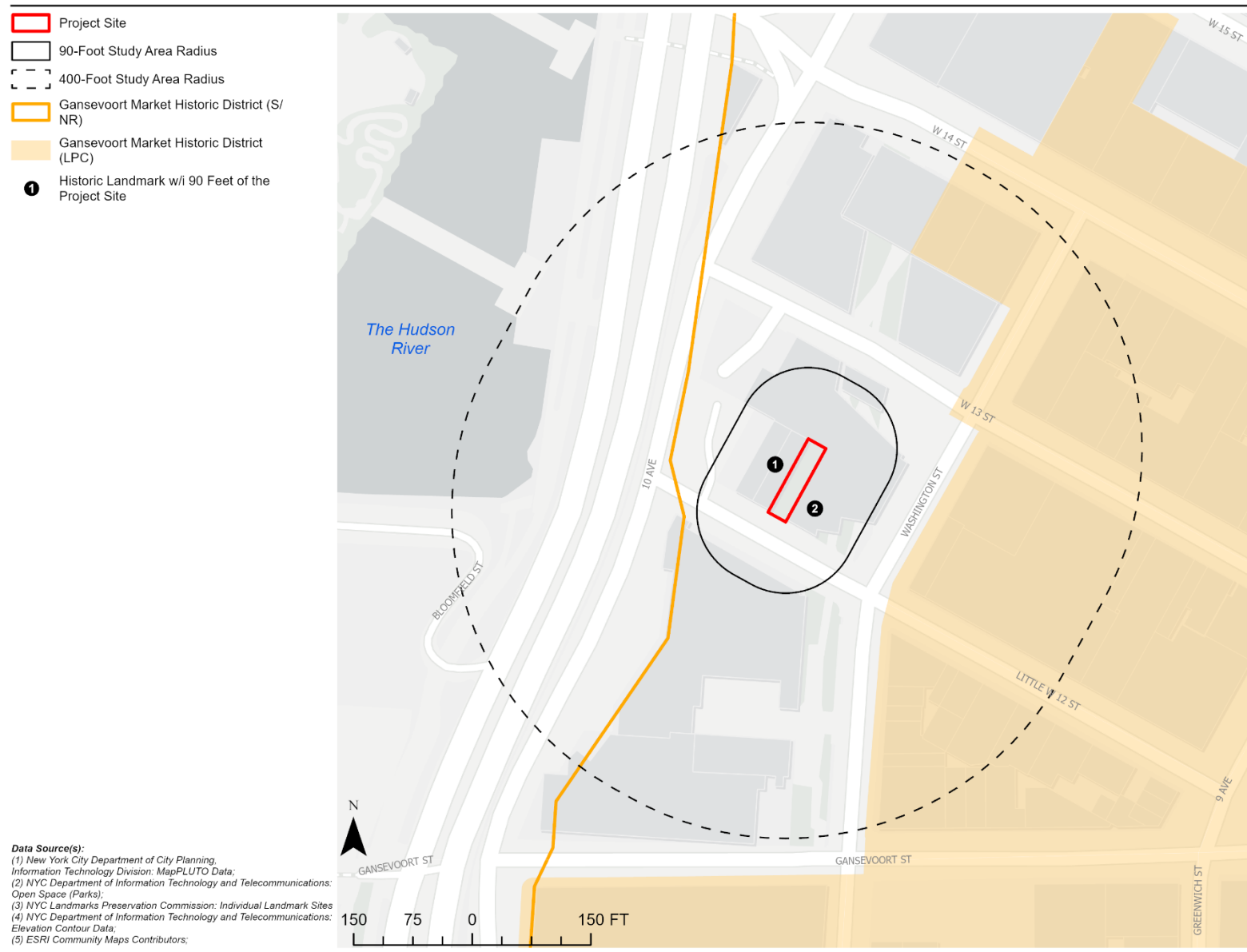
The Project Site is located within the S/NR-designated Gansevoort Market Historic District (05PR06298; see **Figure 3-1**). The Gansevoort Market Historic District is distinctive for its architectural character which reflects the area's long history of continuous, varied use as a place of dwelling, industry, and commerce, particularly as a marketplace, and its urban layout. The buildings, dating from the 1840s through the 1940s, represent four major phases of development, and include both purpose-built structures, designed in then-fashionable styles, and those later adapted for market use. The architecture of the district tells the story of a significant era in New York City's history when it became the financial center of the country and when its markets were expanding to serve the metropolitan region and beyond.

Pursuant to the S/NR Registration Form for this historic district, the Project Site, now vacant, was previously developed with a row house, constructed in 1888, that was part of larger set of three row houses, which were combined in 1977 to serve as a meat processing plant with cold storage facilities; the former building at the Project Site was subsequently altered beyond recognition. Pursuant to the Registration Form, this building was a non-contributing resource to the Gansevoort Market Historic District. Pursuant to NYC DOB records, the building was demolished in 2009 under an emergency order.

Indirect Effects

Both the S/NR-designated and LPC-designated Gansevoort Market Historic District are mapped within the Study Area, though with differing boundaries; the S/NR district encompasses the Project Site and surrounding area, while the LPC district is mapped to the east (see **Figure 3-1**). Despite some geographical differences in their overall boundaries, these jurisdictionally separate historic districts were designated for generally similar reasons, to preserve the distinctive architectural character which reflects the area's long history of continuous, varied use as a place of dwelling, industry, and commerce, particularly as a marketplace, and its urban layout.

Figure 3-1, Historic and Cultural Resources Map



Construction Impacts

As discussed above, the Project Site itself is located within the S/NR-designated Gansevoort Market Historic District. Pursuant to the NYS Office of Parks, Recreation, and Historic Preservation’s (OPRHP’s) Cultural Resources Information System (CRIS), accessed on October 22, 2024, there are two (2) contributing resources to the historic district within 90 feet of the Project Site, including: (1) 49 Little West 12th Street (USN No. 06101.015368) and (2) 53-55 Little West 12th Street (USN No. 06101.015370), see **Figure 3-1** for a visualization of these resources in relation to the Project Site. As such, in addition to the standard NYC DOB protection controls described above, the Applicant will implement the NYC DOB’s TPPN #10/88, including monitoring programs to reduce the likelihood of construction damage to contributing structures to the S/NR-designated Gansevoort Market Historic District that are within 90 feet of the Project Site.

Archaeological Resources

The LPC was contacted on February 18, 2025, for its initial review of the Proposed Project’s potential to impact archaeological resources. In a response dated February 24, 2025, LPC indicated that there are no archaeological resources of significance at the Project Site (see **Appendix B** for a copy of LPC’s findings). As such, no further analysis regarding archaeological resources is presented in this Section.

3.4.2 Future No-Action Scenario

Architectural Resources

Direct Effects

Under the Future No-Action Scenario, existing conditions at the Project Site would remain, such that there would be no direct effects on architectural resource to consider under this scenario.

Indirect Effects

Under the Future No-Action Scenario, existing conditions at the Project Site would remain. Additionally, based on a review of NYC’s Active Major Construction (AMC) and Zoning Application Portal (ZAP) databases on January 24, 2025, there are no known developments or zoning changes in the 400-foot Study Area that would have indirect effects on the S/NR-designated Gansevoort Market Historic District (i.e., no isolation of this property from or alteration of its setting or visual relationship with the streetscape, no introduction of incompatible visual, audible, or atmospheric elements to this resource’s setting, no elimination or screening of publicly accessible views of this resource, nor any introduction of significant new shadows on this resource).

Construction Impacts

Under the Future No-Action Scenario, existing conditions at the Project Site would remain, such that there would be no construction impacts to architectural resources in the vicinity of the Project Site (including 49 Little West 12th Street (USN No. 06101.015368) and 53-55 Little West 12th Street (USN No. 06101.015370)) to consider under this scenario.

3.4.3 Future With-Action Scenario

Architectural Resources

Direct Effects

The LPC was contacted on March 1, 2024, for its initial review of the project’s potential to impact historic and cultural resources. In a response dated March 8, 2024, LPC indicated that there were no

properties with architectural significance at the Project Site (see **Appendix B** for a copy of LPC's response).

Based on the foregoing, there would be no direct effects on architectural resources of significance associated with the Proposed Action, and no further analysis is warranted.

Indirect Effects

Both the S/NR-designated and LPC-designated Gansevoort Market Historic District are mapped within the Study Area, though with differing boundaries; the S/NR district encompasses the Project Site and surrounding area, while the LPC district is mapped to the east (see **Figure 3-1**). LPC's pre-application review of the Proposed Project indicated the EAS "should consider potential physical, visual and historical effects of the project on the historic resource. The analysis should assess whether the project could alter the district's integrity, context or setting, and determine if such changes would constitute a significant adverse impact..." (see **Appendix B** for a copy of LPC's pre-application review).

Publicly accessible view corridors of these historic architectural resources visible from the Project Site (and vice versa) would remain unchanged under the Future With-Action Scenario. As the Future With-Action Scenario would be limited to the Project Site, it would not result in the obstruction of publicly accessible views of these resources or introduce an incompatible visual, audible, or atmospheric element to this resource's setting. Based on the foregoing, there would be no indirect effects on architectural resources of significance associated with the Proposed Action, and no further analysis is warranted.

Construction Impacts

As discussed above, the Project Site itself is located within the S/NR-designated Gansevoort Market Historic District. Pursuant to the NYS Office of Parks, Recreation, and Historic Preservation's (OPRHP's) Cultural Resources Information System (CRIS), accessed on October 22, 2024, there are two (2) contributing resources to the historic district within 90 feet of the Project Site, including: (1) 49 Little West 12th Street (USN No. 06101.015368) and (2) 53-55 Little West 12th Street (USN No. 06101.015370), see **Figure 3-1** for a visualization of these resources in relation to the Project Site. As such, in addition to the standard NYC DOB protection controls described above, the Applicant will implement the NYC DOB's TPPN #10/88, including monitoring programs to reduce the likelihood of construction damage to contributing structures to the S/NR-designated Gansevoort Market Historic District that are within 90 feet of the Project Site.

Based on the foregoing, there would be no construction impacts on architectural resources of significance associated with the Proposed Action, and no further analysis is warranted.

3.5 Conclusions

As redevelopment of the Project Site under the Future With-Action Scenario would be contained to the limits of the site itself, it would not result in adverse visual or contextual impacts on existing architectural resources, nor would it eliminate or screen publicly accessible views of these resources, or introduce an incompatible visual, audible, or atmospheric element to this resource's setting.

As there are contributing resources to the S/NR-designated Gansevoort Market Historic District within 90 feet of the Project Site, the Applicant would adhere to all DOB construction requirements, including standard NYC DOB protection controls as well as the NYC DOB's TPPN #10/88, including monitoring programs to reduce the likelihood of construction damage to contributing structures in the vicinity of the Project Site, as applicable.

Pursuant to LPC's project review, there are no historic architectural or archaeological resources at the Project Site, such that there would be no impacts to such resources as a result of the construction of the Future With-Action Scenario.

Based on the foregoing, there would be no significant adverse impacts to Historic and Cultural Resources as a result of the Proposed Action, and no further analysis is warranted.

4 NATURAL RESOURCES

4.1 Introduction

This analysis has been prepared in accordance with the *2025 CEQR Technical Manual*, which requires a natural resources assessment to be completed if a project is proposed in an area that contains the presence of any natural resource, and if a proposed project would cause disturbance of these resources. The Proposed Project is located adjacent to the Long Island Sound and in the vicinity of New York State (NYS) Department of Environmental Conservation (DEC)-designated tidal wetlands, both of which are considered natural resources pursuant to the *2025 CEQR Technical Manual*. Therefore, a natural resources assessment has been provided below.

Natural resources are defined in the *2025 CEQR Technical Manual* as New York City's "biodiversity (plants, wildlife and other organisms); any aquatic or terrestrial area capable of providing suitable habitat to sustain the life processes of plants, wildlife, and other organisms; and any areas capable of functioning in support of the ecological systems that maintain the City's environmental stability." The *2025 CEQR Technical Manual* considers natural resources as water resources, including surface water bodies and ground water; wetlands, including freshwater and tidal wetlands; terrestrial resources, such as grasslands and thickets; shoreline resources, such as beaches, dunes, and bluffs; gardens and other ornamental landscaping; and natural resources that may be associated with built resources, such as old piers and other waterfront structures. The *2025 CEQR Technical Manual* describes two factors to consider in order to determine whether a natural resource would be adversely impacted: (1) the presence of a natural resource on or near the area of a proposed project; and (2) the disturbance of that resource.

This section describes existing natural resources within the Natural Resources Study Area, as defined below, and evaluates the potential impacts of the Proposed Project on natural resources, as follows:

- Current natural resource conditions in the Study Area are assessed, including surface water of the Long Island Sound, ground water, floodplains, wetlands, and upland resources, Federally-listed and State-designated threatened, endangered, candidate species, and species of special concern, and essential fish habitat;
- Natural resource conditions in the future without the Proposed Project are projected (i.e., the Future No-Action Scenario);
- Potential impacts of the Proposed Project (the Future With-Action Scenario) on natural resources are determined for direct (e.g., clearing) and indirect (e.g., hydrologic changes) impacts; and
- Measures necessary to mitigate and/or reduce any of the Proposed Project's potential significant adverse effects on natural resources are identified.

4.2 Methodology

The Study Area for this natural resource assessment was determined to be the Project Site and its immediate vicinity for terrestrial resources. The Study Area is primarily characterized by Hudson River Park and urbanized areas associated with the Meatpacking District of the West Village neighborhood of the borough of Manhattan. The "Study Area" for threatened, endangered, and special concern species and significant natural communities encompasses an approximately 400-foot radius around the Project Site. The "Study Area" for water and sediment quality and aquatic resources includes the water of the Hudson River in the vicinity of the Project Site to the east. **Figure 4-1** and **Figure 4-2** below depicts the Study Area, including the Project Site, in relation to the impact on natural resources.

Existing conditions in the Study Area were determined based on information from the following databases and sources:

- Federal Emergency Management Agency (FEMA) preliminary Flood Insurance Rate Maps (FIRMs);
- U.S. Fish and Wildlife Service (USFWS) National Wetland Inventory (NWI) maps and Information, Planning, and Conservation (IPaC) System list of federally endangered, threatened, proposed, and candidate species for New York County (accessed on August 5, 2025, available at: <https://ecos.fws.gov/ipac/>);
- National Oceanic and Atmospheric Administration (NOAA) Greater Atlantic Regional Fisheries Office (GARFO) Endangered Species Act (ESA) Section 7 Mapper for New England/Mid-Atlantic region (accessed on August 5, 2025, available at: <https://www.fisheries.noaa.gov/resource/map/greater-atlantic-region-esa-section-7-mapper>);
- NOAA GARFO Essential Fish Habitat Mapper (accessed on August 5, 2025, available at: <https://www.fisheries.noaa.gov/resource/map/essential-fish-habitat-mapper>);
- New York State Department of Environmental Conservation (NYSDEC) Tidal Wetlands Map and Environmental Resource Mapper (ERM) (Accessed August 5, 2025);
- NYCDEP Harbor Water Quality Data (https://data.cityofnewyork.us/Environment/Harbor-Water-Quality/5uug-f49n/about_data) (Accessed August 5, 2025);
- Information identified in peer-reviewed literature, as cited in the chapter.

The Future No-Action Scenario considers regional changes in natural resources, including water quality conditions, that are expected as a result of ongoing local and interagency initiatives, potential benefits of water quality improvements to biological communities, and any planned or ongoing in-water construction activities in the immediate vicinity of the Study Area that are independent of the Proposed Project. No substantive changes in natural resources conditions are expected.

The Future With-Action Scenario's potential impacts on natural resources were evaluated by considering:

- Direct and indirect impacts on the Hudson River and tidal wetlands in the Study Area; and
- Direct and indirect impacts on wildlife, including resident or migratory species, endangered, threatened, or rare animal species, or species of special concern.

Figure 4-1, FEMA 2015 Preliminary Flood Insurance Rate Map (PFIRM)

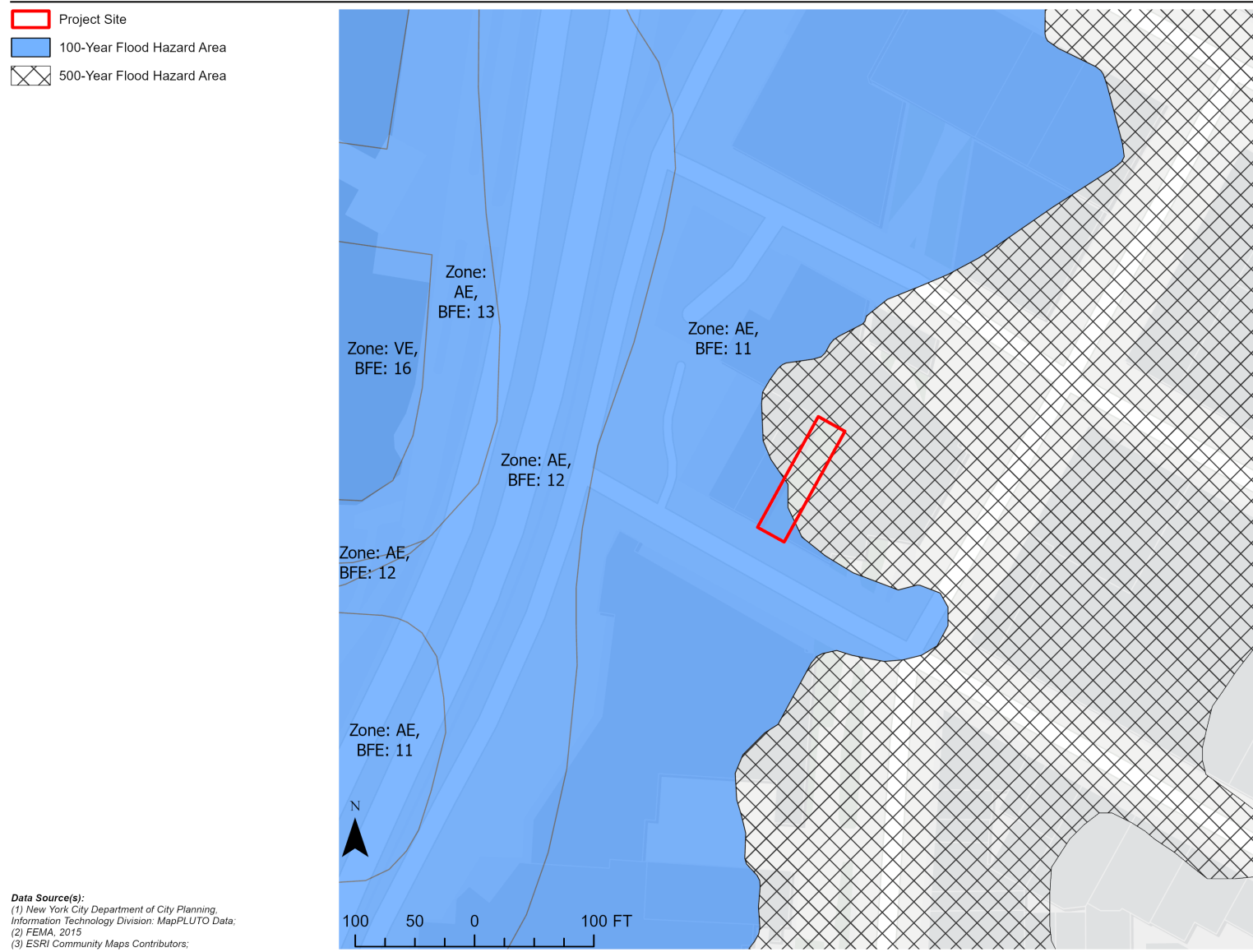



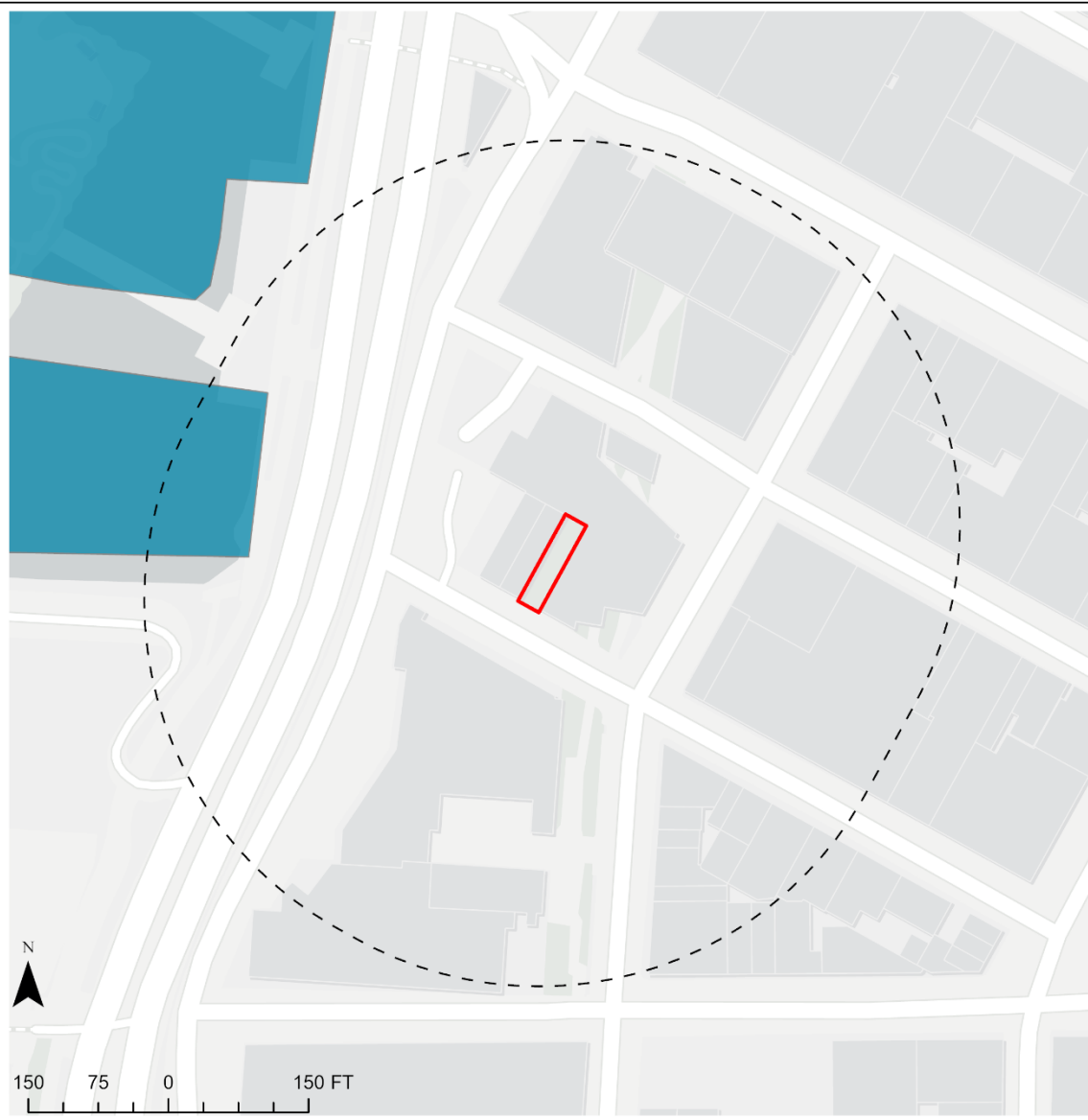


Figure 4-2, USFWS National Wetlands Inventory Map

-  Project Site
-  400-Foot Study Area Radius
-  NWI Estuarine and Marine Deepwater Wetlands



Data Source(s):
(1) New York City Department of City Planning, Information Technology Division: MapPLUTO Data;
(2) USFWS, 2025
(3) ESRI Community Maps Contributors;

4.3 Regulatory Framework

The regulatory framework for this analysis includes the Federal and State laws and policies identified in **Table 4-1** below.

Table 4-1, Statute, Regulation, or Other Requirements

STATUTE	IMPLEMENTING REGULATIONS(S)	OVERSIGHT AGENCY	SUMMARY
FEDERAL			
Presidential Executive Order (EO) 11988, Floodplain Management	42 FR 26951, 3 CFR, 1977 Comp., p. 117		Floodplains and floodways are protected at the federal level through EO 11988. Floodplains are defined by EO 11988 as “the lowland and relatively flat areas adjoining inland and coastal waters ... including at a minimum, that area subject to a one percent or greater chance of flooding in any given year.” ⁵ Under FEMA’s National Flood Insurance Program, flood potential is evaluated for various average annual return period flood events, including the 0.01 and 0.02 percent return period events (100- and 500-year flood events, respectively). The resultant maps are referred to as FEMA FIRMs. EO 13690, <i>Establishing a Federal Flood Risk Management Standard and a Process for Further Soliciting and Considering Stakeholder Input</i> , issued January 30, 2015, amended EO 11988, and established Federal Flood Risk Management Standard (FFRMS) to improve the nation’s resilience to current and future flood risks. These risks are anticipated to increase over time because of climate change. EO 13690, EO 11988 and the FFRMS call for avoiding adverse impacts associated with actions in floodplains and minimizing potential harm of actions that must be sited in floodplains.
Section 10 of the Rivers and Harbors Act of 1899	33 United States Code (USC) §§403 et seq.	United States Army Corps of Engineers (USACE)	Section 10 of the Rivers and Harbors Act prohibits the unauthorized obstruction or alteration of any navigable waters of the United States. The term “waters of the United States” include deep water aquatic habitats and special aquatic habitats, including wetlands, streams, mudflats and sandflats, ponds and other surface waterbodies, tidal and otherwise. This Act requires authorization from the USACE for any project that would dredge, fill, or otherwise alter a navigable waterway, or any other work affecting the course, location, condition or physical capacity of such waters.
Section 401 of the Clean Water Act (CWA), State Certification of Water Quality	33 USC §§1341	USACE, NYSDEC	Section 401 of the CWA pertains to protecting the quality of surface waters. Applicants for a federal license or permit for activities (including but not limited to the construction or operation of facilities that may result in any discharge into “waters of the United States”) are required to apply for and obtain certification from the state agency charged with water pollution control. In New York, it is implemented at the state level by NYSDEC through the issuance of a Water Quality Certification.
Section 404 of the CWA	33 USC §§1344	USACE	Section 404 of the CWA, also known as the Federal Water Pollution Control Act, establishes a program to regulate the temporary or permanent discharge of dredged or fill material into “waters of the United States,” including wetlands. Wetlands also are protected by Presidential EO 11990 – Protection of Wetlands, which more generally requires a

⁵ Executive Order 11988 of May 24, 1977, 42 FR 26951, 3 CFR, 1977 Comp., p. 117.

STATUTE	IMPLEMENTING REGULATIONS(S)	OVERSIGHT AGENCY	SUMMARY
			<p>Federal agency to consider wetland protection in the course of project planning and execution. By authority of 33 CFR 320-330, USACE has jurisdiction over all "waters of the United States" and a Section 404 permit from the USACE is required to dredge or fill in those waters.</p> <p>Federal regulations define wetlands according to three parameters: soil indicators, vegetation dominated by plants adapted for growing in wetlands, and indicators of hydrology. For the most part, state and federal wetlands coincide; however, there are instances where wetland boundaries differ.</p>
Federal Coastal Zone Management Act of 1972	16 USC 1451 et seq.)	New York State Department of State (NYS DOS)	<p>The purpose of the federal Coastal Zone Management Act is to encourage and assist the states in preparing and implementing management programs to "preserve, protect, develop, and where possible, to restore or enhance the resources of the nation's coastal zone." The act stipulates that federal actions and federally funded actions within the coastal zone must be, to the maximum extent feasible, consistent with approved state management programs. This provision includes USACE and U.S. Coast Guard permits and use of federal funds for infrastructure improvement and other projects.</p>
Magnuson-Stevens Fishery Conservation and Management Act of 1976	16 USC §§1801 to 1891	National Marine Fisheries Service (NMFS)	<p>Outlines the process for the NMFS and the Regional Fishery Management Councils (in this case, the Mid-Atlantic Fishery Management Council) to comment on activities proposed by federal agencies (issuing permits or funding projects) that may adversely impact areas designated as Essential Fish Habitat (EFH). EFH is defined as "those waters and substrate necessary to fish for spawning, breeding, feeding, growth to maturity." (16 USC § 1802(10))</p>
Endangered Species Act of 1973 (ESA)	16 USC §§1531 et seq.	USFWS, NMFS	<p>The ESA provides protection to threatened or endangered species and provides protection of designated critical habitats on which endangered or threatened species depend for survival. The ESA also prohibits the importation, exportation, taking, possession, and other activities involving illegally taken species covered under the Act, and interstate or foreign commercial activities.</p>
Marine Mammal Protection Act of 1972	16 U.S.C. §§1361 to 1421	USFWS, NMFS	<p>Prohibits the "taking" of marine mammals in the waters of the U.S.</p>
The Bald and Golden Eagle Protection Act of 1940	16 USC §668-668c	USFWS	<p>Prohibits anyone, without a permit issued by the Secretary of the Interior, from "taking" bald or golden eagles, including their parts, nests, or eggs. This Act provides for the protection of the bald eagle and the golden eagle regardless of their listing status under the ESA.</p>
Migratory Bird Treaty Act of 1918 (MBTA)	16 USC §§703-712	USFWS	<p>Requires federal agencies to ensure that their actions are not likely to jeopardize the continued existence of migratory birds or result in the destruction or adverse modification of their designated critical habitat.</p>

STATE

STATUTE	IMPLEMENTING REGULATIONS(S)	OVERSIGHT AGENCY	SUMMARY
Article 15 of the New York State Environmental Conservation Law (ECL)	New York Codes, Rules and Regulations (NYCRR) Title 6 Part 608	NYSDEC	The NYSDEC regulates certain surface waters in accordance with New York State ECL Article 15, Protection of Waters Program. All waters of the State of New York are provided a class and standard designation based on existing or expected best usage of each water or waterway segment. Certain waters of the State are protected based on their classification.
Article 25 of the New York State ECL	Title 6 NYCRR Part 661	NYSDEC	The NYSDEC administers a permit program regulating activities in tidal wetlands and their adjacent areas under the Tidal Wetlands Act and its implementing regulations (Article 25 of the New York State ECL) at 6 NYCRR at Section 661. These tidal wetlands regulations apply anywhere tidal inundation occurs on a daily, monthly, or intermittent basis. Title 6 NYCRR 661 defines a tidal wetland as “any lands delineated as tidal wetland on the inventory map and includes the following classifications: coastal fresh marsh; intertidal marsh; coastal shoal, bars and flats; littoral zone; high marsh; and formerly connected tidal wetlands.” A permit is required for most activities that would alter wetlands or the associated adjacent areas.
	Title 6 NYCRR Part 700-705	NYSDEC	The groundwater classifications and standards require that proposed projects would not compromise the applicable groundwater standards.
Article 11 of the New York State ECL	Title 6 NYCRR Part 182	NYSDEC	Protects New York State listed endangered and threatened species of fish and wildlife, species of special concern, and their occupied habitat. It also prohibits the “taking”, import, transport, possession, or selling of any endangered or threatened species of fish or wildlife.
Grants of Lands Under Water	Public Lands Law, Section 75	New York State Office of General Services (NYSOGS)	Underwater lands, unless otherwise granted, are held in trust for the people of the State of New York and managed by the Office of General Services). Section 75 of the Public Lands Law authorizes grants, leases, easements, and lesser interests, including permits, for the use of state-owned land underwater consistent with the public interest in the use of state-owned lands underwater for purposes of navigation, commerce, fishing, bathing, and recreation; environmental protection; and access to the navigable waters of the state; with due regard for the need of affected owners of private property to safeguard their property. Permission may be required to build on these lands, including docks, boathouses, or marinas, or to install utilities over or through such lands.

CITY

Title 56 of the Rules of the City of New York	Chapter 5 of Title 56	New York City Department of Parks and Recreation (NYC Parks)	The Title 5 Chapter 56 Rules require the review and approval of tree removals and restitution for trees under the jurisdiction of NYC Parks. NYC Parks has jurisdiction over trees growing in the public right-of-way, including trees along streets and parkways, and in City parks. NYC Parks Forestry Division evaluates the trees proposed for removal and determines the restitution value. In addition to the Rules, work within 50-feet of a street or park tree requires a Tree Work Permit from NYC Parks prior to the start of construction to ensure measures such as tree protection are made to avoid unsafe or hazardous conditions that may be detrimental to any City tree.
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4.4 Preliminary Natural Resources Assessment

4.4.1 Existing Conditions

Surface Water Bodies

The Hudson River is found at the western edge of the Study Area. All waters in New York State are assigned a letter classification that denotes their best uses. Letter classes are assigned to saline (marine) surface waters, and their best uses are described in **Table 4-2** below.

Table 4-2, Surface Water Classifications

Classification	Best Use
Class SA saline surface waters	Shellfishing for market purposes, primary and secondary contact recreation, and fishing. These waters shall be suitable for fish, shellfish, and wildlife propagation and survival.
Class SB saline surface waters	Primary and secondary contact recreation and fishing. These waters shall be suitable for fish, shellfish, and wildlife propagation and survival.
Class SC saline surface waters	Fishing. These waters shall be suitable for fish, shellfish, and wildlife propagation and survival. The water quality shall be suitable for primary and secondary contact recreation, although other factors may limit the use for these purposes.
Class SD saline surface waters	Fishing. These waters shall be suitable for fish, shellfish, and wildlife survival. This classification may be given to those waters that, because of natural or man-made conditions, cannot meet the requirements for fish propagation.
Class I saline surface waters	Secondary contact recreation and fishing. These waters shall be suitable for fish, shellfish, and wildlife propagation and survival.

A review of the NYSDEC Environmental Resource Mapper indicates that the waters of Long Island Sound are classified as a Class I waterbody, which has water quality standards established to maintain uses such as secondary contact recreation and fishing (6 CRR-NY 701.11). As designated by the NYSDEC, Class I waters shall be suitable for fish, shellfish, and wildlife propagation and survival.

In accordance with federal regulations, the NYSDEC publishes a list (Section 303(d) List of Impaired/TMDL Waters) every two years of impaired waters that require the development of a Total Maximum Daily Load (TMDL). These waterbodies require TMDL development as they do not meet applicable water quality standards and do not support the applicable best uses.

According to the most recent Clean Water Act Section 305(b) Water Quality Report (2020/2022), the Lower Hudson River was listed as impaired based on observed levels of dissolved oxygen and required a TMDL.

Floodplains

Under the *2025 CEQR Technical Manual* Part 351.3, “Other Water Resources System,” changes to floodplains, including the placement of structures in the floodplain, are one of the phenomena that affect the environment. FEMA released preliminary Flood Insurance Rate Maps (FIRMs) on January 30, 2015, that are subject to future adoption of final FIRMs. The preliminary FIRMs (PFIRMs) represent

the best available flood hazard data. FEMA encourages communities to use the PFIRMs when making decisions regarding floodplain management until final maps are completed.

Based on a review of the New York City Flood Hazard Mapper,⁶ a portion of the Project Site is located within the Flood Zone AE 100-year floodplain, with a base flood elevation (BFE) of 11 feet. The remainder of the Project Site is located within Zone X – Other Flood Areas, and therefore within the 500-year floodplain (i.e., areas with a 0.2 percent probability of flooding each year). **Figure 6-1** displays the FEMA Preliminary FIRM flood hazard layers.

Groundwater

Groundwater is regulated at the State level by Title 6 NYCRR 700-705. The groundwater classifications and standards require that projects not compromise the applicable groundwater standards. Groundwater is classified similarly to surface waters. According to NYSDEC, all groundwater in the State is classified as GA or, in the case of saline waters such as the East River and Long Island Sound, GSA. The best usage of Class GA waters is as a source of potable water supply. The best usages of Class GSA waters are as a source of potable mineral waters, or conversion to fresh potable waters, or as raw material for the manufacture of sodium chloride or its derivatives, or similar products.

As discussed in **Section 5, Hazardous Materials**, groundwater at the Project Site was encountered at depths of approximately 11 to 12 feet below grade surface (bgs).

Wetland Resources

This section assesses the presence of wetlands and adjacent areas within the Study Area for the Future With-Action Scenario. To screen wetlands within the Study Area, reviews of the USFWS National Wetlands Inventory (NWI) mapping and NYSDEC Tidal Wetlands mapping were conducted. A review of pertinent mapping and resources yielded no evidence of any freshwater wetland vegetation or surface-level hydrology, and soil borings showed no evidence of hydric soils.

NWI Wetlands

Based on a review of the NWI mapping (see **Figure 4-2**), a small western portion of the Study Area contains Federally regulated tidal wetlands associated with Hudson River. The USFWS NWI mapping shows that the in-water portion of the Study Area is mapped as Estuarine and Marine Deepwater wetlands and classified as E1UBL, i.e., estuarine subtidal unconsolidated bottom. Subtidal areas are continuously submerged substrates (below extreme low water). Unconsolidated bottoms have at least 25 percent cover of particles smaller than 6 or 7 inches, and less than 30 percent vegetative cover.

No vegetated tidal wetlands are present within the vicinity of the Project Site, such that there are no wetlands or project activities that the USACE would regulate.

NYS Tidal Wetlands

Based on a review of NYSDEC Tidal Wetlands maps on August 5, 2025, neither the Project Site nor its associated Study Area contains State-regulated tidal wetlands.

NYS Freshwater Wetlands

A review of the NYSDEC Environmental Resource Mapper on August 5, 2025, indicated that the Project Site is not within the jurisdiction of the NYS DEC under the Freshwater Wetlands Act (Article 24 of the Environmental Conservation Law) nor the Coastal Erosion Hazard Areas (Article 34 of the

⁶ <https://www.arcgis.com/apps/webappviewer/index.html?id=1c37d271fba14163bbb520517153d6d5>, accessed August 4, 2025

Environmental Conservation Law). Therefore, a NYSDEC Freshwater Wetlands or Coastal Erosion Hazard Areas permit is not required to alter or develop this referenced property.

Federally-Listed and State-Designated Threatened, Endangered, Candidate, and Special Concern Species

Terrestrial Resources of Concern

The upland portions of the Study Area are characterized by urbanized areas associated with the Meatpacking District and West Village neighborhood of the borough of Manhattan, New York City, including the Project Site.

Pursuant to 24 CFR 58.5(e), the Future With-Action Scenario was assessed for consistency and compliance with the ESA, and additionally was assessed for consistency with the MBTA. The potential occurrence of Federally-listed and State-designated threatened and endangered species within the Study Area was reviewed using the USFWS Information for Planning and Conservation Consultation (IPaC) online system and the National Oceanic and Atmospheric Administration's (NOAA's) Greater Atlantic Region ESA Section 7 Mapper, August 5, 2025.⁷

The IPaC Official Species List generated for the Future With-Action Scenario only included the monarch butterfly (*Danaus plexippus*)⁸ as having the potential to occur within the Future With-Action Scenario's action area. As the monarch butterfly is listed as a candidate species, it currently does not have any protection under ESA Section 7, and consultation or conference (formal or informal) with USFWS is not required at this time.

IPaC did not list any critical habitat for the above-mentioned species (or any other) within the Proposed Project's action area, under the jurisdiction of the USFWS Long Island Ecological Services Field Office.

According to the USFWS IPaC Trust Resources Report, there are 31 migratory birds protected under the MBTA and the Bald and Golden Eagle Protection Act that may occur within the Study Area, with 22 classified by the USFWS as BCC (Bird of Conservation Concern) Rangewide, seven (7) are classified as BCC – Bird Conservation Region, and two (2) are classified as Non-BCC Vulnerable (see **Appendix C**). Based on the USFWS IPaC query result, the 31 migratory bird species mainly occur in and near the Study Area; however, existing conditions of the Study Area reveal a lack of suitable habitat within this geography, which is characterized by urbanized areas of the Meatpacking District and the West Village neighborhood of the borough of Manhattan, New York City.

The nature and extent of the redevelopment work at the Project Site would minimally disrupt any potential habitat for the identified migratory bird species.

Although the above species are listed in the IPaC Trust Resources Report as potentially present within the Study Area, due to the urban character of the Project Site and Study Area, neither provides appropriate breeding, nesting, or foraging habitat for the protected bird species.

Data from the NYNHP was also reviewed to screen for the presence of State-regulated rare plants and animals and species of special concern within the Study Area. A review of NYSDEC data found no evidence of Significant Natural Communities within the Study Area, nor of any significant habitats. A review of the NYSDEC ERM indicated the potential presence of the two federally listed aquatic species listed above. However, no direct in-water activities nor any indirect effects on those species would result from the Proposed Action.

⁷ NOAA's Greater Atlantic Region, ESA Section 7 Mapper. Accessed on August 5, 2025, at: <https://noaa.maps.arcgis.com/apps/webappviewer/index.html?id=1bc332edc5204e03b250ac11f9914a27>

⁸ As of the date this report was generated, the Monarch butterfly is not federally-listed as threatened or endangered, therefore, an effects determination has not been provided for this species.

The NYSDEC ERM also indicated that the Project Site and Study Area are within the vicinity of the Yellow Bumble Bee; however, pursuant to the NYSDEC website, it is not State- or Federal-protected.

Aquatic Resources of Concern

In addition to the species included in the IPaC, a review of the NOAA Fisheries’ Greater Atlantic Region Consultation Areas ESA Section 7 Mapper resulted in the identification of two (2) Federally listed fish species, with the potential to occur within the waters of the Study Area, including the Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*; Threatened/Endangered) and the Shortnose sturgeon (*Acipenser brevirostrum*; Endangered).

Atlantic and shortnose sturgeons are anadromous fish, migrating from saltwater to spawn in freshwater. Atlantic sturgeon spawning and early life stages occur in freshwater rivers. Early life stages and young of the year have limited tolerance to salinity and remain in the freshwater reaches of their natal river until reaching the sub-adult stage, when individuals have a higher tolerance for saline conditions. As such, spawning or early life stages of sturgeon would likely not occur in the Lower Hudson River, as this environment is considered a tidal estuary and is a mixture of salty and fresh water. As indicated in the ESA Section 7 Mapper results, transient adult and subadult Atlantic sturgeon and transient adult shortnose sturgeon may be present opportunistically foraging and migrating within the waters of the Study Area.

Essential Fish Habitat

Essential fish habitat (EFH) is present throughout the aquatic portion of the Study Area for the species listed in **Table 4-3**. Potential summer flounder habitat in submerged aquatic vegetation was identified as a Habitat Area of Particular Concern (HAPC) within the EFH; however, the Proposed Action includes no in-water work that would negatively impact this habitat. No EFH Areas Protected from Fishing were found to be present in the Study Area.

Table 4-3, Essential Fish Habitat in the Study Area

Species	Life Stage at Location
Atlantic Butterfish (<i>Peprilus triacanthus</i>)	Larvae,
Atlantic Herring (<i>Clupea harengus</i>)	Larvae, Juvenile, Adult
Bluefish (<i>Pomatomus saltatrix</i>)	Juvenile, Adult
Cleamose Skate (<i>Rostroraja eglanteria</i>)	Juvenile, Adult
Little Skate (<i>Leurcoraja erinacea</i>)	Juvenile, Adult
Longfin Inshore Squid (<i>Doryteuthis pealeii</i>)	Eggs,
Red Hake (<i>Urophycis chuss</i>)	Eggs, Larvae, Juvenile, Adult
Summer Flounder (<i>Paralichthys dentatus</i>)	Larvae, Juvenile, Adult,
Windowpane Flounder (<i>Scophthalmus aquosus</i>)	Eggs, Juvenile, Adult
Winter Flounder (<i>Pseudopleuronectes americanus</i>)	Eggs, Larvae, Juvenile, Adult
Winter Skate (<i>Leucoraja ocellata</i>)	Juvenile, Adult

Source(s): NOAA Essential Fish Habitat Mapper. Accessed August 25, 2025, at <https://www.habitat.noaa.gov/protection/efh/efhmapper/>.

4.4.2 Future No-Action Scenario

In the absence of the Proposed Project, the existing conditions described in **Section 1.3** are expected to continue, including vacant and undeveloped conditions.

4.4.3 Future With-Action Scenario

Surface Water Bodies

The Project Site is located inland, approximately 350 feet east of the Hudson River, the nearest surface water. As such, the Future With-Action Scenario would not result in any significant adverse impacts with respect to surface water bodies and surface water quality, and no further analysis is warranted.

Floodplains

As previously discussed, the Project Site is located partially within the 100- and 500-year flood hazard areas. The Future With-Action Scenario was evaluated for its consistency with the NYC WRP, including flood resiliency (see **Appendix A**). Flood resiliency design measures in the Future With-Action Scenario include:

- The Design Flood Elevation (DFE) for the Proposed Project is calculated at 13 feet, two feet higher than the Base Flood Elevation (BFE) of 11 feet (NAVD88).
- The only occupiable space below the DFE is a cellar level below the proposed entrance, lobby, and commercial service space. This space will be dry floodproofed with cast-in-place concrete walls.
- The residential elevator pits would be dry floodproofed, with access into the pits from above the DFE.
- Utility POE connections will be located primarily on the mechanical floor, above DFE. All utility components that must be routed below DFE will have enclosures and fittings to prevent water from entering during a flood.

Additionally, the Applicant must comply with all applicable flood regulations, including Article 6, Chapter 4, of the Zoning Resolution and Appendix G of the Building Code, as reviewed and approved by the Department of Buildings.

As such, the Future With-Action Scenario would not result in any significant adverse impacts with respect to floodplains, and no further analysis is warranted.

Groundwater

As discussed under “Existing Conditions,” groundwater is not used as a potable water source on or near the Project Site, and the Future With-Action Scenario does not involve any use or drawdown of groundwater during its operation. Therefore, it is concluded that the Future With-Action Scenario would not result in significant adverse impacts with respect to groundwater.

Wetland Resources

As previously indicated, a small western portion of the Study Area contains federally regulated tidal wetlands associated with the Hudson River. The USFWS NWI mapping shows that the in-water portion of the Study Area is mapped as Estuarine and Marine Deepwater wetlands and classified as E1UBL, i.e., estuarine subtidal unconsolidated bottom. Subtidal areas are continuously submerged substrates (below extreme low water). No vegetated tidal wetlands are present within the vicinity of the Project Site, such that there are no wetlands or project activities that the USACE would regulate. There are no other wetlands at the Project Site or within the Study Area, including other NWI Wetlands or State-regulated Freshwater and Tidal Wetlands.

Therefore, it is concluded that the Future With-Action Scenario would not result in any significant adverse effects on wetland or upland resources.

Federally-Listed and State-Designated Threatened, Endangered, Candidate, and Special Concern Species

As discussed under Existing Conditions, Federally-listed threatened and endangered terrestrial and aquatic species were listed as potentially present within the Study Area.

Terrestrial Resources of Concern

The Monarch Butterfly

The IPaC Official Species List generated for the Future With-Action Scenario included the monarch butterfly (*Danaus plexippus*) as having the potential to occur within the Future With-Action Scenario's action area. As the monarch butterfly is listed as a candidate species, it currently does not have any protection under ESA Section 7, and consultation or conference (formal or informal) with USFWS is not required at this time.

Yellow Bumble Bee

The NYSDEC ERM indicated that the Project Site and Study Area are within the vicinity of the Yellow Bumble Bee; however, pursuant to the NYSDEC website, it is not State- or Federal-protected.

Migratory Birds

Based on the USFWS IPaC query result, the 31 migratory bird species mainly occur in and near the Study Area, which is characterized by urbanized areas of the Meatpacking District and West Village neighborhood of the borough of Manhattan, New York City; this area generally does not contain appropriate breeding, nesting, or foraging habitat for the protected bird species.

Based on the foregoing, the Future With-Action Scenario would not result in any significant adverse impacts to terrestrial resources of concern, and no further analysis is warranted.

Aquatic Resources

A review of the NOAA Fisheries' Greater Atlantic Region Consultation Areas ESA Section 7 Mapper resulted in the identification of two (2) Federally listed fish species, with the potential to occur within the waters of the Study Area, including the Atlantic sturgeon (*Acipenser oxyrinchus oxyrinchus*; Threatened/Endangered) and the Shortnose sturgeon (*Acipenser brevirostrum*; Endangered). The Future With-Action Scenario would be limited to the Project Site, approximately 350 east of the nearest waterbody that would contain such resources, such that the Future With-Action Scenario would not contain any in-water work and would therefore not impact these resources or their habitats.

Adverse impacts on EFH, as defined in 50 CFR 600.910(A), include any impact that reduces the quality and/or quantity of EFH. Adverse impacts may include:

- Direct impacts, such as physical disruption or the release of contaminants;
- Indirect impacts, such as the loss of prey or reduction in the fecundity (number of offspring produced) of a managed species, and
- Site-specific or habitat-wide impacts that may include individual, cumulative, or synergetic consequences of a Federal action.

As the Future With-Action Scenario would not result in any significant adverse impacts to water or sediment quality, or aquatic habitat or biota, it would also not result in any significant adverse impacts to EFH.

Based on the foregoing, the Future With-Action Scenario would not result in any significant adverse impacts to aquatic resources of concern, and no further analysis is warranted.

4.5 Conclusions

As described in the preceding sections, the Future With-Action Scenario would not result in significant adverse impacts to surface water bodies, floodplains, groundwater, wetland resources, Federally-Listed and State-Designated Threatened, Endangered, Candidate and Special Concern Species, or essential fish habitats. Based on the foregoing, no significant adverse natural resources impacts are anticipated as a result of the Future With-Action Scenario, and no further analysis is warranted.

5 HAZARDOUS MATERIALS

5.1 Introduction

According to the *2025 CEQR Technical Manual*, the potential for significant impacts from hazardous materials can occur when: (a) hazardous material exists on a site, and (b) an action would increase pathways to their exposure, or (c) an action would introduce new activities or processes using hazardous materials.

5.2 Methodology

The hazardous materials assessment begins with a Phase I ESA, which is a qualitative evaluation of the environmental conditions present at a site, based on a review of available information, site observations, and interviews. Pursuant to the *2025 CEQR Technical Manual*, the Phase I ESA is conducted in accordance with the standards established by the current ASTM Phase I ESA Standard and includes research and field observations to determine whether the site may contain contamination from either past or present activities on the site or as a result of activities on adjacent or nearby properties. If potential Recognized Environmental Conditions (RECs) are identified during this assessment, then any subsurface investigations are usually conducted as part of a Phase II ESA to confirm the presence and extent of the contamination.

5.3 Hazardous Materials Investigations

5.3.1 Phase I ESA for 51 Little West 12th Street, New York (GZA, January 2025)

GZA GeoEnvironmental of New York (GZA) prepared a Phase I ESA of the Project Site in January 2025. The Phase I ESA identified the following RERs at the Project Site:

- *RER No. 1*: Based on GZA's review of the Historical Topographical Atlas of the City of New York (Viele, 1874), the Project Site lies within an area of reclaimed land. With historic development, the region's shoreline was extended west by backfilling and raising grades to develop the street grid. Fill used to raise grades was from unknown sources.

No Controlled or Historical RECs were identified at the Project Site. Two *De Minimus* Conditions are identified at the Project Site, including: (1) small containers of various paints and solvents; and (2) several debris items noted, such as an old car, fluorescent bulbs, and other construction debris.

GZA also identified the following Business Environmental Risks:

- The Project Site is a vacant, undeveloped lot. According to the Applicant, the Project Site had a cellar that was backfilled with the debris from the demolished building. Future Project Site redevelopment activities might encounter residual contamination in soil or groundwater related to the past filling and past industrial use. Impacted material must be managed either on or off the Project Site in conformance with applicable Federal, State, and local regulations.
- If dewatering is required for construction, groundwater sampling and testing in conformance with Federal, State, and/or local sewer discharge permit/approval requirements may be required.

Based on the findings of the Phase I ESA, a Phase II Environmental Site Investigation was performed at the Project Site.

5.3.2 Phase II ESI for 51 Little West 12th Street, New York (GZA, March 2025)

GZA performed a Phase II ESI at the Project Site in March 2025 based on the findings of the Phase I ESA; the findings of the Phase II ESI are as follows:

- The subsurface conditions at the Project Site consist of fill that includes fine to coarse sand, gravel, clayey silt, and miscellaneous fill material to depths of 15 feet below grade surface (bgs).
- Groundwater at the Project Site was encountered at depths of approximately 11 to 12 feet bgs.
- Soil samples reported concentrations of VOCs and SVOCs at concentrations below their respective UUSCOs.. Pesticides, PCBs, and PFAS were detected at concentrations above UUSCOs, but below RUSCOs and PGSCO. Metals were general with parameter results reported above UUSCOs, but below RUSCOs and PGSCO. However, cadmium, lead, mercury, and zinc were elevated above RUSCOs in three samples [GZ-01-COMP (0-2'), GZ-02-COMP (0-2'), and GZ-02-COMP (10-12')].
- Groundwater samples reported several SVOCs at concentrations above NYSDEC TOGS 1.1.1 AWQS in the temporary groundwater well TMW-03. Three metals and two PFAS were detected above NYSDEC TOGS 1.1.1 AWQGS from the three wells. VOCs, Pesticides, and PCBs were either not detected or were detected at concentrations below their respective NYSDEC TOGS 1.1.1 AWQS.
- Concentrations of VOCs were not detected at concentrations exceeding their respective NYSDOH Air Guidance Values and Decision Matrices in the soil vapor samples. The trichlorofluoromethane is a refrigerant that may be migrating onto the Site.

Based on the findings presented above, GZA provided the following conclusions and recommendations related to Hazardous Materials at the Project Site.

Phase II ESI Conclusions

- Laboratory analysis of eight soil samples collected throughout the Project Site reported concentrations of contaminants including metals, pesticides, PCBs, and PFAS in exceedance of their UUSCOs, but below RUSCOs and PGWSCOs. Metals, specifically cadmium, lead, mercury, and zinc, were detected above their respective RUSCOs in GZ-01-COMP (0-2'), GZ-02-COMP (0-2'), and GZ-02-COMP (10-12'). The remaining analytes were detected at concentrations below their respective UUSCOs within the soil samples collected. This is typical of Urban Fill material found in the five boroughs and may not be indicative of a spill or release. However, the lead concentrations in GZ-01-COMP (0-2') and the mercury concentrations in GZ-01-COMP (0-2') and GZ-02-COMP (10-12') are high enough that they will likely warrant segregation and delineation prior to off-site disposal, if these areas are excavated during development.
- The groundwater analytical results show analytes similar to the soil samples, which is indicative of groundwater in contact with fill. Laboratory analysis of groundwater samples did not reveal results indicative of a spill or release at the Project Site.
- New York State does not have standards, criteria, or guidance values for VOCs in soil vapor samples. However, as a screening tool, the soil vapor analytical results were summarized and compared to concentrations of VOCs in NYSDOH Air Guidance Values and Decision Matrices. Laboratory analysis of four soil vapor samples did not report elevated concentrations of the chlorinated VOCs or petroleum VOCs regulated by the NYSDOH.

Phase II ESI Recommendations

- As the Project Site is planned for future redevelopment, the redevelopment activities may encounter historic urban material, including soil and/or groundwater containing metals, pesticides, PCBs, and PFAS with concentrations greater than UUSCOs. Material must be

managed either on or off the Project Site in conformance with applicable Federal, State, and local regulations.

- Although it is anticipated that the soil sampling performed during the subsurface investigation will be acceptable as a preliminary Project Site characterization by the disposal facilities, each facility has different acceptance criteria and sample frequency requirements. Therefore, additional waste characterization sampling may be required during redevelopment to complete the permit-required acceptance criteria of the disposal facility(ies).
- If construction dewatering is required, groundwater sampling and testing in conformance with Federal, State, and/or local sewer discharge permit/approval requirements may be required.

In correspondence dated September 17, 2025, DEP indicated they had reviewed the Phase I ESA and Phase II ESI and recommended that an E Designation be placed on the property pursuant to NYC Zoning Resolution § 11-15. The (E) Designation will ensure that testing and mitigation will be provided as necessary before any future development and/or soil disturbance occurs, as well as to ensure the maintenance and oversight of any required engineering controls through oversight by the Mayor's Office of Environmental Remediation (MOER). Further hazardous materials assessments should be coordinated through OER, which may have additional requirements.

5.4 Conclusions

The Applicant would adhere to all recommendations of the Phase II ESI, including:

- Material must be managed either on or off the Project Site in conformance with applicable Federal, State, and local regulations.
- Additional waste characterization sampling may be required during redevelopment to complete the permit-required acceptance criteria of the disposal facility(ies).
- If construction dewatering is required, groundwater sampling and testing in conformance with Federal, State, and/or local sewer discharge permit/approval requirements may be required.

Based on the foregoing, the Applicant's Proposed Project is not anticipated to result in significant adverse impacts related to hazardous materials, and no further analysis is warranted.

6 AIR QUALITY

6.1 Introduction

When assessing the potential for significant air quality impacts, the *2025 CEQR Technical Manual* seeks to determine a project's effect on ambient air quality or the quality of the surrounding air. Ambient air can be affected by motor vehicles, referred to as "mobile sources," or by fixed facilities, referred to as "stationary sources." This can occur during the operation and/or construction of a project being proposed. The pollutants of most concern are carbon monoxide, lead, nitrogen dioxide, ozone, relatively coarse inhalable particulates (PM₁₀), fine particulate matter (PM_{2.5}), and sulfur dioxide. The *2025 CEQR Technical Manual* generally recommends an assessment of the potential impact of mobile sources on air quality when an action increases traffic or causes a redistribution of traffic flows, creates any other mobile sources of pollutants (such as diesel train usage), or adds new uses near mobile sources (e.g., roadways, parking lots, garages). The *2025 CEQR Technical Manual* generally recommends assessments when new stationary sources of pollutants are created, when a new use might be affected by existing stationary sources, or when stationary sources are added near existing sources and the combined dispersion of emissions would impact an area in the vicinity of the Proposed Action.

Ambient air quality describes pollutant levels in the surrounding environment to which the public has access. To assess potential health hazards due to ambient air quality, the impact of air pollutants emitted by motor vehicles (mobile source) and by fixed facilities (stationary source) is analyzed, where the effects of both the proposed project on ambient air quality and the ambient air quality effect on the proposed project are considered. The analysis framework, as mandated by the State Environmental Review Act, follows the *2025 CEQR Technical Manual*.

6.2 Methodology

6.2.1 Mobile Sources

According to the *2025 CEQR Technical Manual*, projects, whether site-specific or generic, may result in significant mobile source air quality impacts when they increase or cause a redistribution of traffic; create any other mobile sources of pollutants (such as diesel trains, helicopters, etc.); or add new uses near mobile sources (roadways, garages, parking lots, etc.). Projects requiring further assessment include:

- Projects that would result in the placement of operable windows, balconies, air intakes, or intake vents generally within 200 feet of an atypical source of vehicular pollutants.
- Projects that would result in the creation of a fully or partially covered roadway, would exacerbate traffic conditions on such a roadway, or would add new uses near such a roadway.
- Projects that would generate peak hour auto traffic or divert existing peak hour traffic of 170 or more auto trips in this area of the City.
- Projects that would generate peak-hour heavy-duty diesel vehicle traffic or its equivalent in vehicular emissions resulting from 12 or more heavy-duty diesel vehicles (HDDVs) for paved roads with average daily traffic of fewer than 5,000 vehicles, 19 or more HDDVs for collector roads, 23 or more HDDVs for principal and minor arterials, or 23 or more HDDVs for expressways and limited-access roads.
- Projects that would result in new sensitive uses (e.g., schools or hospitals) adjacent to large existing parking facilities or parking garage exhaust vents.

- Projects that would result in parking facilities or applications requesting the grant of a special permit or authorization for parking facilities; or projects that would result in a sizable number of other mobile sources of pollution (e.g., a heliport or a new railroad terminal).
- Projects that would substantially increase the vehicle miles traveled in a large area.

The Proposed Action would not result in operable windows or air intakes within 200 feet of an atypical roadway and would not result in the creation of a covered roadway or affect any covered roadway. Peak hour trip generation would be far below the 170-car threshold, as per the transportation section, as potentially warranting further assessment (see EAS Short Form screen). The Proposed Project would not generate HDDV equivalent traffic volume of more than 12 – 23 per hour, depending on the road types. The Proposed Project would not create a new sensitive receptor adjacent to large parking facilities. The Proposed Project would not result in any other mobile sources of pollution and would not significantly increase vehicle miles traveled in a large area. Therefore, no further assessment of the potential for mobile source air quality impacts is warranted.

6.2.2 Stationary Sources

According to the *2025 CEQR Technical Manual*, projects may result in stationary source air quality impacts when one or more of the following occur:

- New stationary sources of pollutants are created (e.g., emission stacks for industrial plants, hospitals, and other large institutional uses).
- Certain new uses near existing (or planned future) emissions stacks are introduced that may affect the use.
- Structures near such stacks are introduced so that the structures may change the dispersion of emissions from the stacks, so that surrounding uses are affected.
- Fossil fuels (fuel oil or natural gas) for heating/hot water, ventilation, and air conditioning systems are used.
- Large emission sources are created (e.g., solid waste or medical-waste incinerators, cogeneration facilities, asphalt/concrete plants, or power-generating plants, etc.).
- New sensitive uses are located near a large emission source.
- Medical, chemical, or research labs are created or result in new uses being located near them.
- The operation of manufacturing or processing facilities is created.
- New sensitive uses created within 400 feet of manufacturing or processing facilities.
- New uses created within 400 feet of a stack associated with commercial, institutional, or residential developments (and the height of the new structures would be similar to or greater than the height of the emission stack).
- Potentially significant odors are created.
- New uses near an odor-producing facility are created.
- “Non-point” sources that could result in fugitive dust are created.
- New uses near nonpoint sources are created.
- A generic or programmatic action is introduced that would change or create a stationary source or that would expose new populations to such a source.

6.3 Preliminary Air Quality Analysis

Per the *2025 CEQR Technical Manual*, the HVAC analysis considers the potential for emissions from the HVAC system of the Proposed Project to impact existing land uses (project-on-existing) significantly. Based on CEQR guidelines, a preliminary screening analysis is to be conducted as a first step to predict whether the potential impacts of the heat and hot water system(s) boiler emissions can be significant. The screening analysis determines the threshold of development size below which the action would not have a significant impact. This CEQR screening procedure applies to buildings that are not less than 30 feet from the nearest building of similar or greater height. Otherwise, a detailed dispersion analysis is required.

Screening Assessment

The potential for the heat and hot water system(s) to have a significant adverse impact on nearby receptors depends on the type of fuel that would be used by the HVAC system, the height of the stack venting the emissions, the distance to the nearest building of similar or greater height, the building's use which affects the emissions, and the square footage of the development that the system would serve. The *2025 CEQR Technical Manual* screening analysis is based on these factors. A detailed analysis is required if the screening analysis fails. The Future With-Action Scenario would result in the construction of an approximately 203-foot-tall building on the Project Site.

Project-on-Existing

The impact of the Proposed Project on existing land uses is represented by a hypothetical HVAC system serving an approximately 19,590-GSF mixed-use multi-family residential building with ground-floor commercial uses. In 2021, the New York City Council passed legislation to phase fossil fuels out of new construction starting in 2024. Local Law 154 of 2021 prohibits the onsite combustion of fuels that emit more than 25kg CO₂/MMBTU. The law phases out the usage of fossil fuels in new buildings for heating and hot water service. This also impacts appliances such as domestic cooking ranges and clothes dryers. This law means new buildings, with few exceptions, will be all-electric. As the Proposed Project's build year is 2028, the Applicant would be required to construct an all-electric building, in compliance with Local Law 154. The required conformance with Local 154 will ensure that the Future With-Action Scenario will utilize an electrical system as opposed to fossil fuels for the proposed HVAC system, and, as such, no significant adverse impacts from emissions would result.

6.4 Industrial Sources Analysis

Per the *2025 CEQR Technical Manual*, projects that would introduce new uses near manufacturing processing sources may result in potentially significant adverse air quality impacts. The study area considers industrial sources within 400 feet of the Project Site. Industrial sources are identified as commercial, industrial, or processing facilities that are likely to have New York City Department of Environmental Protection (DEP) processing permits. Typical types of industrial sources are auto body facilities, woodworking facilities, offset printing facilities, metal processing facilities, and generators or cogeneration equipment (emergency generators are exempt). The analysis first determines if there are any existing industrial sources located in the study area. An air dispersion analysis is then performed for any existing industrial source that is in the study area.

A review of NYC DEP's online Clean Air Tracking System (CATS) data⁹ to identify manufacturing processing facilities in the 400 feet study area. The CATS database did not identify any active or expired manufacturing processing facilities within the 400-foot study area. Additionally, the NYS

⁹ https://data.cityofnewyork.us/Environment/Clean-Air-Tracking-System-CATS-Permits/f4rp-2kvy/about_data, accessed October 22, 2024

Department of Environmental Conservation (DEC) InfoLocator¹⁰ did not indicate any air facility registrations within 400 feet of the Project Site. A review of NYC Primary Land Use Tax Lot Output (PLUTO), Google Street View, and other resources for tax lots within the study area did not indicate any active industrial or manufacturing uses.

6.5 Major and Large Emissions Sources

Pursuant to the *2025 CEQR Technical Manual*, major emission sources are those sources located at Title V facilities that require Prevention of Significant Deterioration permits, and large sources are those located at facilities that require a New York State facility permit. Such facilities include, but are not limited to, solid waste or medical waste incinerators, cogeneration facilities, asphalt and concrete plants, or power-generating plants.

To determine if any such facilities are in the vicinity of the Project Site, a 1,000-foot study area was screened using Title V and New York State facilities permits data provided by NYC DEP. Based on information provided by DEC's InfoLocator,¹¹ there are no Title V Air Facilities within 1,000 feet of the Project Site and one (1) Air State Facility, a Starbucks Reserve Roastery (Facility DEC ID No. 2620501807), located approximately 750 feet northeast of the Project Site at 61 9th Avenue (Block 712, Lot 36). Based on the results of this preliminary screening for major and large emissions sources, a more detailed analysis is required.

6.5.1 Roastery Emissions Overview

The Starbucks Reserve Roastery (the "Roastery") is a coffee roasting and coffee shop facility. The roasting facility includes two coffee roasters, Probat P25 and Probat G120, which fire natural gas exclusively and have maximum heat input capacities of 0.205 and 2.5 million British thermal units per hour (MMBtu/hr), respectively. The exhaust from each coffee roaster and its associated cooling tray is vented through process cyclones to collect particulates from the roasting process before being ducted to afterburners to control emissions and odors.

The design roasting capacity of P25 and G120 is 220 pounds/hr of green coffee beans and 1,056 pounds/hr of green coffee beans, respectively. The maximum roasting capacity achieved during the October 2019 source testing was 148 pounds/hr green coffee beans for P25 and 546 pounds/hr green coffee beans for G120. Emissions from the coffee roasting equipment will include criteria pollutants Nitrogen Oxides (NO_x), Carbon Monoxide (CO), Volatile Organic Compounds (VOC), Particulate Matter (PM), Sulfur Dioxide (SO₂), and Lead; certain Hazardous Toxic Air Contaminants—Acetaldehyde, Acrolein, and Formaldehyde; and Carbon Dioxide (CO₂). Starbucks is subject to the requirements of 6 NYCRR Part 212. In 2019, the facility was approved by the NYSDEC for an application to modify an existing permit to incorporate updates to emission rates and operating limits for its two coffee bean roasters. As required by a previously approved permit, stack emission testing was conducted in October 2019 to determine the emission rates for formaldehyde and acrolein, and air dispersion modeling was performed with these results to demonstrate compliance with 6 NYCRR Part 212. Based on the air dispersion modeling results and stack emission testing, with the permit modification application, Starbucks' annual throughput of green coffee beans roasting for roasters was limited to 518 tpy and 1909 tpy for P25 and G120, respectively. Roasters' hourly emission limits for formaldehyde and acrolein, and the minimum required afterburner temperatures, were also modified with this permit modification.

¹⁰ <https://dec.ny.gov/maps/interactive-maps/decinfo-locator>, accessed October 22, 2024

¹¹ <https://dec.ny.gov/maps/interactive-maps/decinfo-locator>, accessed October 22, 2024

As previously described, the facility operates two natural gas-fired coffee roasters—P25 and G120—with a shared stack height of 181 feet. As described in **Table 6-1**, emissions include formaldehyde and acrolein, among other pollutants. The facility is subject to NYSDEC permit conditions, including emission limits, stack testing, and operational controls. Roaster P25 has a heat input of 0.205 MMBtu/hr, while G120 operates at 2.5 MMBtu/hr. Both units are equipped with thermal oxidizing afterburners that maintain minimum operating temperatures of 1259°F (P25) and 1254°F (G120) to ensure effective pollutant destruction. Annual roasting throughput is limited to 518 tons for P25 and 1,909 tons for G120. Emission rates for formaldehyde are 0.202 lb/ton for P25 and 0.136 lb/ton for G120, while acrolein emissions are 0.0441 lb/ton and 0.0139 lb/ton, respectively. These characteristics reflect the facility’s controlled and monitored emission profile under its NYSDEC permit.

Table 6-1, Starbucks Reserve Roastery Emission Characteristics

Parameter	Roaster P25	Roaster G20
<i>Stack Height (ft)</i>	181	181
<i>Heat Input (MMBtu/hr)</i>	0.205	2.5
<i>Afterburner Min Temp (°F)</i>	1259	1254
<i>Annual Throughput Limit (tons/year)</i>	518	1,909
<i>Formaldehyde Emission Rate (lb/ton)</i>	0.202	0.136
<i>Acrolein Emission Rate (lb/ton)</i>	0.0441	0.0139

Dispersion modeling conducted in 2019, as documented in the enclosed NYSDEC permit (see **Appendix D**), confirmed compliance with applicable guideline concentrations for formaldehyde and acrolein in concert with the NYSDEC. Conservative modeling assumptions were used, including worst-case meteorological conditions and receptor placement.

The potential for significant adverse air quality impacts from the nearby Starbucks Reserve Roastery is substantially reduced due to a combination of physical separation, urban context, and regulatory controls. The following factors collectively demonstrate that the Proposed Project would not be adversely affected by emissions from the Roastery.

Horizontal Distance

The Project Site is located approximately 750 feet southeast of the Roastery. This horizontal separation allows for substantial atmospheric dispersion of pollutants before they reach the Proposed Project. CEQR guidance indicates that concentrations of air pollutants typically decline significantly beyond 100 meters (approximately 328 feet) from a stationary source, especially in urban environments where turbulence and mixing are enhanced. At a distance of 750 feet, the potential for elevated concentrations of formaldehyde, acrolein, or other pollutants reaching the Proposed Project is minimal, particularly given the Roastery’s controlled emissions and compliance with guideline concentrations.

Urban Form and Turbulence

The surrounding built environment in the Meatpacking District contributes to turbulent airflow and vertical mixing, which are beneficial for dispersing emissions. Tall buildings, narrow streets, and varied architectural forms create mechanical turbulence that disrupts the horizontal flow of pollutants and promotes dilution. This urban-induced mixing reduces the potential for pollutant accumulation and enhances dispersion away from sensitive receptors. The Proposed Project’s location within this complex urban form further supports the conclusion that emissions from the Roastery would be effectively diluted before reaching residential units.

Emission Controls and Permit Compliance

The Roastery operates under a NYSDEC Air State Facility Permit that mandates strict emission controls, including the use of thermal oxidizing afterburners on both coffee roasters. These afterburners are required to maintain minimum operating temperatures of 1259°F (P25) and 1254°F (G120) to ensure the destruction of volatile organic compounds, odors, and hazardous air pollutants. Stack testing conducted in support of the permit confirmed that emissions of formaldehyde and acrolein are within acceptable guideline concentrations. The facility is also subject to periodic testing and reporting requirements, ensuring continued compliance. These controls significantly reduce the quantity and toxicity of emissions released into the atmosphere.

Receptor Location and Building Design

Lastly, residential units within the Proposed Project would be located on floors four (4) through 10, with commercial uses and building mechanical systems occupying the cellar through third floors. This vertical placement of sensitive receptors further reduces exposure to ground-level emissions, which are typically more concentrated near the source. Additionally, the building's design and orientation may provide further shielding from prevailing wind directions and localized pollutant transport. By situating residential uses at higher elevations, the Proposed Project minimizes the potential for adverse air quality impacts from nearby stationary sources.

Permit-Based Mitigation Measures

The Roastery's NYSDEC permit includes the following safeguards:

- *Continuous Afterburner Operation:* Afterburners operate during roasting at specified minimum temperatures to destroy volatile organic compounds and hazardous air pollutants.
- *Emission Limits and Monitoring:* Formaldehyde, acrolein, and particulate matter emissions are capped and verified through periodic stack testing.
- *Throughput Restrictions:* Annual roasting volumes are limited to maintain consistency with modeled assumptions.
- *Recordkeeping and Reporting:* Daily logs of roasting volumes and afterburner temperatures are maintained and submitted annually to NYSDEC.
- *Visible Emissions Oversight:* Daily visual inspections ensure stack opacity remains below 20%, with Method 9 testing triggered if needed.

These measures ensure emissions remain controlled under both routine and non-routine conditions, providing additional assurance that the Proposed Project would not be adversely affected. No additional dispersion modeling is warranted, and the Proposed Action is consistent with CEQR air quality guidance.

6.6 Conclusions

The Future With-Action Scenario would utilize an electrical system as opposed to fossil fuels for the proposed HVAC system, and, as such, no significant adverse impacts from emissions would result. There are no manufacturing process facilities, air facility registrations, or identified active industrial or manufacturing uses within 400 feet of the Project Site, such that there would be no industrial emissions source impacts on future users of the Project Site.

The Starbucks Reserve Roastery is a regulated facility operating under strict emission controls. Based on stack height, horizontal separation, urban form, and CEQR modeling principles. No additional dispersion modeling is warranted, and the Proposed Action is consistent with CEQR air quality guidance.

Based on the foregoing, no significant adverse air quality impacts are anticipated as a result of the Proposed Project, and no further analysis is required.

7 NOISE

PLACEHOLDER: UPDATE NOISE ANALYSIS TO BE PROVIDED

8 NEIGHBORHOOD CHARACTERISTICS

8.1 Introduction

According to the *2025 CEQR Technical Manual*, a neighborhood character assessment considers how elements of the environment combine to create the context and feeling of a neighborhood and how a project may affect that context and feeling. Thus, to determine a project's effects on the neighborhood character, the elements that contribute to a neighborhood's context and feeling are considered together. These elements may include land use, zoning, and public policy, socioeconomic conditions, community facilities, open space, historic and cultural resources, urban design and visual resources, shadows, transportation, and noise. The study area for a preliminary analysis of neighborhood character is typically consistent with the study areas of the relevant technical areas under CEQR that contribute to the defining elements of the neighborhood. The study area should generally extend to a 400-foot radius from the Project Site.

8.2 Preliminary Neighborhood Character Assessment

8.2.1 Existing Conditions

Project Site

The Project Site is comprised of one tax lot located at 51 Little West 12th Street (Block 645, Lot 21) in the West Village neighborhood of Manhattan Community District 2. The 2,581-square-foot (-SF) lot is vacant and used for art exhibits and storage, featuring 25 feet of frontage along Little West 12th Street. The Project Site is located within an M1-5 zoning district, which is often a buffer between more intense M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities.

See **EAS Form Figure 1** and **EAS Form Figure 5** for a general visualization of the location of the Project Site and its location within the larger West Village neighborhood.

Neighborhood Character Study Area

The Project Site is located within the West Village neighborhood of the borough of Manhattan, within an area known as the Meatpacking District. The Meatpacking District has become a hub for fashion, design, and art, with the presence of renowned fashion boutiques, art galleries, the Whitney Museum of American Art, and the High Line. The neighborhood has become a popular destination for locals and tourists alike. The block in which the Project Site is located is developed with various commercial uses, including The Standard Hotel and restaurants, with undeveloped properties at the western end of the block that are utilized as unlicensed parking facilities. Further west is the West Side Highway (i.e., New York State (NYS) Route 9A) with the Little Island portion of the Hudson River Park, and the Hudson River itself, beyond. To the south and southeast of the Project Site, on the south side of Little West 12th Street, is a mix of commercial, institutional, and mixed-use residential and commercial development.

Refer to **EAS Form Figure 4** and **EAS Form Figure 5** for a visualization of land uses in the vicinity of the Project Site.

8.2.2 Future No-Action Scenario

Pursuant to information provided by the Applicant, the Project Site would not be redeveloped absent the Proposed Action, such that the existing conditions as described in **Section 8.2.1** above would remain.

8.2.3 Future With-Action Scenario

The Future With-Action Scenario is equivalent to the Applicant's Proposed Project. Therefore, the Future With-Action Scenario consists of the construction of a new 19,590-GSF / 11,392-ZSF, 9-story with cellar / 131.3-foot tall mixed-use residential and groundfloor commercial buildings at the Project Site, including 3,176 GSF of commercial floor area in first and third floors of the building (to be used as a restaurant), 13,403 GSF of residential floor area with six (6) residential dwelling units, and a 2,525 GSF of building area in the cellar utilized for building utility and mechanical systems. The second floor would house utility rooms and bicycle storage, as well as a 486-SF mechanical terrace area at the rear of the floor. The third floor would feature a secondary restaurant space (from which the second-floor mechanical terrace would be accessed), as well as a 410-SF open-air terrace at the front of the building (considered part of the overall commercial GSF). The 4th through 9th floors would feature residential apartments (one (1) on each floor, for six (6) in total). Mechanical and elevator bulkheads would be located on the roof of the building. The southern façade of the building would slope northwards above the 9th floor to comply with sky exposure plane requirements associated with the M1-5 zoning district mapped at the Project Site.

Impact Analysis

In order to determine the potential effects of the Future With-Action Scenario on neighborhood character, the elements that contribute to a neighborhood's context and feeling are considered both separately and cumulatively. The examination focuses on whether a defining feature of the neighborhood's character may be significantly affected, as further described below. It is noted that this neighborhood character analysis did not consider socioeconomic conditions, community facilities, or noise impacts, as the Future With-Action Scenario did not meet thresholds for analysis of those resource impact categories.

- **Land Use, Zoning, and Public Policy:** The Future With-Action Scenario would result in the redevelopment of a currently underutilized and vacant Project Site with a modern, mixed-use multi-family residential and ground-floor commercial retail development. The proposed commercial service establishment is appropriate for the area, as the tax block, as well as the larger surrounding area, already features a number of such establishments, and this portion of the West Village neighborhood is known as a destination for such. While the proposed residential use is not permitted as-of-right under existing zoning at the Project Site, the proposed residential land use is still appropriate for the area, given the prevalence of open space and transit options in the vicinity of the Project Site. Additionally, a large affordable housing project is planned just south of the Project Site, such that the residential uses proposed under the Future With-Action Scenario are compatible with planned development trends for the area.

Under the Future With-Action Scenario, there would be no changes to zoning at the Project Site. The requested use variance would permit the development of residential uses within the M1-5 zoning district, which are not permitted as-of-right. As previously discussed, while the proposed residential use is not permitted as-of-right under existing zoning at the Project Site, the proposed residential land use is still appropriate for the area, given the prevalence of open space and transit options in the vicinity of the Project Site. Additionally, a large affordable housing project is planned just south of the Project Site, such that the residential uses proposed under the Future With-Action Scenario are compatible with planned development trends for the area. It is further noted that while the Future With-Action Scenario's proposed built FAR (4.51, including a 3.41 residential FAR [permitted via the Proposed Action] and 1.10 commercial FAR) would comply with the maximum permitted FAR of 5.0 and 6.50 for

commercial / light industrial and community facility uses, respectively. Finally, the Future With-Action Scenario would be compliant with all other provisions of the M1-5 zoning district, including signage, lighting, and noise.

As discussed in the preceding sections, the Future With-Action Scenario would be consistent with and reinforce applicable goals, policies, and objectives of the NYC WRP, the 2020 CWP, and the Meatpacking BID. As such, the Proposed Action is not anticipated to result in any significant adverse public policy impacts, and no further analysis is warranted.

- **Historic and Cultural Resources:** As redevelopment of the Project Site under the Future With-Action Scenario would be contained to the limits of the site itself, it would not result in adverse visual or contextual impacts on existing architectural resources, nor would it eliminate or screen publicly accessible views of these resources, or introduce an incompatible visual, audible, or atmospheric element to this resource's setting.

As there are contributing resources to the S/NR-designated Gansevoort Market Historic District within 90 feet of the Project Site, the Applicant would adhere to all DOB construction requirements, including standard NYC DOB protection controls as well as the NYC DOB's TPPN #10/88, including monitoring programs to reduce the likelihood of construction damage to contributing structures in the vicinity of the Project Site, as applicable.

Pursuant to LPC's project review, there are no historic architectural or archaeological resources at the Project Site, such that there would be no impacts to such resources as a result of the construction of the Future With-Action Scenario.

- **Noise:** PLACEHOLDER – UPDATED NOISE ANALYSIS TO BE PROVIDED

Combination of Moderate Effects

Based on the above findings, the effects of the Proposed Project would not reach a level of significant adverse impacts, and there would be no combination of moderate effects resulting from the Proposed Project that cumulatively may affect the character of the neighborhood.

8.3 Conclusions

As discussed above, the Future With-Action Scenario would not, in whole or from a specific technical study standpoint, result in a significant impact on the neighborhood character, nor would the cumulative effects of two or more of the above technical areas have any significant impacts on the 400-foot study area. As such, no further analysis is required.

9 EFFECTS ON DISADVANTAGED COMMUNITIES

9.1 Introduction

Effective December 30, 2024, Section 8-0109(2)(k) of the New York State Environmental Conservation Law requires that this Environmental Assessment Statement (EAS) include a statement of the effects of the Proposed Action on disadvantaged communities (DACs), including whether the action may cause or increase a disproportionate pollution burden. The *2025 CEQR Technical Manual* does not provide guidance regarding the scope of this analysis. On January 29, 2025, the New York State (NYS) Department of Environmental Conservation (DEC) proposed a rule that provides additional considerations regarding this new statutory provision.

9.2 Methodology

Disadvantaged communities (DACs) in New York State were identified based on criteria adopted in 2023 by the Climate Justice Working Group (CJWG), a group composed of representatives from State Agencies and Environmental Justice groups across the State. The CJWG used 45 indicators that identified 35 percent of Census Tracts within New York State as DACs. The criteria include multiple indicators that represent the environmental burdens or climate change risks within a community, or population characteristics and health vulnerability that can contribute to more severe adverse effects of climate change.¹²

The Project Site is comprised of one tax lot located at 51 Little West 12th Street (Block 645, Lot 21) in the West Village neighborhood of Manhattan Community District 2. The 2,581-SF lot is vacant and used for art exhibits and storage, featuring 25 feet of frontage along Little West 12th Street. The Project Site is located within an M1-5 zoning district, which is often a buffer between more intense M2 or M3 districts and adjacent residential or commercial districts. M1 districts typically include light industrial uses, such as woodworking shops, repair shops, and wholesale service and storage facilities.

Pursuant to a review of the NYS DEC's Disadvantaged Community Assessment Tool,¹³ the Project Site is not located within a DAC-designated census tract. However, the following two (2) DAC-designated census tracts are located within a half-mile of the Project Site:

- New York County Census Tract 83 (designated as a DAC with comparatively lower burdens and vulnerabilities);
- New York County Census Tract 93 (designated as a DAC with comparatively lower burdens and vulnerabilities);

Refer to **Figure 9-1** for a visualization of all DAC census tracts located within a half-mile of the Project Site.

Questions that should be specifically answered as part of the DAC analysis include:

- Will the Future With-Action Scenario create any new sources of pollution listed below or increase pollution listed below from existing sources? If so, how much?
 - Air emissions, including particulate matter (e.g., dust, diesel emissions, or other fossil fuel emissions), oxides of nitrogen (NOx), volatile organic compounds (VOCs), hazardous air pollutants (HAPs), or other regulated air pollutants;
 - Wastewater treatment or wastewater discharges;
 - Solid waste generation, transport, or disposal;

¹² NYSDEC (2025), <https://climate.ny.gov/resources/disadvantaged-communities-criteria/>

¹³ <https://storymaps.arcgis.com/stories/7f0ffdde675e4e3788632c1b4cce6c0a>, accessed June 23, 2025.

- Hazardous waste generation, transport, or disposal;
- Industrial or commercial noise from the operation of stationary or mobile equipment;
- Industrial or commercial lighting, in contrast to existing lighting; or
- Industrial or commercial odors.
- Is the Project Site an active or inactive solid or hazardous waste site, or has the site previously been exposed to pollutants or contamination?
 - If so, is it undergoing or planned to undergo remediation?
- Will there be any excavation of solid or hazardous materials?

Figure 9-1, Disadvantaged Communities Study Area Map



9.1 Preliminary Disadvantaged Communities Assessment

9.1.1 Description of the Future With-Action Scenario

The Future With-Action Scenario is equivalent to the Applicant's Proposed Project. Therefore, the Future With-Action Scenario consists of the construction of a new 19,590-GSF / 11,392-ZSF, 9-story with cellar / 131.3-foot tall mixed-use residential and groundfloor commercial buildings at the Project Site, including 3,176 GSF of commercial floor area in first and third floors of the building (to be used as a restaurant), 13,403 GSF of residential floor area with six (6) residential dwelling units, and a 2,525 GSF of building area in the cellar utilized for building utility and mechanical systems. The second floor would house utility rooms and bicycle storage, as well as a 486-SF mechanical terrace area at the rear of the floor. The third floor would feature a secondary restaurant space (from which the second-floor mechanical terrace would be accessed), as well as a 410-SF open-air terrace at the front of the building (considered part of the overall commercial GSF). The 4th through 9th floors would feature residential apartments (one (1) on each floor, for six (6) in total). Mechanical and elevator bulkheads would be located on the roof of the building. The southern façade of the building would slope northwards above the 9th floor to comply with sky exposure plane requirements associated with the M1-5 zoning district mapped at the Project Site.

9.1.2 Effects on Disadvantaged Communities Assessment

Air Emissions

As indicated in **Section 6, Air Quality**, the Future With-Action Scenario would be required to use electric-powered HVAC and hot water systems, such that projected development under the Future With-Action Scenario would not represent a stationary air emissions source (such as fossil fuel or NOx emissions). Additionally, as further indicated in that section, peak hour trip generation would be below the CEQR 170-car threshold, such that the Future With-Action Scenario would not generate HDDV equivalent traffic volume of more than 12 – 23 per hour (dependent on the road type); as such, the Future With-Action Scenario is not expected to be a significant source of mobile air quality emissions.

As indicated in **Part II, Section 19(b) of the accompanying EAS Short Form**, construction activities associated with the Future With-Action Scenario would make use of the Best Available Technologies to minimize the effects of construction in the vicinity of the Project Site. As with most construction projects in the City, construction of the Future With-Action Scenario would require the operation of several pieces of diesel equipment at one time during the heavier periods of construction, such as for demolition and excavation. The Applicant would implement the following measures at the Project Site that would minimize air quality and noise impacts on the surrounding community: (1) Diesel Equipment Reduction; (2) Clean Fuel; (3) Best Available Tailpipe Reduction Technologies; (4) Utilization of Diesel Particulate Filters; (5) Utilization of Dust Control Measures; and (6) Restrictions on Vehicle Idling.

As the Future With-Action Scenario consists of mixed-use multi-family residential buildings with ground-floor commercial uses, it would not result in the generation of VOCs and HAPs.

Based on the foregoing, the Future With-Action Scenario is not anticipated to result in significant air emissions pollution to DACs.

Wastewater Treatment and/or Wastewater Discharges

As indicated in **Part II, Section 10 of the accompanying EAS Short Form**, the Future With-Action Scenario would not trigger any CEQR thresholds related to stormwater and/or stormwater discharges, such that it is not anticipated to result in any significant wastewater treatment and/or wastewater discharge-related pollution to DACs.

Solid Waste Generation, Transport, and/or Disposal

As indicated in **Part II, Section 11 of the accompanying EAS Short Form**, the Future With-Action Scenario is anticipated to generate 4,203 pounds of solid waste per week; this is below the CEQR threshold of 100,000 pounds per week, warranting additional analyses, and is therefore not expected to result in a reduction in the capacity of solid waste management facilities.

Based on the foregoing, the Future With-Action Scenario is not anticipated to result in significant solid waste pollution to DACs.

Hazardous Waste Generation, Transport, or Disposal

As discussed above, the Future With-Action Scenario consists of a mixed-use multi-family residential building with ground-floor commercial uses, such that the generation, transport, or disposal of hazardous wastes is not anticipated.

Based on the foregoing, the Future With-Action Scenario is not anticipated to result in significant hazardous waste pollution to DACs.

Industrial or Commercial Noise from Operation of Stationary or Mobile Equipment

No industrial uses are proposed as part of the Future With-Action Scenario. While no specific tenant has been formally identified, the commercial space proposed under the Future With-Action Scenario is anticipated to be tenanted by a drinking and eating establishment, uses common in the vicinity of the Project Site and the Meatpacking District in general. As such, the proposed commercial use under the Future With-Action Scenario would not result in the creation of stationary noise sources of an intensity beyond what is already found in the area.

Based on the foregoing, the Future With-Action Scenario is not anticipated to result in significant noise pollution to DACs.

Industrial or Commercial Lighting in Contrast to Existing Lighting

No industrial uses are proposed as part of the Future With-Action Scenario. While no specific tenant has been formally identified, the commercial space proposed under the Future With-Action Scenario is anticipated to be tenanted by a drinking and eating establishment, uses common in the vicinity of the Project Site and the Meatpacking District in general. As such, the proposed commercial use under the Future With-Action Scenario would not result in the creation of light sources of an intensity beyond what is already found in the area.

Based on the foregoing, the Future With-Action Scenario is not anticipated to result in significant light pollution to DACs.

Industrial or commercial odors.

No industrial uses are proposed as part of the Future With-Action Scenario. While no specific tenant has been formally identified, the commercial space proposed under the Future With-Action Scenario is anticipated to be tenanted by a drinking and eating establishment, uses common in the vicinity of the Project Site and the Meatpacking District in general. As such, the proposed commercial use under the Future With-Action Scenario would not result in the creation of odor sources of an intensity beyond what is already found in the area.

Based on the foregoing, the Future With-Action Scenario is not anticipated to result in significant odor pollution to DACs.

Existing Hazardous Materials Conditions

As indicated in **Section 5, Hazardous Materials**, the results of hazardous materials investigations undertaken at the Project Site in connection with the Proposed Action resulted in the following recommendations:

- As the Project Site is planned for future redevelopment, the redevelopment activities may encounter historic urban material, including soil and/or groundwater containing metals, pesticides, PCBs, and PFAS with concentrations greater than UUSCOs. Material must be managed either on or off the Project Site in conformance with applicable Federal, State, and local regulations.
- Although it is anticipated that the soil sampling performed during the subsurface investigation will be acceptable as a preliminary Project Site characterization by the disposal facilities, each facility has different acceptance criteria and sample frequency requirements. Therefore, additional waste characterization sampling may be required during redevelopment to complete the permit-required acceptance criteria of the disposal facility(ies).
- If construction dewatering is required, groundwater sampling and testing in conformance with Federal, State, and/or local sewer discharge permit/approval requirements may be required.

The Applicant would adhere to all recommendations resulting from the aforementioned hazardous materials investigations, such that redevelopment of the Project Site would not result in significant hazardous materials impacts, to DACs or otherwise, under the Future With-Action Scenario.

9.2 Conclusions

Based on the foregoing, the Future With-Action Scenario would not create significant adverse pollution impacts, including those related to air emissions, wastewater, solid waste, hazardous waste generation, industrial/commercial noise, lighting, and odors, or existing hazardous materials. The Proposed Action would not disproportionately affect any disadvantaged communities, nor would they cause or increase a disproportionate pollution burden on DACs.

**APPENDIX A
NYC WRP ASSESSMENT
APPENDIX**

WRP Consistency Determination - CEQR # 26BSA002M (51 Little West 12th)

From Jacqueline Sharry (DCP) <JSharry@planning.nyc.gov>

Date Tue 8/26/2025 3:04 PM

To Tracie Behnke (BSA) <tbehnke@bsa.nyc.gov>; Jessica Morris (BSA) <jesmorris@bsa.nyc.gov>

Cc Michael Marrella (DCP) <MMarrel@planning.nyc.gov>

Good afternoon,

We have completed the review of the project as described below for consistency with the policies and intent of the New York City Waterfront Revitalization Program (WRP).

51 Little West 12th Street (CEQR #26BSA002M): The proposed project consists of the construction of a new 24,246 GSF/18,228-ZSF, 14-story with cellar/203-foot tall mixed-use multi-family residential and groundfloor commercial building, including 2,566 GSF of commercial floor area in the cellar and ground floors of the building (to be used as an eating and drinking establishment) and 21,813 GSF of residential floor area with 12 residential dwelling units as the Project Site.

Based on the information submitted, the Climate & Sustainability Planning Division, on behalf of the New York City Coastal Commission, having reviewed the waterfront aspect of this action, hereby concurs that the actions will not substantially hinder the achievement of any Waterfront Revitalization Program (WRP) policy.

This determination is only applicable to the information received and the current proposal. Any additional information or project modifications would require an independent consistency review.

For your records, this project has been assigned WRP #25-126. If there are any questions regarding this review, please contact me.

Best,
Jacqueline Sharry

Jacqueline Sharry

CLIMATE AND SUSTAINABILITY PLANNING

212-720-3623 • jsharry@planning.nyc.gov

From: Tracie Behnke (BSA) <tbehnke@bsa.nyc.gov>

Sent: Thursday, August 14, 2025 14:35

To: Waterfront Revitalization (DCP) <WRP@planning.nyc.gov>; Waterfront Revitalization (DCP) <WRP@planning.nyc.gov>

Cc: Jessica Morris (BSA) <jesmorris@bsa.nyc.gov>

Subject: request for CEQR # 26BSA002M (51 Little West 12th) Reference # 26BSA002M-40-14082025140848 (2025-22-BZ)

CEQR #: 26BSA002M
Project Name: 51 Little West 12th Street
Reference #: 26BSA002M-40-14082025140848

Hello,

Please log into CEQR-View to view the details of this request and provide an acknowledgement that you have recorded it.

Thank you

Additional Notes:

Please review EAS and WRP form for consistency determination:

\\csc.nycnet\oec\oec\CEQR_View\2026\26BSA002M\non_record_documents\working_docs\EAS_08.13.2025

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: _____

Name of Applicant Representative: _____

Address: _____

Telephone: _____ Email: _____

Project site owner (if different than above): _____

B. PROPOSED ACTIVITY

If more space is needed, include as an attachment.

1. Brief description of activity

2. Purpose of activity

C. PROJECT LOCATION

Borough: _____ Tax Block/Lot(s): _____

Street Address: _____

Name of water body (if located on the waterfront): _____

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

- Variance (use)
- Variance (bulk)
- 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 type="checkbox"/> Other, explain: _____ | |

State Actions/Approvals/Funding

- State permit or license, specify Agency: _____ Permit type and number: _____
- Funding for Construction, specify: _____
- Funding of a Program, specify: _____
- Other, explain: _____

Federal Actions/Approvals/Funding

- Federal permit or license, specify Agency: _____ Permit type and number: _____
- Funding for Construction, specify: _____
- Funding of a Program, specify: _____
- 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 Maritime 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
I	Support and facilitate commercial and residential redevelopment in areas well-suited to such development.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
1.4	In areas adjacent to SMIA's, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input type="checkbox"/>	<input type="checkbox"/>	

		Promote	Hinder	N/A
2	Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>
3	Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3.1.	Support and encourage in-water recreational activities in suitable locations.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 type="checkbox"/>
3.3	Minimize conflicts between recreational boating and commercial ship operations.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>
4	Protect and restore the quality and function of ecological systems within the New York City coastal area.	<input 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 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 type="checkbox"/>
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4.5	Protect and restore tidal and freshwater wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input 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 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 type="checkbox"/>
4.8	Maintain and protect living aquatic resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

		Promote	Hinder	N/A
5	Protect and improve water quality in the New York City coastal area.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5.1	Manage direct or indirect discharges to waterbodies.	<input 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 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 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 type="checkbox"/>
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6	Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.	<input 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 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 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 type="checkbox"/>
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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.	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.2	Prevent and remediate discharge of petroleum products.	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8	Provide public access to, from, and along New York City's coastal waters.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.3	Provide visual access to the waterfront where physically practical.	<input 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 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9	Protect scenic resources that contribute to the visual quality of the New York City coastal area.	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9.2	Protect and enhance scenic values associated with natural resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10	Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.	<input 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 type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10.2	Protect and preserve archaeological resources and artifacts.	<input 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: _____

Address: _____

Telephone: _____ Email: _____

Applicant/Agent's Signature: _____

Date: _____

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, 31st Floor
New York, New York 10271
212-720-3696
wrp@planning.nyc.gov
www.nyc.gov/wrp

New York State Department of State

Office of Planning and Development
Suite 1010
One Commerce Place, 99 Washington Avenue
Albany, New York 12231-0001
518-474-6000
www.dos.ny.gov/opd/programs/consistency

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.
- Policy 6.2 Flood Elevation worksheet, if applicable. For guidance on applicability, refer to the WRP Policy 6.2 Guidance document available at www.nyc.gov/wrp

**51 LITTLE WEST 12TH STREET
WRP SUPPLEMENTAL CONSISTENCY ANALYSIS**

The WRP Consistency Assessment Form was completed to determine the consistency of the Proposed Action with the Waterfront Revitalization Program's (WRP's) ten policies. Based on the information provided in the CAF, a detailed methodology and policy response is provided below, which incorporates the findings of the consistency of the Proposed Action with the applicable WRP Policies (policies 1,5, 6, 7, and 10) and Sub-policies (1.1, 1.2, 1.3, 1.5, 5.2, 6.1, 6.2, 7.1, 7.2, 7.3, 10.1, and 10.2).

Policy 1: Support and Facilitate Commercial and Residential Development in Areas Well-Suited to Such Development

Sub-Policy 1.1: Encourage commercial and residential development in appropriate coastal zone areas.

The proposed commercial and residential uses at the Project Site would be consistent with the land use character of the surrounding area, which features commercial shopping districts, residential development along the High Line, the Whitney Museum of American Art, and the nearby Standard High Line Hotel. Review of land uses in the area shows that adjacent blocks feature commercial and office buildings. The nearest residential uses are located along Horatio Street, approximately 700 feet to the south of the Project Site. New York City must build roughly 560,000 additional units of housing by 2030 to keep pace with demand, according to a New York City Housing Production Needs Study prepared by AKRF for the Real Estate Board of New York (REBNY) in 2021. The Proposed Project would include 12 dwelling units, converting a currently unused lot into necessary housing stock at a time when new housing is greatly needed. If the use variance is approved, the proposed building would otherwise conform to all area and bulk regulations of the existing M1-5 zoning district and would be developed consistently with the existing character of the neighborhood.

The Proposed Project would also further activate the street level of Little West 12th Street with ground floor commercial space to be used as an eating and drinking establishment restaurant, and would encourage visitors to the waterfront area, which already features such establishments in the vicinity of the site.

Based on the foregoing the Proposed Project would promote Sub-Policy 1.1 of the NYC WRP.

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

The Proposed Project would provide future residents with immediate access to the Hudson River waterfront, including Hudson River Park, Little Island, and Gansevoort Peninsula Park. The Proposed Project would also further activate the street level of Little West 12th Street with ground floor commercial space to be used as an eating and drinking establishment restaurant, and would encourage visitors to the waterfront area, which already features such establishments in the vicinity of the site.

Based on the foregoing, the Proposed Project would promote Sub-Policy 1.2 of the NYC WRP.

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

The Proposed Project would result in the redevelopment of underutilized land with housing and commercial space in close proximity to high-capacity roadways (i.e., 10th Ave and Washington Avenue), transit infrastructure (the 14th St./8th Ave subway stop is an approximately seven-minute walk from the Project Site), and the Hudson River Greenway bike path. Further, the Project Site is immediately adjacent to the High Line, and an entrance to the elevated promenade is located one block to the south providing future residents with easy access to this public recreational amenity. The Proposed Project would integrate the site into the surrounding corridor of residential development along the High Line.

Based on the foregoing, the Proposed Project would promote Sub-Policy 1.3 of the NYC WRP

Sub-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.

Residential, commercial, and other non-industrial projects that comply with Article 6 Chapter 2 of the New York City Zoning Resolution satisfy the consistency requirements for Policy 1.5. The Proposed Action is consistent with this policy; as portions of the Applicant's Proposed Project are located within the FEMA-designated Zone AE, a 100-year floodplain, development would appropriately incorporate building features from the New York City Building Code Appendix G Flood Resistant Construction Standards for flood protection. Refer to the Sub-Policy 6.1 and 6.2 assessments below for more details regarding flood protection measures

Based on the foregoing, the location of the Proposed Project would promote Sub-Policy 1.5 of the NYC WRP.

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

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

During construction of the Proposed Project, best management practices (BMPs), such as implementation of pollution prevention measures, will be utilized throughout the course of the construction phase to manage activities that could generate non-point sources of pollution. Additional precautions such as minimizing the sources of pollution and preventing stormwater runoff from paved surfaces will also be implemented. All stormwater conveyance systems implemented as part of the Proposed Project would be in compliance with all Federal, State, and / or local regulations and permit conditions, as applicable.

Based on the foregoing, the Proposed Project would promote Sub-Policy 5.2 of the NYC WRP

Policy 6: Minimize Loss of Life, Structures, Infrastructure, and Natural Resources Caused by Flooding and Erosion, And Increase Resilience to Future Conditions Created by Climate Change.

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

As indicated in **Figure A-1** below, the Project Site is located within the FEMA SFHA AE Zone, a 1.0 percent annual chance floodplain (i.e., 100-year flood zone) with a Base Flood Elevation (BFE) of 11 feet (NAVD88 Datum). As shows in **Figure A-2** through **Figure A-5**, the Project Site is projected to remain in a 100-year flood zone through the 2100s. Under Policy 6, the primary goal for projects within flood hazard areas is to reduce the risks posed by current and future flood events, mainly major storms that are likely to increase due to climate change and sea level rise.

The Proposed Project is therefore subject to compliance with NYC Building Code Appendix G, which requires owners of severely damaged or destroyed buildings and new buildings in the 1.0 percent annual chance floodplain to comply with the flood resistant construction standards of the Building Code when they rebuild or construct. As discussed under Policy 6.2 below, based on the future flood projections, the design of the Proposed Project would take the future climate change into consideration, including:

- The Design Flood Elevation (DFE) for the Proposed Project is calculated at 13 feet, two feet higher than the Base Flood Elevation (BFE) of 11 feet (NAVD88).
- The only occupiable space below the DFE is a cellar level below the proposed entrance, lobby, and, commercial service space. This space will be dry floodproofed with cast-in-place concrete walls.
- The residential elevator pits would be dry floodproofed, with access into the pits from above the DFE.
- Utility POE connections will be located primarily at the mechanical floor, above DFE. All utility

components that must be routed below DFE will have enclosures and fittings to prevent water from entering during a flood.

Based on the foregoing, the Proposed Project would meet the requirements of building-scale resiliency measures to reduce the risks of damage from current and future coastal hazards and would be consistent with Policy 6.1.

Sub-Policy 6.2, Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms) into the planning and design of projects in the city's Coastal Zone.

The following assessment was prepared in accordance with The New York City Waterfront Revitalization Program: Climate Change Adaptation Guidance Document for Policy 6.2. The three basic steps to assessing an action's consistency with Policy 6.2 of the Waterfront Revitalization Program include identifying vulnerabilities and consequences, identifying adaptive strategies, and assessing policy consistency.

Sub-Policy 6.2 Detailed Methodology

1. Identify Vulnerabilities and Consequences

a. Assess the Project Site's exposure to current and future flood risk

As previously discussed, the Project Site is located in the 1.0 percent annual chance floodplain. The information in the following subsections is based on the results of the completed flood evaluation worksheet, which is provided in **Attachment A**, and the flood hazard projections shown above in **Figure A-2** through **Figure A-5**, as well as the New York City Panel on Climate Change (NPCC) future floodplain projections through the 2100s.

The Project Site's base plane is located at approximately 11.0 feet in elevation (NAVD88 Datum). The proposed building's vulnerable or critical features, which are most likely to be impacted by future flood events, are located within the mechanical floor at an elevation of 20.0 feet (NAVD88).

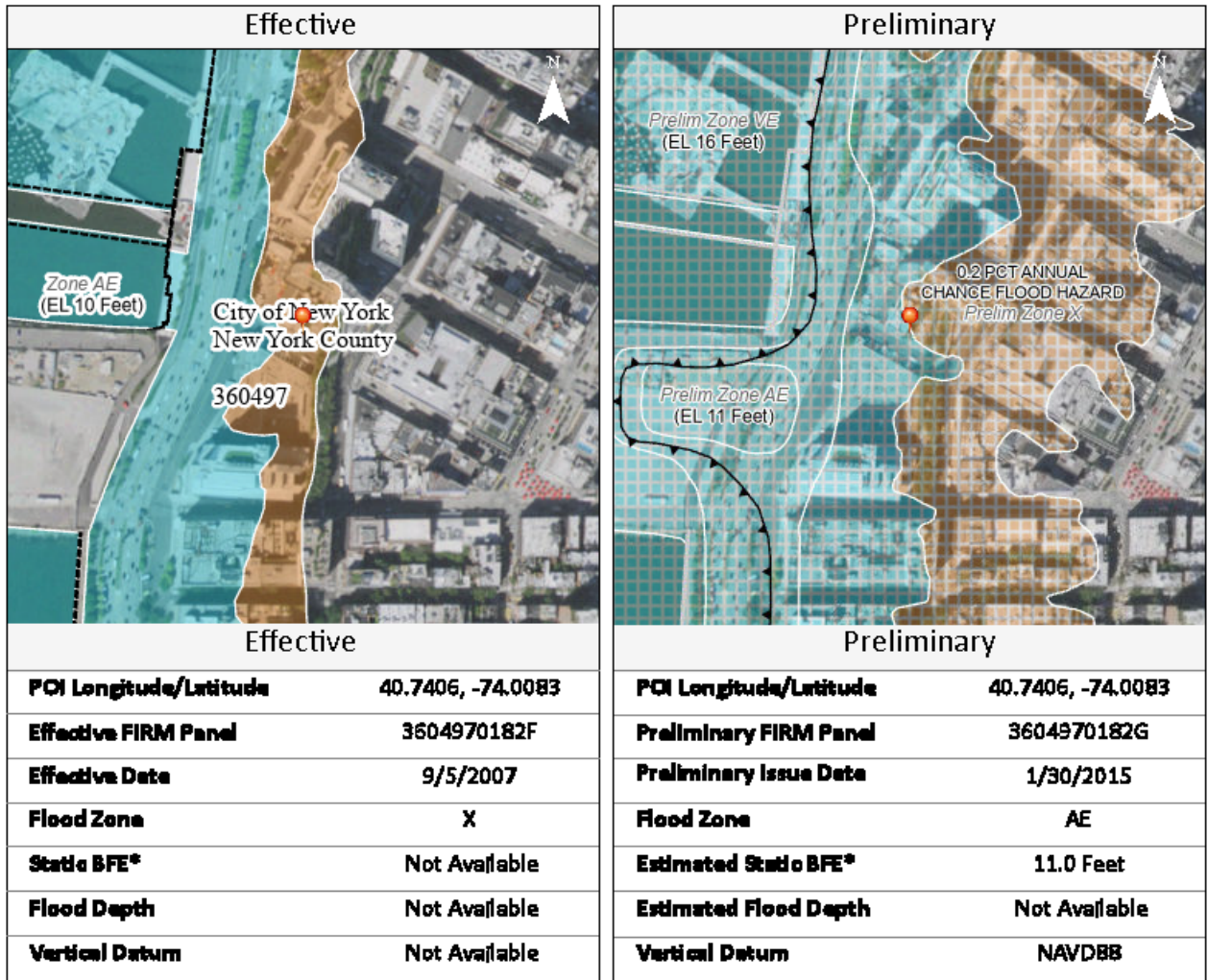
Regulatory floodplains are defined by the elevation of the base flood (BFE) in relation to the elevation of the ground. According to datum (NAVD88 Datum) obtained from the National Oceanic and Atmospheric Administration (NOAA) website for the nearest NOAA station – The Battery Station (Station ID 8518750) - the mean of the higher high-water height (MHHW) is 8.99 feet. Based on the 2015 FEMA floodplain mapping, the 1.0 percent flood height for the nearest AE zone is 11 feet.

Based on the results of the calculations completed in the flood evaluation worksheet using site-specific data, **Figure A-6** shows the results of the MHHW and Sea Level Rise (SLR) projections and **Figure A-7** shows the results of the 1.0 percent Flood Elevation and SLR projections.

Figure A-1: 2007 FIRM vs. 2015 PFIRM

Comparison of Flood Hazard

Effective & Preliminary Flood Hazards



* A Base Flood Elevation is the expected elevation of flood water during the 1% annual chance storm event. Structures below the estimated water surface elevation may experience flooding during a base flood event.

Hazard Level	Flood Hazard Zone
High Flood Hazard	AE, A, AH, AD, VE and V Zones. Properties in these flood zones have a 1% chance of flooding each year. This represents a 26% chance of flooding over the life of a 30-year mortgage.
Moderate Flood Hazard	Shaded Zone X. Properties in the moderate flood risk areas also have a chance of flooding from storm events that have a less than 1% chance of occurring each year. Moderate flood risk indicates an area that may be provided flood risk reduction due to a flood control system or an area that is prone to flooding during a 0.2% annual chance storm event. These areas may have been indicated as areas of shallow flooding by your community. Unshaded Zone X. Properties on higher ground and away from local flooding sources have a reduced flood risk when compared to the Moderate and High Flood Risk categories. Structures in these areas may be affected by larger storm events, in excess of the 0.2% annual chance storm event.
Low Flood Hazard	Insurance Note: High Risk Areas are called 'Special Flood Hazard Areas' and flood insurance is mandatory for federally backed mortgage holders. Properties in Moderate and Low Flood Risk areas may purchase flood insurance at a lower-cost rate, known as Preferred Risk Policies. See your local insurance agent or visit https://www.fema.gov/national-flood-insurance-program for more information.

Disclaimer: This report is for informational purposes only and is not authorized for official use. The positional accuracy may be compromised in some areas. Please contact your local floodplain administrator for more information or go to msc.fema.gov to view an official copy of the Flood Insurance Rate Maps.

Service Layer Credits: USGS, USDA

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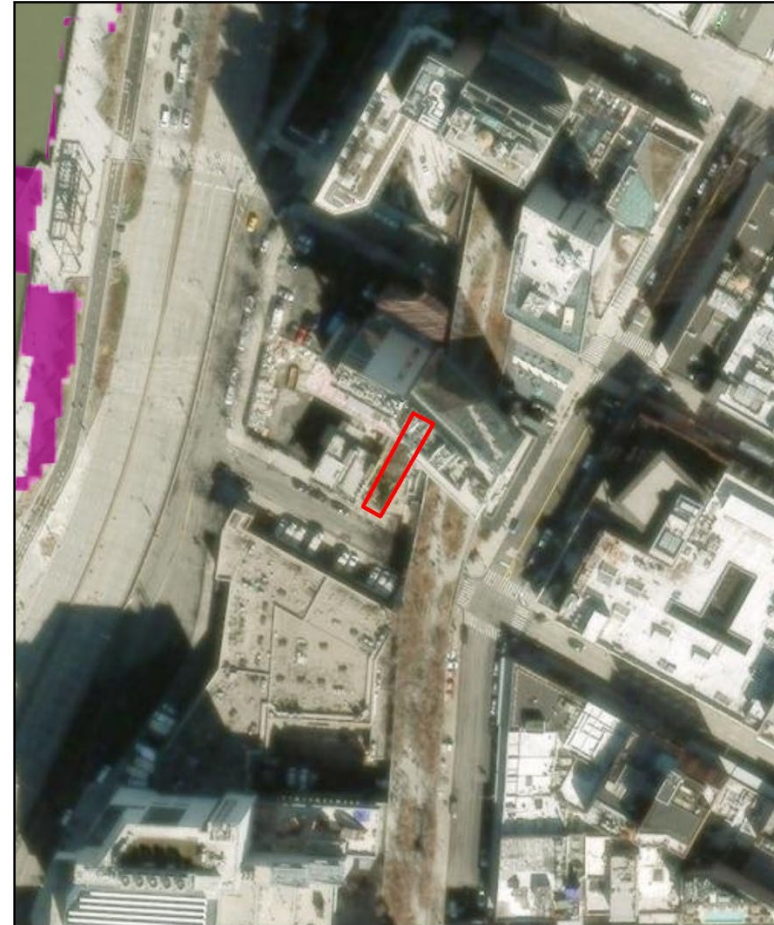
Figure A-2: 2020s High Tide and 1.0 Percent Flood Projections

2020 Future Floodplain Mapping



- Project Site
- 1% Annual Chance Floodplain
- 0.2% Annual Chance Floodplain

2020 Future High Tide Mapping



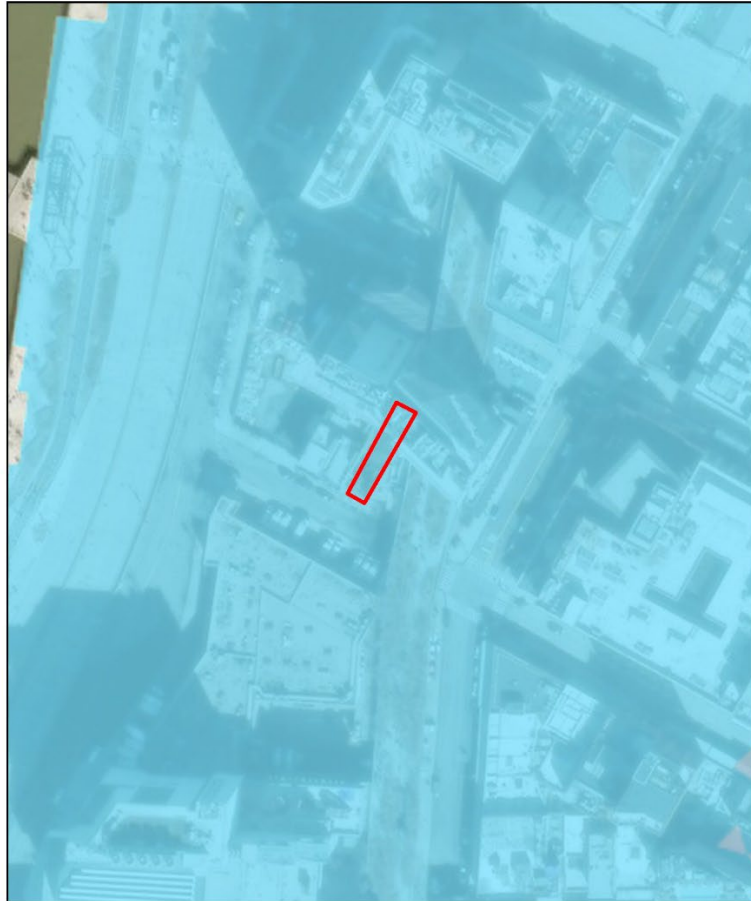
- Low Estimate (2 inches SLR)
- Low-Mid Estimate (4 inches SLR)
- Middle Estimate (6 inches SLR)
- Mid-High Estimate (8 inches SLR)
- High Estimate (10 inches SLR)

Data Source(s):
 (1) New York City Department of City Planning,
 Information Technology Division: MapPLUTO Data;
 (2) ESRI Community Maps Contributors
 (3) NYC Flood Hazard Mapper



Figure A-3: 2050s High Tide and 1.0 Percent Flood Projections

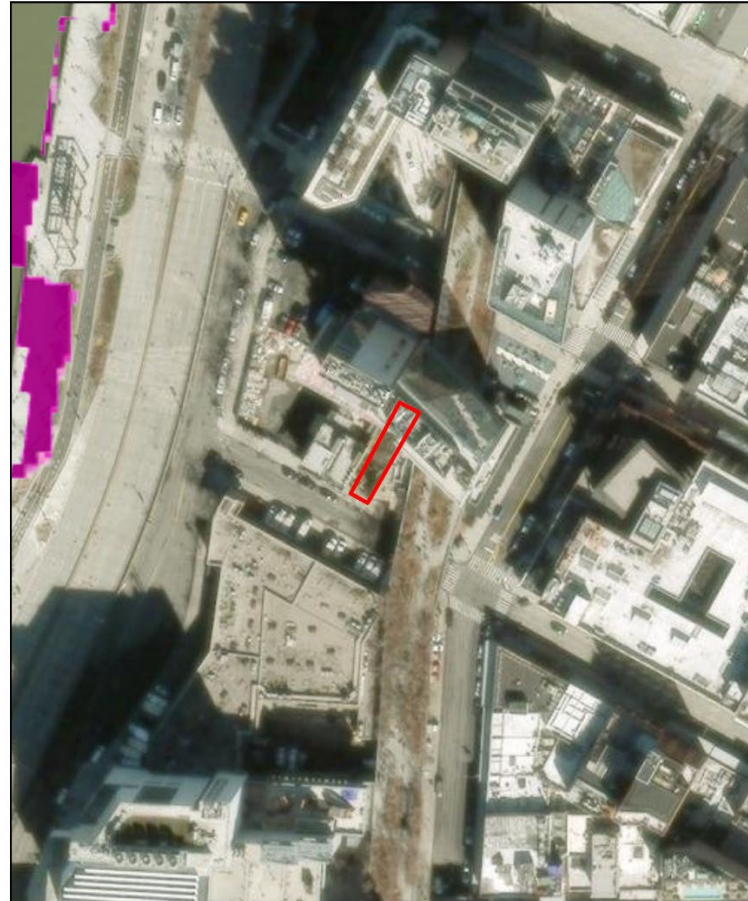
2050 Future Floodplain Mapping



- Project Site
- 1% Annual Chance Floodplain
- 0.2% Annual Chance Floodplain

Data Source(s):
 (1) New York City Department of City Planning, Information Technology Division: MapPLUTO Data;
 (2) ESRI Community Maps Contributors
 (3) NYC Flood Hazard Mapper

2050 Future High Tide Mapping



- | | |
|--|---|
| Low Estimate (2 inches SLR) | Low Estimate (8 inches SLR) |
| Low-Mid Estimate (4 inches SLR) | Low-Mid Estimate (11 inches SLR) |
| Middle Estimate (6 inches SLR) | Middle Estimate (16 inches SLR) |
| Mid-High Estimate (8 inches SLR) | Mid-High Estimate (21 inches SLR) |
| High Estimate (10 inches SLR) | High Estimate (30 inches SLR) |



Figure A-4: 2080s High Tide and 1.0 Percent Flood Projections

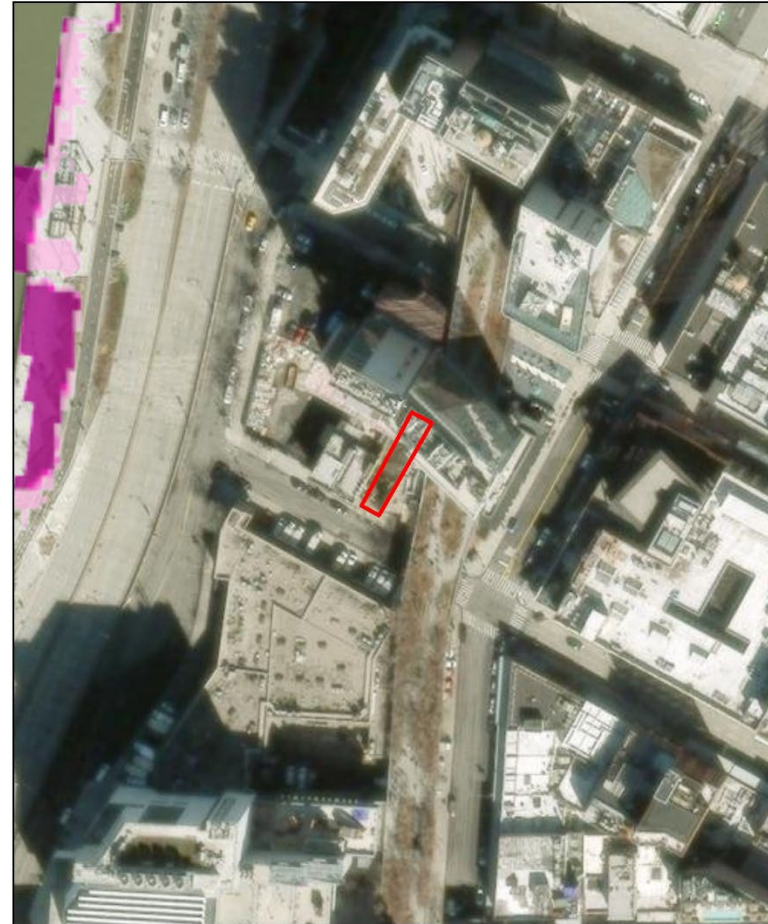
2080 Future Floodplain Mapping



- Project Site
- 1% Annual Chance Floodplain
- 0.2% Annual Chance Floodplain

Data Source(s):
 (1) New York City Department of City Planning, Information Technology Division: MapPLUTO Data;
 (2) ESRI Community Maps Contributors
 (3) NYC Flood Hazard Mapper

2080 Future High Tide Mapping



- Low Estimate (13 inches SLR)
- Low-Mid Estimate (18 inches SLR)
- Middle Estimate (29 inches SLR)
- Mid-High Estimate (39 inches SLR)
- High Estimate (58 inches SLR)



Figure A-5: 2100s High Tide and 1.0 Percent Flood Projections

2100 Future Floodplain Mapping



- Project Site
- 1% Annual Chance Floodplain
- 0.2% Annual Chance Floodplain

Data Source(s):
 (1) New York City Department of City Planning, Information Technology Division: MapPLUTO Data;
 (2) ESRI Community Maps Contributors
 (3) NYC Flood Hazard Mapper

2100 Future High Tide Mapping



- Low Estimate (13 inches SLR)
- Low-Mid Estimate (18 inches SLR)
- Middle Estimate (29 inches SLR)
- Mid-High Estimate (39 inches SLR)
- High Estimate (58 inches SLR)
- Low Estimate (15 inches SLR)
- Low-Mid Estimate (22 inches SLR)
- Middle Estimate (36 inches SLR)
- Mid-High Estimate (50 inches SLR)
- High Estimate (75 inches SLR)

0 50 100 200 US Feet



Figure A-6: Mean Higher High Water + SLR Projections

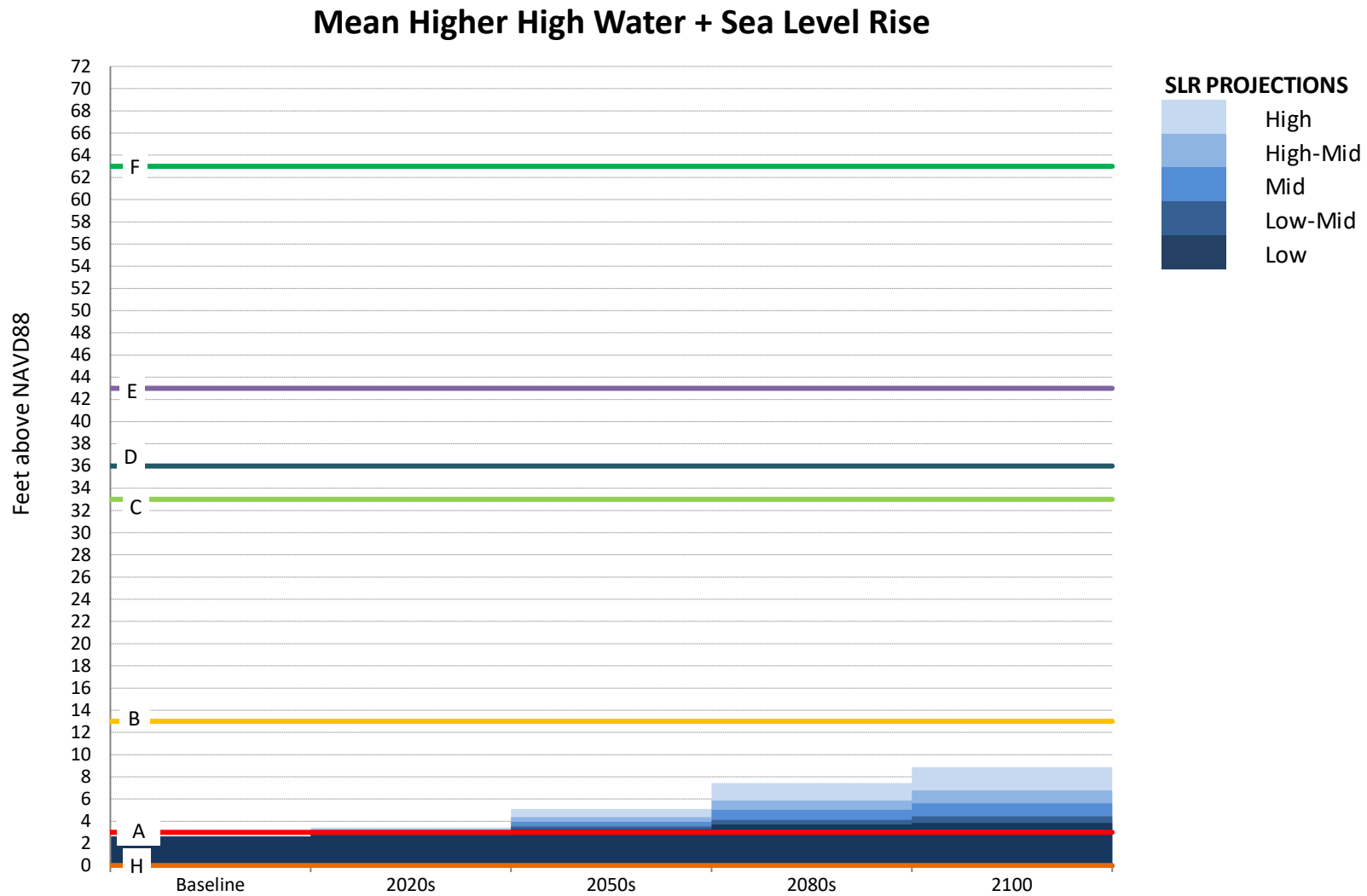
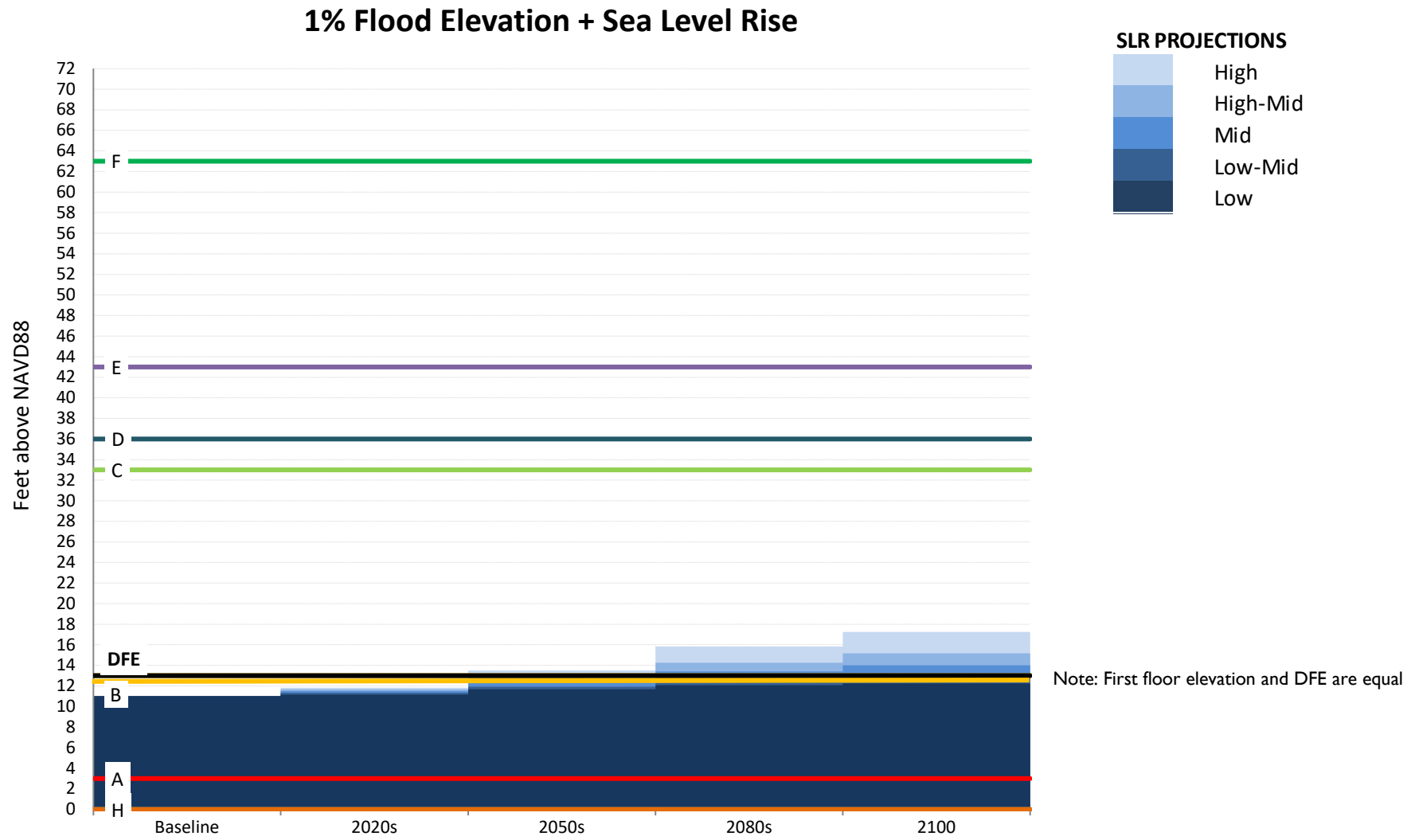


Figure A-7: 1.0 Percent Flood Elevation + SLR Projections



b. Identify any Project Features that may be located below the elevation of the 1% floodplain over the lifespan of the project under any SLR scenario:

Figure A-7 shows that the cellar level associated with the proposed commercial and residential space is significantly below the floodplain elevation under existing conditions and would continue to be through the lifespan of the Proposed Project. As indicated in **Figure A-7** above, the Proposed Project's ground-floor level has the potential to be impacted by the 1.0 percent annual floodplain under high SLR projections by the 2050s and under mid SLR projections by the 2080s, with the latter condition continuing into the 2100s. The first floor is proposed to contain entrance and lobby areas, as well as the proposed commercial space. Residential dwelling units would be situated on the third through tenth floors.

c. Identify any vulnerable, critical, or potentially hazardous features that may be located below the elevation of Mean Higher High Water over the lifespan of the project under any sea level rise scenario.

As indicated in **Figure A-6**, the Proposed Project would not be impacted by the MHHW under any SLR projections, with the exception of the cellar area associated with the residential and commercial spaces, which is considered a vulnerable feature pursuant to WRP guidance.

d. Describe how any additional coastal hazards are likely to affect the project, both currently and in the future, such as waves, high winds, or debris.

Vulnerable Features, if damaged, have the potential to incur significant damage if flooded. These include any form of enclosed space within a building, including residential, commercial, industrial, or community facility land uses; enclosed parking structures; storage areas; enclosed recreational facilities; and bulkheads, revetments, piers, platforms, and other in-water infrastructure elements.

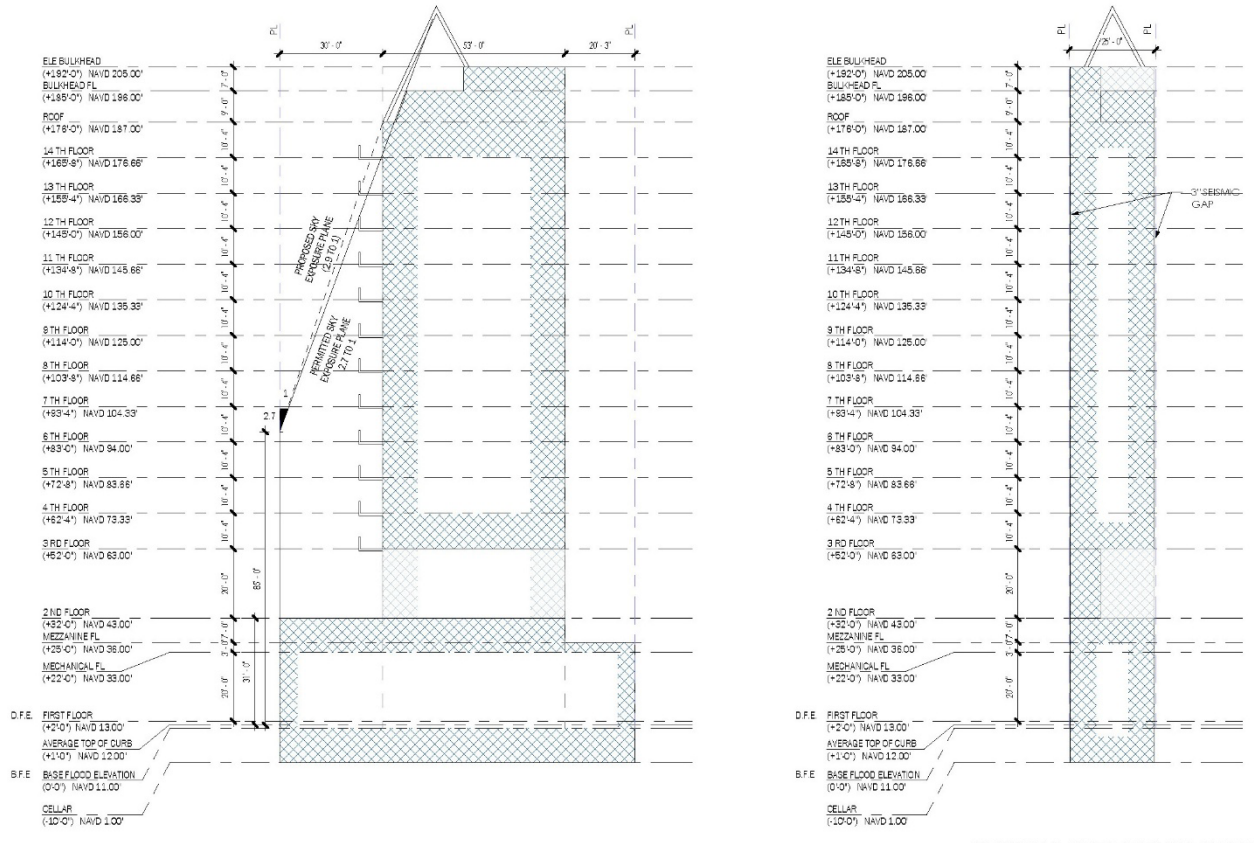
Critical Features, if damaged, would have severe impacts on the project and its ability to function as designed. Examples include electrical utilities, building heating and cooling systems, telephone and data connection and distribution rooms, and other supporting and related building technology and utility spaces.

Potentially Hazardous Features, if damaged or made insecure by flooding, could potentially adversely affect the health and safety of the public and the environment. Examples include hazardous materials, including highly volatile, flammable, explosive, toxic, or water-reactive materials; and materials that have the potential to become waterborne in the event of a flood and would be dangerous to the health and safety of the public and the environment, such as the storage of construction materials, demolition debris, and aggregate materials.

As discussed above, the ground floor level would fall within the 1.0 percent annual floodplain under high SLR projections by the 2050s and mid SLR projections by the 2080s through the 2100s, while the proposed cellar area associated with the residential and commercial spaces falls within both the existing and all future floodplains with SLR projections.

It is noted that the mechanical floor and above within the proposed building, with an elevation of 33 feet (NAVD88 Datum), is well above the highest projected elevations for the 1.0 percent flood elevation combined with SLR (which is approximately 17.25 feet (NAVD88 Datum) under the year 2100 High SLR projection). As such, these portions of the Proposed Project are not anticipated to be damaged by potential future flood events. See **Figure A-8** for illustrative site plans of the Proposed Project in relation to the BFE and DFE.

Figure A-8: Proposed Illustrative Building Elevation



2. Identify Adaptive Strategies

The goal of Step 2 under WRP Policy 6.2 is to assess how the vulnerabilities and consequences identified in Step 1 are addressed through the project's design and planning, and to assess how applicable codes and regulations, planned flood damage reduction elements and adaptive measures, or likely future infrastructure investments (beyond the scope of the Proposed Project), would or would not reduce potential flood damage for any proposed vulnerable, critical, or potentially hazardous features.

The Project Site is located within the 1.0 percent annual chance floodplain and is therefore required to comply with Appendix G of the NYC Building Code for Flood Resistant Construction. Pursuant to Policy 6.2: Climate Change Adaptation Guidance, consideration of climate change projections for coastal flooding and sea level rise should be incorporated into the design and planning of projects. The Proposed Project should identify potential vulnerabilities to and consequences of sea level rise and coastal flooding over its lifespan and identify and incorporate design techniques to address these risks.

Recommendations

As indicated above in Policy 6.0, and under Policy 6.2, Step 1(d), based on the flood projections above, measures should be considered to increase ground floor building-scale resilience to future flood conditions. The Proposed Project would incorporate the following flood resiliency measures:

- The Design Flood Elevation (DFE) for the Proposed Project is calculated at 13 feet, two feet higher than the Base Flood Elevation (BFE) of 11 feet (NAVD88).
- The only occupiable space below the DFE is a cellar level below the proposed entrance, lobby, and, commercial service space. This space will be dry floodproofed with cast-in-place concrete walls.

- The residential elevator pits would be dry floodproofed, with access into the pits from above the DFE.
- Utility POE connections will be located primarily at the mechanical floor, above DFE. All utility components that must be routed below DFE will have enclosures and fittings to prevent water from entering during a flood.

Construction will be steel reinforced cast-in-place concrete floors and columns with prefabricated panelized precast with detailing. The Proposed Project has been designed to withstand major storms and flooding. The first floor of the building will be raised out of the floodplain and a number of schematic flood mitigation measures are incorporated into the design of the building

3. Assess Policy Consistency

Pursuant to Policy 6.2 Guidance, a project or action would advance the policy when:

- No new vulnerable, critical, or potentially hazardous features would be located within area flooded by current or future high tide, or current or future 0.2% annual chance flood, over the project's lifespan, or
- All new vulnerable, critical, or potentially hazardous features would be protected through
- flood damage reduction elements or future adaptive measures within the timeframe that
- they would be needed.
- A project or action would hinder the policy when:
 - Vulnerable, critical, or potentially hazardous features would be introduced in areas that will be flooded by high tide during the project's lifespan and adaptive measures are not feasible.
 - Industrial development would not be protected from 2050s high tides or the current 0.2% annual chance flood.
 - Critical infrastructure would not be protected to the elevation of the 0.2% annual chance storm over its lifespan.
 - Shoreline structures would not function as intended with increases in sea levels projected over their lifespan.

As discussed above, based on the future flood projections related to the 1.0 percent annual chance flood elevation, the Proposed Project would incorporate design and mitigation measures to protect the ground floor building features from future flood events. These building-scale resiliency measures and adaptive strategies would minimize the potential damage to site-specific vulnerable or critical features. In addition, construction and remediation would be performed pursuant to applicable Local, State, Federal regulations and laws. Therefore, the Proposed Action is consistent with Policy 6.2 of the Waterfront Revitalization Program and would not jeopardize the intent of the WRP.

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.

Sub-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.

All hazardous material would be handled and disposed in accordance with all City, State, and Federal regulations. Sediment characterization will be performed on excavated soils to determine the appropriate means and site of disposal. Excavated soils containing greater than 50 ppm of PCB must

be disposed of in accordance with the disposal and reporting requirements of the Toxic Substance Control Act disposal and reporting regulations. All other excavated soils will be handled and disposed of in accordance with 6 NYCRR Part 375 Environmental Remediation Programs. The Proposed Project will ensure that potentially hazardous or toxic materials are appropriately contained onsite until the time of transport. Additionally, potential impacts during site preparation and proposed construction activities will be avoided by implementing a Health and Safety Plan. All contractors and subcontractors are required to develop their own health and safety related procedures and programs required for work activities, which will ensure that the construction workers, the surrounding community, and the environment are not adversely affected by environmental conditions encountered during the construction activities. With these proposed measures in place, the health and safety of construction workers and the visiting public can be protected from adverse hazardous materials identified within the area of the Proposed Project.

Thus, the Proposed Project will be consistent with this sub-policy.

Sub-Policy 7.2, Prevent and remediate discharge of petroleum products.

A Phase I ESA for that portion of the Project Site to be redeveloped with the Proposed Project was performed in January 2025 by GZA. The Phase I ESA found:

- No evidence of Controlled Recognized Environmental Conditions (CRECs)
- No evidence of Historical Recognized Environmental Conditions (HRECs)
- Due to historic backfill on the site with debris from demolished buildings, redevelopment activities might encounter residual contamination in soil or groundwater from past filling and industrial use.

A Phase II ESA for that portion of the Project Site to be redeveloped with the Proposed Project was performed in March 2025 by GZA. The Phase II ESA found:

- Petroleum Volatile Organic Compounds (VOCs) and chlorinated VOCs were not detected above their respective NYSDOH Air Guidance Values and Decision Matrices minimum concentrations for comparison in soil vapor samples.

All appropriate steps will be taken during construction to prevent and remediate the discharge of petroleum products and other toxins.

Based on the foregoing, the Proposed Project would promote Sub-Policy 7.2 of the NYC WRP.

Sub-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.

All spoils and associated liquids (such as contaminated groundwater) within the Project Site will be excavated, collected, stored, and transported in accordance with applicable Local, State, and Federal laws. Additionally, all contaminated soil and liquid waste generated by the proposed activities will be disposed of in appropriate facilities off-site.

Thus, the Proposed Project will be consistent with this sub-policy.

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

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

While the Project Site is within the State-designated Gansevoort Market Historic District, contributing buildings for the district are no longer extant at the Project Site. The site is also beyond the boundary of the New York City-designated Gansevoort Market Historic District.

The Proposed Project would not have adverse visual or contextual impacts on existing architectural resources in the vicinity of the Project Site, as it would not eliminate or screen publicly accessible views

of a resource, introduce an incompatible visual, audible, or atmospheric element to a resource's setting, or introduce significant new shadows on a historic structure with sun-sensitive features. As historic resources are not within 90 feet of the Project Site, the requirements of TPPN #10/88, which requires a monitoring program to reduce the likelihood of construction damage to adjacent New York City Landmarks and National Register-listed resources, is not required.

Based on the foregoing, the Proposed Project is consistent with this sub-policy.

Sub-Policy 10.2, Protect and preserve archaeological resources and artifacts.

In a letter dated February 24, 2025, NYC LPC determined that the Project Site did not contain any resources of archaeological significance.

Based on the foregoing, the Proposed Project is consistent with this sub-policy.

NYC Waterfront Revitalization Program - Policy 6.2 Flood Elevation Worksheet

COMPLETE INSTRUCTIONS ON HOW TO USE THIS WORKSHEET ARE PROVIDED IN THE "CLIMATE CHANGE ADAPTATION GUIDANCE" DOCUMENT AVAILABLE AT www.nyc.gov/wrp

Enter information about the project and site in highlighted cells in Tabs 1-3. Tab 4, "Summary Charts" contains primary results. Tab 5, "0.2%+SLR" produces charts to be used for critical infrastructure or facilities. Tab 6, "Calculations" contains background computations. Appendix A contains tide elevations for station across the city to be used for the elevation of MHHW if a site survey is not available. Non-highlighted cells have been locked.

Background Information	
Project Name	51 Little West 12th Street BSA Use Variance
Location	51 Little W. 12th Street, New York 10014 Block 645 Lot 21
Type(s)	<input checked="" type="checkbox"/> Residential, Commercial, Community Facility <input type="checkbox"/> Parkland, Open Space, and Natural Areas <input type="checkbox"/> Tidal Wetland Restoration <input type="checkbox"/> Critical Infrastructure or Facility <input type="checkbox"/> Industrial Uses <input type="checkbox"/> Over-water Structures <input type="checkbox"/> Shoreline Structures <input type="checkbox"/> Transportation <input type="checkbox"/> Wastewater Treatment/Drainage <input type="checkbox"/> Coastal Protection
Description	The Proposed Project consists of the construction of a new 24,246-GSF / 18,228-ZSF, 14-story with cellar / 203-foot tall mixed-use multi-family residential and groundfloor commercial building, including 2,566 GSF of commercial floor area in the cellar and ground floors of the building (to be used as an eating and drinking establishment) and 21,813 GSF of residential floor area with 12 residential dwelling units at the Project Site. The cellar would include accessory storage spaces for both the commercial and residential uses, as well as bicycle storage and a refuse room. The ground floor of the building would feature the proposed commercial service establishment as well as the residential lobby.
Planned Completion Date	2027
Expected Project Lifespan	100 years

The New York City Waterfront Revitalization Program Climate Change Adaptation Guidance document was developed by the NYC Department of City Planning. It is a guidance document only and is not intended to serve as a substitute for actual regulations. The City disclaims any liability for errors that may be contained herein and shall not be responsible for any damages, consequential or actual, arising out of or in connection with the use of this information. The City reserves the right to update or correct information in this guidance document at any time and without notice.

For technical assistance on using this worksheet, email wrp@planning.nyc.gov, using the message subject "Policy 6.2 Worksheet."

Last update: Sept. 7, 2018

Establish current tidal and flood heights.

	FT (NAVD88)	Feet	Datum	Source
MHHW	2.61	2.61	NAVD88	<i>Worksheet Appendix A - The Battery Station</i>
1% flood height	11.00	11.00	NAVD88	<i>NYC Flood Hazard Mapper</i>
Design flood elevation	13.00	13.00	NAVD88	<i>Project Plans</i>
<i>As relevant:</i>				
0.2% flood height	-->			

Data will be converted based on the following datums:

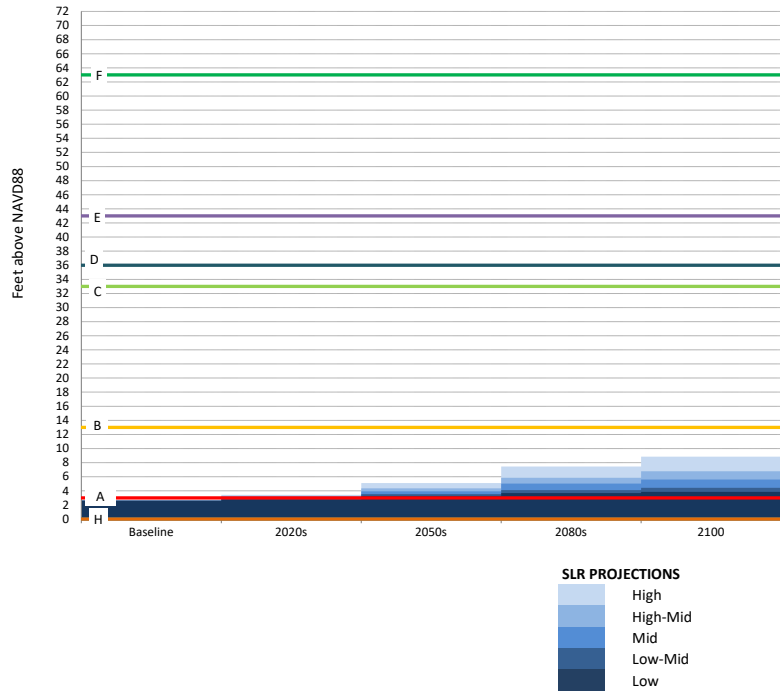
Datum	FT (NAVD88)
NAVD88	0.00
NGVD29	-1.10
Manhattan Datum	1.65
Bronx Datum	1.51
Brooklyn Datum (Sewer)	0.61
Brooklyn Datum (Highway)	1.45
Queens Datum	1.63
Richmond Datum	2.09

Describe key physical features of the project.

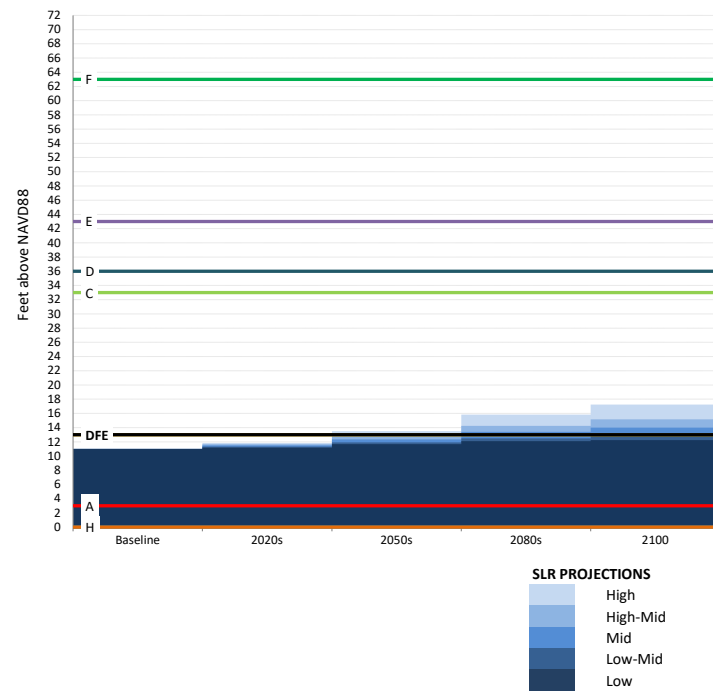
Feature (enter name)	Feature Category	Lifespan	Elevation	Units	Datum	Ft	Ft Above NAVD88	Ft Above MHHW	Ft Above 0.2% flood height
A	<input checked="" type="checkbox"/> Vulnerable <input type="checkbox"/> Critical <input type="checkbox"/> Potentially Hazardous <input type="checkbox"/> Other	100	3.0	Feet	NAVD88	3.0	3.0	0.4	#VALUE!
<i>Commercial and residential cellar, including refuse room and elevator pit</i>									
B	<input checked="" type="checkbox"/> Vulnerable <input type="checkbox"/> Critical <input type="checkbox"/> Potentially Hazardous <input type="checkbox"/> Other	100	13.0	Feet	NAVD88	13.0	13.0	10.4	#VALUE!
<i>First floor of building, including residential lobby and commercial dining / cabaret establishment</i>									
C	<input checked="" type="checkbox"/> Vulnerable <input checked="" type="checkbox"/> Critical <input type="checkbox"/> Potentially Hazardous <input type="checkbox"/> Other	100	33.0	Feet	NAVD88	33.0	33.0	30.4	#VALUE!
<i>Mechanical / utility floor</i>									
D	<input type="checkbox"/> Vulnerable <input type="checkbox"/> Critical <input type="checkbox"/> Potentially Hazardous <input checked="" type="checkbox"/> Other	100	36.0	Feet	NAVD88	36.0	36.0	33.4	#VALUE!
<i>Rear Mezzanine</i>									
E	<input type="checkbox"/> Vulnerable <input type="checkbox"/> Critical <input type="checkbox"/> Potentially Hazardous <input checked="" type="checkbox"/> Other	100	43.0	Feet	NAVD88	43.0	43.0	40.4	#VALUE!
<i>Second Floor Terrace</i>									
F	<input checked="" type="checkbox"/> Vulnerable <input type="checkbox"/> Critical <input type="checkbox"/> Potentially Hazardous <input type="checkbox"/> Other	100	63.0	Feet	NAVD88	63.0	63.0	60.4	#VALUE!
<i>Third floor and above dwelling units</i>									
G	<input type="checkbox"/> Vulnerable <input type="checkbox"/> Critical <input type="checkbox"/> Potentially Hazardous <input type="checkbox"/> Other		0.0	Feet	NAVD88	0.0	0.0	-2.6	#VALUE!
<i>Description of Planned Uses and Materials</i>									
H	<input type="checkbox"/> Vulnerable <input type="checkbox"/> Critical <input checked="" type="checkbox"/> Potentially Hazardous <input type="checkbox"/> Other		0.0	Feet	NAVD88	0.0	0.0	-2.6	#VALUE!
<i>Description of Planned Uses and Materials</i>									

Assess project vulnerability over a range of sea level rise projections.

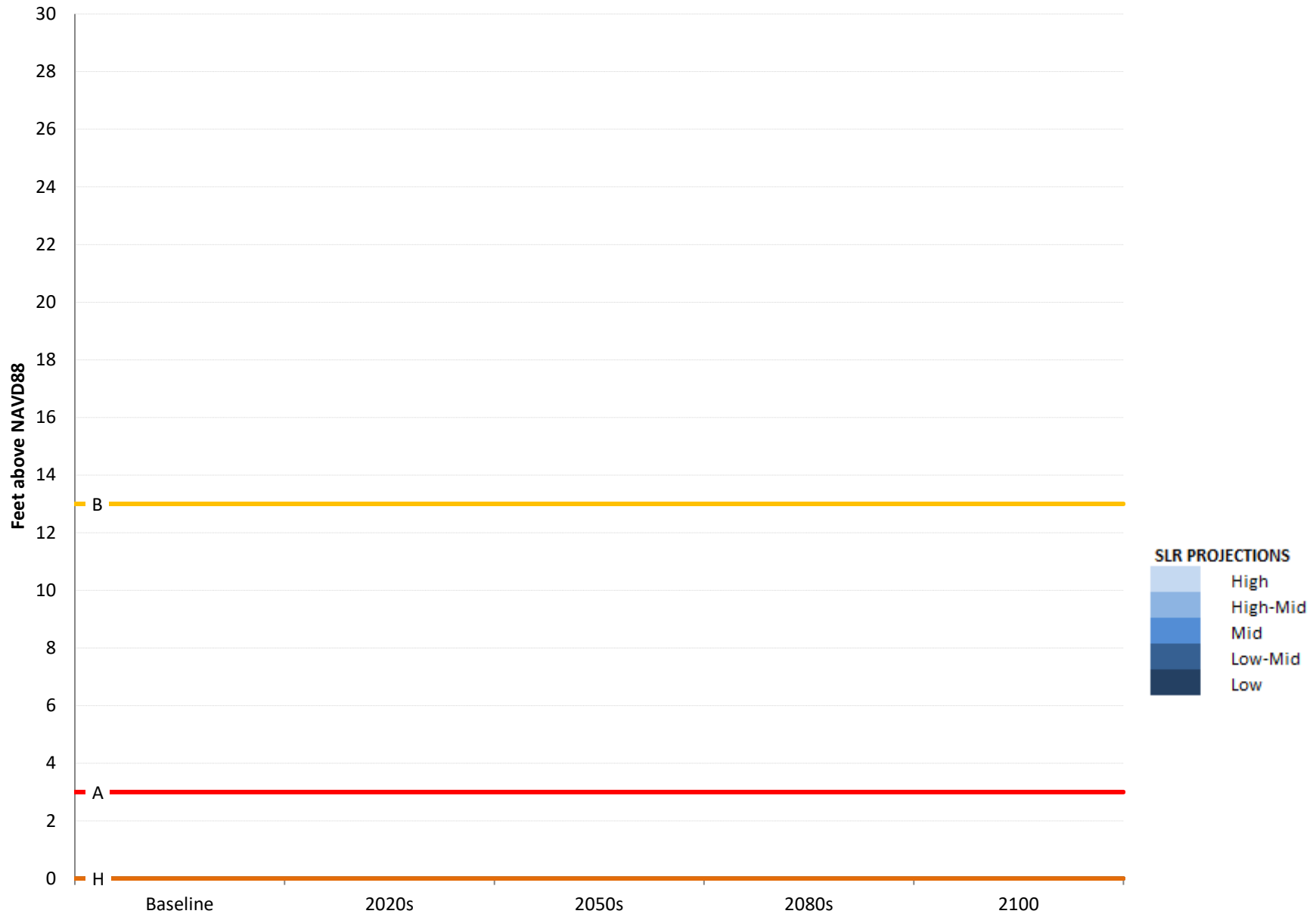
Mean Higher High Water + Sea Level Rise



1% Flood Elevation + Sea Level Rise



0.2% Flood Elevation + Sea Level Rise



	SLR (ft)						SLR (in)				
	Low	Low-Mid	Mid	High-Mid	High		Low	Low-Mid	Mid	High-Mid	High
Baseline	0.00	0.00	0.00	0.00	0.00	2014	0	0	0	0	0
2020s	0.17	0.33	0.50	0.67	0.83	2020s	2	4	6	8	10
2050s	0.67	0.92	1.33	1.75	2.50	2050s	8	11	16	21	30
2080s	1.08	1.50	2.42	3.25	4.83	2080s	13	18	29	39	58
2100	1.25	1.83	3.00	4.17	6.25	2100	15	22	36	50	75

MHHW+SLR (ft above NAVD88)

	Low	Low-Mid	Mid	High-Mid	High
Baseline	2.61	2.61	2.61	2.61	2.61
2020s	2.78	2.94	3.11	3.28	3.44
2050s	3.28	3.53	3.94	4.36	5.11
2080s	3.69	4.11	5.03	5.86	7.44
2100	3.86	4.44	5.61	6.78	8.86

1%+SLR (ft above NAVD88)

	Low	Low-Mid	Mid	High-Mid	High
Baseline	11.00	11.00	11.00	11.00	11.00
2020s	11.17	11.33	11.50	11.67	11.83
2050s	11.67	11.92	12.33	12.75	13.50
2080s	12.08	12.50	13.42	14.25	15.83
2100	12.25	12.83	14.00	15.17	17.25

0.2%+SLR (ft above NAVD88)

	Low	Low-Mid	Mid	High-Mid	High
Baseline	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2020s	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2050s	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2080s	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!
2100	#VALUE!	#VALUE!	#VALUE!	#VALUE!	#VALUE!

	0	1
A	3	3
B	13	13
C	33	33
D	36	36
E	43	43
F	63	63
G	0	0
H	0	0
DFE	13.00	13.00

**APPENDIX B
HISTORIC AND CULTURAL RESOURCES
APPENDIX**

ENVIRONMENTAL REVIEW

Project number: LA-CEQR-M (BOARD OF STANDARDS AND APPEALS)

Project:

Address: 51 LITTLE WEST 12 ST BBL: 1006450021

Date Received: 2/18/2025

No architectural significance

No archaeological significance

Designated New York City Landmark or Within Designated Historic District

Listed on National Register of Historic Places/non-contributing resource within Gansevoort historic district

Appears to be eligible for National Register Listing and/or New York City Landmark Designation

May be archaeologically significant; requesting additional materials

Comments:

The project site is within the S/NR listed Gansevoort Historic District and flagged as non-contributing. As such, however, any new construction under CEQR review is required to be compatible with the architectural context of the district. This includes the height, massing, streetwall, and materials (masonry, cast iron, and copper). In order to complete the review, please provide further elevations of the proposed project, including materials, color and fenestration.

In the radius: LPC designated Gansevoort Historic District.

Gina Santucci

2/24/2025

SIGNATURE

Gina Santucci, Environmental Review Coordinator

DATE

File Name: 37568_FSO_DNP_02242025.docx

ENVIRONMENTAL REVIEW

Project number: LA-CEQR-M (BOARD OF STANDARDS AND APPEALS)
Project: 51 LITTLE WEST 12 STREET
Address: 51 LITTLE WEST 12 ST BBL: 1006450021
Date Received: 10/2/2025

No architectural significance

No archaeological significance

Designated New York City Landmark or Within Designated Historic District

Listed on National Register of Historic Places (non-contributing within Gansevoort Market historic district)

Comments:

The LPC is in receipt of your request for a pre-application review of the proposed project referenced above. This preliminary and courtesy review is solely to identify buildings and sites with potential historic and/or cultural significance prior to submission of a formal application and the input of the Lead Agency.

The project site is located within the boundaries of the National Register listed Gansevoort Market Historic District. Of note the National Register nomination form states:

"51 Little W. 12 St. Non-contributing. One of a row of three story brick stores, built in 1888 for Sarah A. McClees; Alanza E. Hudson, architect (See also 53-55 Little W. 12 Street). The three buildings were combined in 1977 to serve as a meat processing plant with cold storage facilities. No. 51 has been altered beyond recognition."

Consistent with Chapter 9, "Historic and Cultural Resources," of the CEQR Technical Manual, 2021, the analysis should consider potential physical, visual and historical effects of the project on the historic resource. The analysis should assess whether the project could alter the district's integrity, context or setting, and determine if such changes would constitute a significant adverse impact requiring mitigation or design modifications.

LPC will conduct a more detailed review of any potential historic and cultural resource issues once a formal application has been submitted and referred to us by the lead agency. Any further comments will be provided at that time.



11/17/2025

SIGNATURE
Gina Santucci, Environmental Review Coordinator

DATE

File Name: 37568_FSO_GS_11052025.docx

**APPENDIX C NATURAL
RESOURCES
APPENDIX**

IPaC resource list

This report is an automatically generated list of species and other resources such as critical habitat (collectively referred to as *trust resources*) under the U.S. Fish and Wildlife Service's (USFWS) jurisdiction that are known or expected to be on or near the project area referenced below. The list may also include trust resources that occur outside of the project area, but that could potentially be directly or indirectly affected by activities in the project area. However, determining the likelihood and extent of effects a project may have on trust resources typically requires gathering additional site-specific (e.g., vegetation/species surveys) and project-specific (e.g., magnitude and timing of proposed activities) information.

Below is a summary of the project information you provided and contact information for the USFWS office(s) with jurisdiction in the defined project area. Please read the introduction to each section that follows (Endangered Species, Migratory Birds, USFWS Facilities, and NWI Wetlands) for additional information applicable to the trust resources addressed in that section.

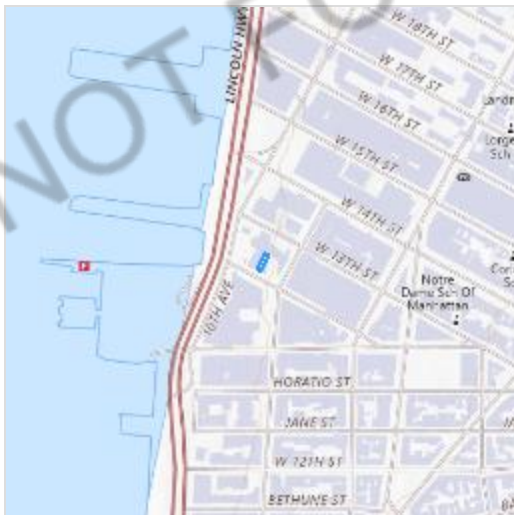
Project information

NAME

51 Little West 12th Street Use Variance

LOCATION

New York County, New York




DESCRIPTION


Some(The Proposed Project consists of the construction of a new 24,246-GSF / 18,228-ZSF, 14-story with cellar / 203-foot tall mixed-use multi-family residential and groundfloor commercial building, including 2,566 GSF of commercial floor area in the cellar and ground floors of the building (to be used as an eating and drinking establishment) and 21,813 GSF of

residential floor area with 12 residential dwelling units at the Project Site. The cellar would include accessory storage spaces for both the commercial and residential uses, as well as bicycle storage and a refuse room. The ground floor of the building would feature the proposed commercial service establishment as well as the residential lobby. Above the ground floor would be a floor dedicated entirely to mechanical functions, which would be located between the ground floor and second floor, would house a utility room, as well as an unenclosed terrace at the rear of the floor. The second floor of the building would be an open terrace area totalling 1,935 SF. Floors three (3) through 14 would feature one (1) residential dwelling unit each (including either a studio, one-, or two-bedroom apartment), all of which would include balcony space on the southern building façade. The top of the 14th floor would reach a height of 174 feet, with two additional floors for mechanical and elevator bulkheads above, reaching a height of 190 feet. An additional rooftop apex brings the overall structure height to 203 feet. The southern façade of the building would slope northwards above the 14th floor to comply with sky exposure plane requirements associated with the M1-5 zoning district mapped at the Project Site.)

Local office

Long Island Ecological Services Field Office

 (631) 286-0485

 (631) 286-4003

340 Smith Road

Shirley, NY 11967-2258

Endangered species

This resource list is for informational purposes only and does not constitute an analysis of project level impacts.

The primary information used to generate this list is the known or expected range of each species. Additional areas of influence (AOI) for species are also considered. An AOI includes areas outside of the species range if the species could be indirectly affected by activities in that area (e.g., placing a dam upstream of a fish population even if that fish does not occur at the dam site, may indirectly impact the species by reducing or eliminating water flow downstream). Because species can move, and site conditions can change, the species on this list are not guaranteed to be found on or near the project area. To fully determine any potential effects to species, additional site-specific and project-specific information is often required.

Section 7 of the Endangered Species Act **requires** Federal agencies to "request of the Secretary information whether any species which is listed or proposed to be listed may be present in the area of such proposed action" for any project that is conducted, permitted, funded, or licensed by any Federal agency. A letter from the local office and a species list which fulfills this requirement can **only** be obtained by requesting an official species list from either the Regulatory Review section in IPaC (see directions below) or from the local field office directly.

For project evaluations that require USFWS concurrence/review, please return to the IPaC website and request an official species list by doing the following:

1. Log in to IPaC.
2. Go to your My Projects list.
3. Click PROJECT HOME for this project.
4. Click REQUEST SPECIES LIST.

Listed species¹ and their critical habitats are managed by the [Ecological Services Program](#) of the U.S. Fish and Wildlife Service (USFWS) and the fisheries division of the National Oceanic and Atmospheric Administration (NOAA Fisheries²).

Species and critical habitats under the sole responsibility of NOAA Fisheries are **not** shown on this list. Please contact [NOAA Fisheries](#) for [species under their jurisdiction](#).

-
1. Species listed under the [Endangered Species Act](#) are threatened or endangered; IPaC also shows species that are candidates, or proposed, for listing. See the [listing status page](#) for more information. IPaC only shows species that are regulated by USFWS (see FAQ).
 2. [NOAA Fisheries](#), also known as the National Marine Fisheries Service (NMFS), is an office of the National Oceanic and Atmospheric Administration within the Department of Commerce.

The following species are potentially affected by activities in this location:

Insects

NAME	STATUS
Monarch Butterfly <i>Danaus plexippus</i> Wherever found There is proposed critical habitat for this species. Your location does not overlap the critical habitat. https://ecos.fws.gov/ecp/species/9743	Proposed Threatened

Critical habitats

Potential effects to critical habitat(s) in this location must be analyzed along with the endangered species themselves.

There are no critical habitats at this location.

You are still required to determine if your project(s) may have effects on all above listed species.

Bald & Golden Eagles

Bald and Golden Eagles are protected under the Bald and Golden Eagle Protection Act ² and the Migratory Bird Treaty Act (MBTA) ¹. Any person or organization who plans or conducts activities that may result in impacts to Bald or Golden Eagles, or their habitats, should follow appropriate regulations and consider implementing appropriate avoidance and minimization measures, as described in the various links on this page.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds
<https://www.fws.gov/sites/default/files/documents/nationwide-standard-conservation-measures.pdf>
- Supplemental Information for Migratory Birds and Eagles in IPaC
<https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

There are Bald Eagles and/or Golden Eagles in your [project](#) area.

Measures for Proactively Minimizing Eagle Impacts

For information on how to best avoid and minimize disturbance to nesting bald eagles, please review the [National Bald Eagle Management Guidelines](#). You may employ the timing and activity-specific distance recommendations in this document when designing your project/activity to avoid and minimize eagle impacts. For bald eagle information specific to Alaska, please refer to [Bald Eagle Nesting and Sensitivity to Human Activity](#).

The FWS does not currently have guidelines for avoiding and minimizing disturbance to nesting Golden Eagles. For site-specific recommendations regarding nesting Golden Eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

If disturbance or take of eagles cannot be avoided, an [incidental take permit](#) may be available to authorize any take that results from, but is not the purpose of, an otherwise lawful activity. For assistance making this determination for Bald Eagles, visit the [Do I Need A Permit Tool](#). For assistance making this determination for golden eagles, please consult with the appropriate Regional [Migratory Bird Office](#) or [Ecological Services Field Office](#).

Ensure Your Eagle List is Accurate and Complete

If your project area is in a poorly surveyed area in IPaC, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the [Supplemental Information on Migratory Birds and Eagles](#), to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to bald or golden eagles on your list, see the "Probability of Presence Summary" below to see when these bald or golden eagles are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON
Bald Eagle <i>Haliaeetus leucocephalus</i> This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities. https://ecos.fws.gov/ecp/species/1626	Breeds Oct 15 to Aug 31

Golden Eagle *Aquila chrysaetos*

Breeds elsewhere

This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.

<https://ecos.fws.gov/ecp/species/1680>

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read "[Supplemental Information on Migratory Birds and Eagles](#)", specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

How is the probability of presence score calculated? The calculation is done in three steps:

1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort (l)

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps. The number of surveys is expressed as a range, for example, 33 to 64 surveys.

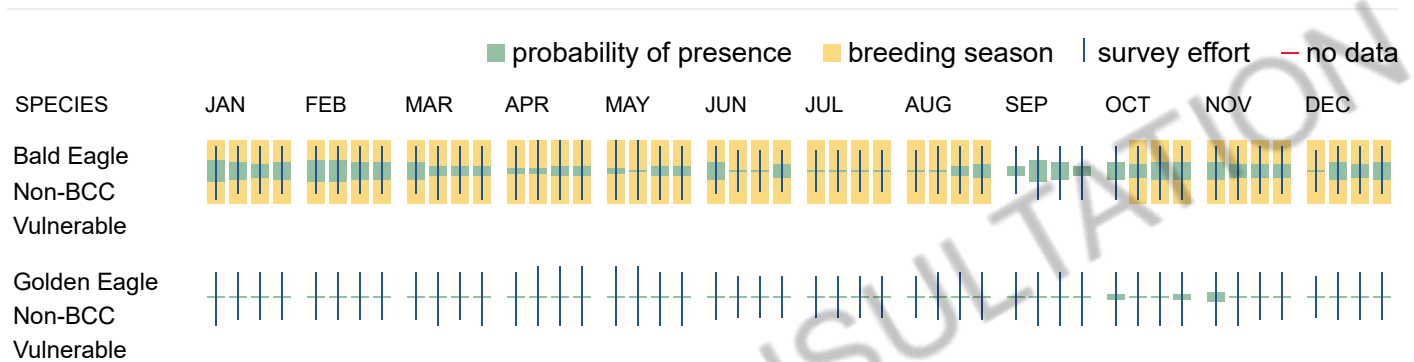
To see a bar's survey effort range, simply hover your mouse cursor over the bar.

No Data (—)

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.



Bald & Golden Eagles FAQs

What does IPaC use to generate the potential presence of bald and golden eagles in my specified location?

The potential for eagle presence is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) which your project intersects, and that have been identified as warranting special attention because they are an eagle ([Bald and Golden Eagle Protection Act](#) requirements may apply).

Proper interpretation and use of your eagle report

On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort line or no data line (red horizontal) means a lack of data and, therefore, a lack of certainty about presence of the species. This list is not perfect; it is simply a starting point for identifying what birds have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide you in knowing when to implement avoidance and minimization measures to eliminate or reduce potential impacts from your project activities or get the appropriate permits should presence be confirmed.

How do I know if eagles are breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the [RAIL Tool](#) and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If an eagle on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Migratory birds

The Migratory Bird Treaty Act (MBTA) ¹ prohibits the take (including killing, capturing, selling, trading, and transport) of protected migratory bird species without prior authorization by the Department of Interior U.S. Fish and Wildlife Service (Service).

1. The [Migratory Birds Treaty Act](#) of 1918.
2. The [Bald and Golden Eagle Protection Act](#) of 1940.

Additional information can be found using the following links:

- Eagle Management <https://www.fws.gov/program/eagle-management>
- Measures for avoiding and minimizing impacts to birds
<https://www.fws.gov/library/collections/avoiding-and-minimizing-incident-take-migratory-birds>
- Nationwide avoidance and minimization measures for birds
- Supplemental Information for Migratory Birds and Eagles in IPaC
<https://www.fws.gov/media/supplemental-information-migratory-birds-and-bald-and-golden-eagles-may-occur-project-action>

Measures for Proactively Minimizing Migratory Bird Impacts

Your IPaC Migratory Bird list showcases [birds of concern](#), including [Birds of Conservation Concern \(BCC\)](#), in your project location. This is not a comprehensive list of all birds found in your project area. However, you can help proactively minimize significant impacts to all birds at your project location by implementing the measures in the [Nationwide avoidance and minimization measures for birds](#) document, and any other project-specific avoidance and minimization measures suggested at the link [Measures for avoiding and minimizing impacts to birds](#) for the birds of concern on your list below.

Ensure Your Migratory Bird List is Accurate and Complete

If your project area is in a poorly surveyed area, your list may not be complete and you may need to rely on other resources to determine what species may be present (e.g. your local FWS field office, state surveys, your own surveys). Please review the [Supplemental Information on Migratory Birds and Eagles document](#), to help you properly interpret the report for your specified location, including determining if there is sufficient data to ensure your list is accurate.

For guidance on when to schedule activities or implement avoidance and minimization measures to reduce impacts to migratory birds on your list, see the "Probability of Presence Summary" below to see when these birds are most likely to be present and breeding in your project area.

Review the FAQs

The FAQs below provide important additional information and resources.

NAME	BREEDING SEASON
American Oystercatcher <i>Haematopus palliatus</i> This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/8935	Breeds Apr 15 to Aug 31

<p>Bald Eagle <i>Haliaeetus leucocephalus</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</p> <p>https://ecos.fws.gov/ecp/species/1626</p>	Breeds Oct 15 to Aug 31
<p>Black Skimmer <i>Rynchops niger</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/5234</p>	Breeds May 20 to Sep 15
<p>Black-billed Cuckoo <i>Coccyzus erythrophthalmus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/9399</p>	Breeds May 15 to Oct 10
<p>Blue-winged Warbler <i>Vermivora cyanoptera</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds May 1 to Jun 30
<p>Bobolink <i>Dolichonyx oryzivorus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 20 to Jul 31
<p>Canada Warbler <i>Cardellina canadensis</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 20 to Aug 10
<p>Cerulean Warbler <i>Setophaga cerulea</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/2974</p>	Breeds Apr 29 to Jul 20
<p>Chimney Swift <i>Chaetura pelagica</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Mar 15 to Aug 25
<p>Eastern Whip-poor-will <i>Antrostomus vociferus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 1 to Aug 20

<p>Golden Eagle <i>Aquila chrysaetos</i></p> <p>This is not a Bird of Conservation Concern (BCC) in this area, but warrants attention because of the Eagle Act or for potential susceptibilities in offshore areas from certain types of development or activities.</p> <p>https://ecos.fws.gov/ecp/species/1680</p>	Breeds elsewhere
<p>Grasshopper Sparrow <i>Ammodramus savannarum perpallidus</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p> <p>https://ecos.fws.gov/ecp/species/8329</p>	Breeds Jun 1 to Aug 20
<p>Hudsonian Godwit <i>Limosa haemastica</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds elsewhere
<p>Kentucky Warbler <i>Geothlypis formosa</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Apr 20 to Aug 20
<p>Least Tern <i>Sternula antillarum antillarum</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Apr 25 to Sep 5
<p>Lesser Yellowlegs <i>Tringa flavipes</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/9679</p>	Breeds elsewhere
<p>Long-eared Owl <i>asio otus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p> <p>https://ecos.fws.gov/ecp/species/3631</p>	Breeds Mar 1 to Jul 15
<p>Pectoral Sandpiper <i>Calidris melanotos</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds elsewhere
<p>Prairie Warbler <i>Setophaga discolor</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 1 to Jul 31

<p>Prothonotary Warbler <i>Protonotaria citrea</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds Apr 1 to Jul 31
<p>Purple Sandpiper <i>Calidris maritima</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds elsewhere
<p>Red-headed Woodpecker <i>Melanerpes erythrocephalus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.</p>	Breeds May 10 to Sep 10
<p>Ruddy Turnstone <i>Arenaria interpres morinella</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds elsewhere
<p>Rusty Blackbird <i>Euphagus carolinus</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds elsewhere
<p>Saltmarsh Sparrow <i>Ammospiza caudacuta</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9719</p>	Breeds May 15 to Sep 5
<p>Scarlet Tanager <i>Piranga olivacea</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds May 10 to Aug 10
<p>Semipalmated Sandpiper <i>Calidris pusilla</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds elsewhere
<p>Short-billed Dowitcher <i>Limnodromus griseus</i></p> <p>This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska. https://ecos.fws.gov/ecp/species/9480</p>	Breeds elsewhere
<p>Whimbrel <i>Numenius phaeopus hudsonicus</i></p> <p>This is a Bird of Conservation Concern (BCC) only in particular Bird Conservation Regions (BCRs) in the continental USA</p>	Breeds elsewhere

Willet *Tringa semipalmata*

Breeds Apr 20 to Aug 5

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Wood Thrush *Hylocichla mustelina*

Breeds May 10 to Aug 31

This is a Bird of Conservation Concern (BCC) throughout its range in the continental USA and Alaska.

Probability of Presence Summary

The graphs below provide our best understanding of when birds of concern are most likely to be present in your project area. This information can be used to tailor and schedule your project activities to avoid or minimize impacts to birds. Please make sure you read ["Supplemental Information on Migratory Birds and Eagles"](#), specifically the FAQ section titled "Proper Interpretation and Use of Your Migratory Bird Report" before using or attempting to interpret this report.

Probability of Presence (■)

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. (A year is represented as 12 4-week months.) A taller bar indicates a higher probability of species presence. The survey effort (see below) can be used to establish a level of confidence in the presence score. One can have higher confidence in the presence score if the corresponding survey effort is also high.

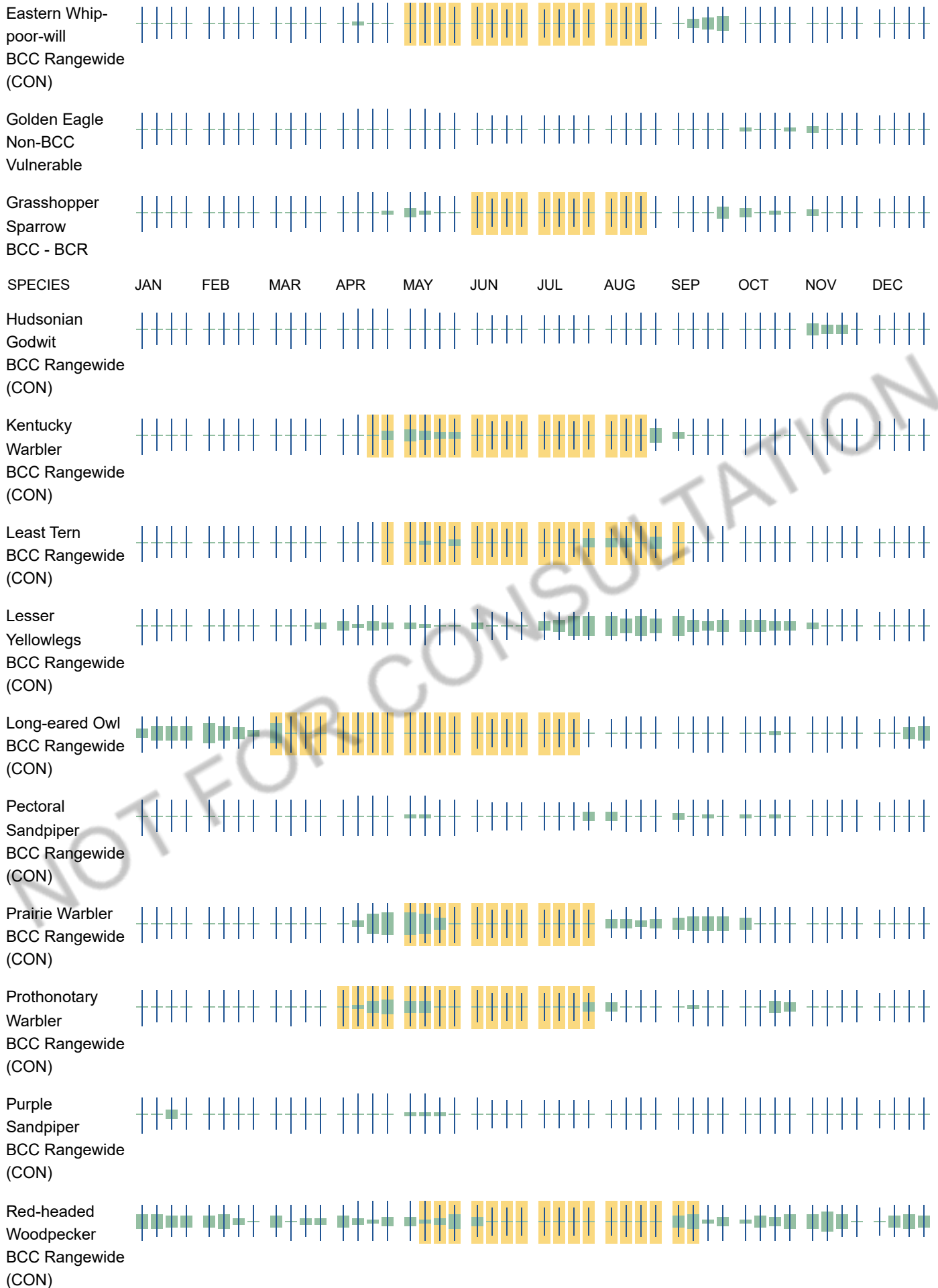
How is the probability of presence score calculated? The calculation is done in three steps:

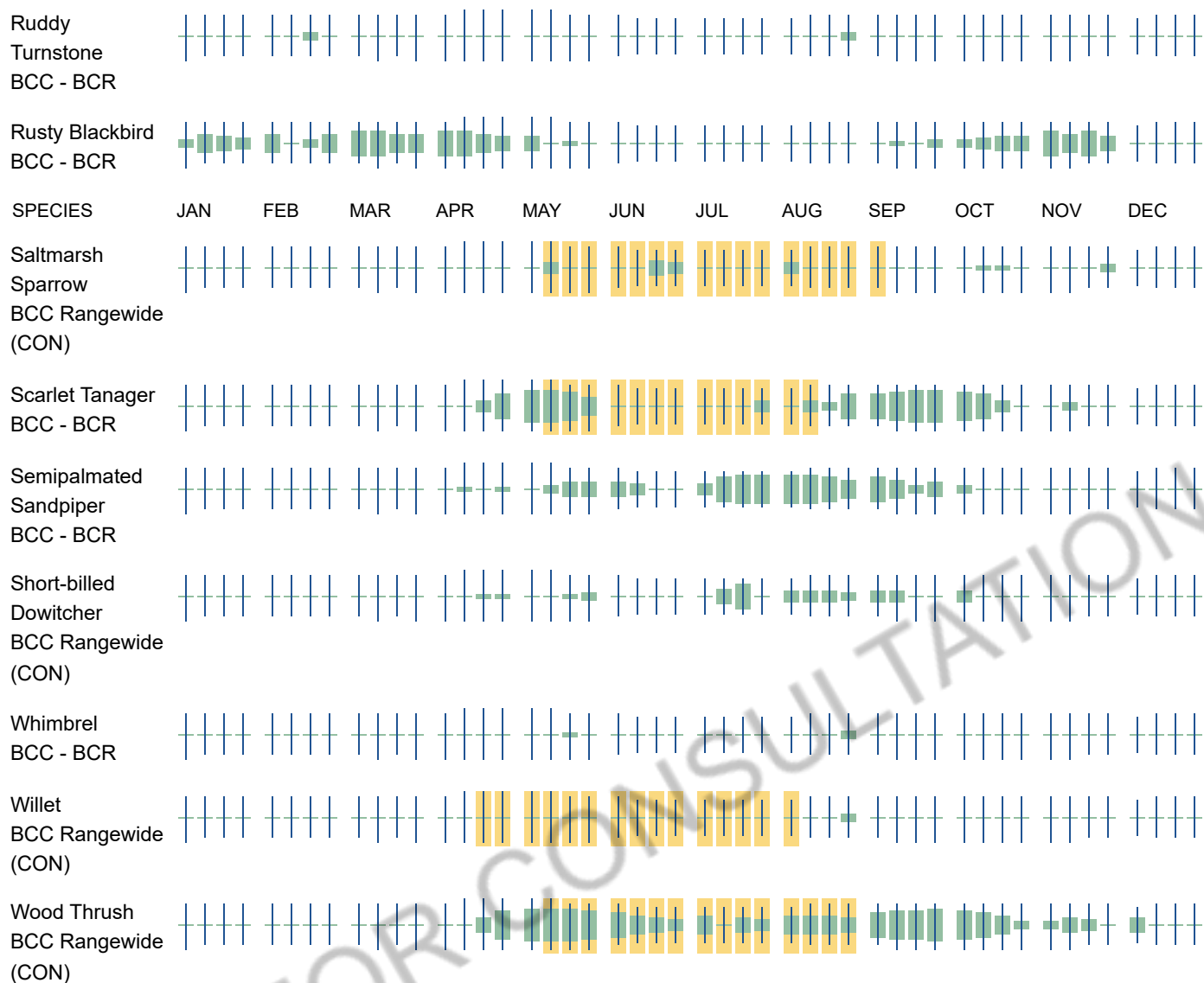
1. The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.
2. To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.
3. The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

To see a bar's probability of presence score, simply hover your mouse cursor over the bar.

Breeding Season (■)

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.





Migratory Bird FAQs

Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds.

[Nationwide Avoidance & Minimization Measures for Birds](#) describes measures that can help avoid and minimize impacts to all birds at any location year-round. When birds may be breeding in the area, identifying the locations of any active nests and avoiding their destruction is one of the most effective ways to minimize impacts. To see when birds are most likely to occur and breed in your project area, view the [Probability of Presence Summary](#). [Additional measures](#) or [permits](#) may be advisable depending on the type of activity you are conducting and the type of infrastructure or bird species present on your project site.

What does IPaC use to generate the list of migratory birds that potentially occur in my specified location?

The Migratory Bird Resource List is comprised of [Birds of Conservation Concern \(BCC\)](#) and other species that may warrant special attention in your project location, such as those listed under the Endangered Species Act or the [Bald and Golden Eagle Protection Act](#) and those species marked as “Vulnerable”. See the FAQ “What are the

levels of concern for migratory birds?" for more information on the levels of concern covered in the IPaC migratory bird species list.

The migratory bird list generated for your project is derived from data provided by the [Avian Knowledge Network \(AKN\)](#). The AKN data is based on a growing collection of [survey, banding, and citizen science datasets](#) and is queried and filtered to return a list of those birds reported as occurring in the 10km grid cell(s) with which your project intersects. These species have been identified as warranting special attention because they are BCC species in that area, an eagle ([Bald and Golden Eagle Protection Act](#) requirements may apply), or a species that has a particular vulnerability to offshore activities or development.

Again, the Migratory Bird Resource list includes only a subset of birds that may occur in your project area. It is not representative of all birds that may occur in your project area. To get a list of all birds potentially present in your project area, and to verify survey effort when no results present, please visit the [Rapid Avian Information Locator \(RAIL\) Tool](#).

Why are subspecies showing up on my list?

Subspecies profiles are included on the list of species present in your project area because observations in the AKN for **the species** are being detected. If the species are present, that means that the subspecies may also be present. If a subspecies shows up on your list, you may need to rely on other resources to determine if that subspecies may be present (e.g. your local FWS field office, state surveys, your own surveys).

What does IPaC use to generate the probability of presence graphs for the migratory birds potentially occurring in my specified location?

The probability of presence graphs associated with your migratory bird list are based on data provided by the [Avian Knowledge Network \(AKN\)](#). This data is derived from a growing collection of [survey, banding, and citizen science datasets](#).

Probability of presence data is continuously being updated as new and better information becomes available. To learn more about how the probability of presence graphs are produced and how to interpret them, go to the Probability of Presence Summary and then click on the "Tell me about these graphs" link.

How do I know if a bird is breeding, wintering, or migrating in my area?

To see what part of a particular bird's range your project area falls within (i.e. breeding, wintering, migrating, or resident), you may query your location using the [RAIL Tool](#) and view the range maps provided for birds in your area at the bottom of the profiles provided for each bird in your results. If a bird on your IPaC migratory bird species list has a breeding season associated with it (indicated by yellow vertical bars on the phenology graph in your "IPaC PROBABILITY OF PRESENCE SUMMARY" at the top of your results list), there may be nests present at some point within the timeframe specified. If "Breeds elsewhere" is indicated, then the bird likely does not breed in your project area.

What are the levels of concern for migratory birds?

Migratory birds delivered through IPaC fall into the following distinct categories of concern:

1. "BCC Rangewide" birds are [Birds of Conservation Concern](#) (BCC) that are of concern throughout their range anywhere within the USA (including Hawaii, the Pacific Islands, Puerto Rico, and the Virgin Islands);
2. "BCC - BCR" birds are BCCs that are of concern only in particular Bird Conservation Regions (BCRs) in the continental USA; and

3. "Non-BCC - Vulnerable" birds are not BCC species in your project area, but appear on your list either because of the [Bald and Golden Eagle Protection Act](#) requirements (for eagles) or (for non-eagles) potential susceptibilities in offshore areas from certain types of development or activities (e.g. offshore energy development or longline fishing).

Although it is important to avoid and minimize impacts to all birds, efforts should be made, in particular, to avoid and minimize impacts to the birds on this list, especially BCC species. For more information on avoidance and minimization measures you can implement to help avoid and minimize migratory bird impacts, please see the FAQ "Tell me more about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Details about birds that are potentially affected by offshore projects

For additional details about the relative occurrence and abundance of both individual bird species and groups of bird species within your project area off the Atlantic Coast, please visit the [Northeast Ocean Data Portal](#). The Portal also offers data and information about other taxa besides birds that may be helpful to you in your project review. Alternately, you may download the bird model results files underlying the portal maps through the [NOAA NCCOS Integrative Statistical Modeling and Predictive Mapping of Marine Bird Distributions and Abundance on the Atlantic Outer Continental Shelf](#) project webpage.

Proper interpretation and use of your migratory bird report

The migratory bird list generated is not a list of all birds in your project area, only a subset of birds of priority concern. To learn more about how your list is generated and see options for identifying what other birds may be in your project area, please see the FAQ "What does IPaC use to generate the migratory birds potentially occurring in my specified location". Please be aware this report provides the "probability of presence" of birds within the 10 km grid cell(s) that overlap your project; not your exact project footprint. On the graphs provided, please look carefully at the survey effort (indicated by the black vertical line) and for the existence of the "no data" indicator (a red horizontal line). A high survey effort is the key component. If the survey effort is high, then the probability of presence score can be viewed as more dependable. In contrast, a low survey effort bar or no data bar means a lack of data and, therefore, a lack of certainty about presence of the species. This list does not represent all birds present in your project area. It is simply a starting point for identifying what birds of concern have the potential to be in your project area, when they might be there, and if they might be breeding (which means nests might be present). The list and associated information help you know what to look for to confirm presence and helps guide implementation of avoidance and minimization measures to eliminate or reduce potential impacts from your project activities, should presence be confirmed. To learn more about avoidance and minimization measures, visit the FAQ "Tell me about avoidance and minimization measures I can implement to avoid or minimize impacts to migratory birds".

Interpreting the Probability of Presence Graphs

Each green bar represents the bird's relative probability of presence in the 10km grid cell(s) your project overlaps during a particular week of the year. A taller bar indicates a higher probability of species presence. The survey effort can be used to establish a level of confidence in the presence score.

How is the probability of presence score calculated? The calculation is done in three steps:

The probability of presence for each week is calculated as the number of survey events in the week where the species was detected divided by the total number of survey events for that week. For example, if in week 12 there were 20 survey events and the Spotted Towhee was found in 5 of them, the probability of presence of the Spotted Towhee in week 12 is 0.25.

To properly present the pattern of presence across the year, the relative probability of presence is calculated. This is the probability of presence divided by the maximum probability of presence across all weeks. For example, imagine the probability of presence in week 20 for the Spotted Towhee is 0.05, and that the probability of presence at week 12 (0.25) is the maximum of any week of the year. The relative probability of presence on week 12 is $0.25/0.25 = 1$; at week 20 it is $0.05/0.25 = 0.2$.

The relative probability of presence calculated in the previous step undergoes a statistical conversion so that all possible values fall between 0 and 10, inclusive. This is the probability of presence score.

Breeding Season ()

Yellow bars denote a very liberal estimate of the time-frame inside which the bird breeds across its entire range. If there are no yellow bars shown for a bird, it does not breed in your project area.

Survey Effort ()

Vertical black lines superimposed on probability of presence bars indicate the number of surveys performed for that species in the 10km grid cell(s) your project area overlaps.

No Data ()

A week is marked as having no data if there were no survey events for that week.

Survey Timeframe

Surveys from only the last 10 years are used in order to ensure delivery of currently relevant information. The exception to this is areas off the Atlantic coast, where bird returns are based on all years of available data, since data in these areas is currently much more sparse.

Facilities

Wildlife refuges and fish hatcheries

Refuge and fish hatchery information is not available at this time

Wetlands in the National Wetlands Inventory (NWI)

Impacts to [NWI wetlands](#) and other aquatic habitats may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal statutes.

For more information please contact the Regulatory Program of the local [U.S. Army Corps of Engineers District](#).

This location did not intersect any wetlands mapped by NWI.

NOTE: This initial screening does **not** replace an on-site delineation to determine whether wetlands occur. Additional information on the NWI data is provided below.

Data limitations

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

Data exclusions

Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

Data precautions

Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate Federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

**APPENDIX D
AIR QUALITY
APPENDIX**

Facility DEC ID: 2620501807

PERMIT
Under the Environmental Conservation Law (ECL)

IDENTIFICATION INFORMATION

Permit Type: Air State Facility
Permit ID: 2-6205-01807/00001
Mod 0 Effective Date: 03/29/2017 Expiration Date: 03/28/2027
Mod 1 Effective Date: 12/28/2020 Expiration Date: 03/28/2027

Permit Issued To: STARBUCKS MANUFACTURING CORPORATION
PO BOX 34442, S-TAX
SEATTLE, WA 98124-1442

Contact: ANGUS MAXWELL
61 9th Avenue
New York, NY 10011
(646) 306-2738

Facility: STARBUCKS RESERVE ROASTERY
61 9TH AVE
NEW YORK, NY 10011

Contact: ANGUS MAXWELL
61 9th Avenue
New York, NY 10011
(646) 306-2738

Description:

This is a coffee roasting and coffee shop facility. The roasting facility includes two coffee roasters, Probat P25 and Probat G120, which fire natural gas exclusively and have maximum heat input capacities of 0.205 and 2.5 million British thermal units per hour (MMBtu/hr), respectively. The exhaust from each coffee roaster and its associated cooling tray is vented through process cyclones to collect particulates from the roasting process before being ducted to afterburners to control emissions and odors.

The design roasting capacity of P25 and G120 are 220 pounds/hr green coffee beans and 1,056 pounds/hr green coffee beans respectively. The maximum roasting capacity achieved during the October 2019 source testing was 148 pounds/hr green coffee beans for P25 and 546 pounds/hr green coffee beans for G120.

Emissions from the coffee roasting equipment will include criteria pollutants Nitrogen Oxides (NO_x), Carbon Monoxide (CO), Volatile Organic Compounds (VOC), Particulate Matter (PM), Sulfur Dioxide (SO₂), and Lead; certain Hazardous Toxic Air Contaminants—Acetaldehyde, Acrolein, and

Facility DEC ID: 2620501807

Formaldehyde; and Carbon Dioxide (CO2). Starbucks is subject to the requirements of 6 NYCRR Part 212.

This application is to modify the current permit to incorporate updates to emission rates and operating limits for its two coffee bean roasters. As required by the previous permit, a stack emission testing was conducted in October 2019 to determine the emission rates for formaldehyde and acrolein, and an air dispersion modeling was performed with these results to demonstrate compliance with 6 NYCRR Part 212. Based on the air dispersion modeling results, and stack emission testing, with this permit modification application, Starbucks' annual throughput of green coffee beans roasting for roasters will be limited to 518 tpy and 1909 tpy for P25 and G120 respectively. Roasters' hourly emission limits for formaldehyde and acrolein, and the minimum required afterburner temperatures will also be modified with this permit modification.

By acceptance of this permit, the permittee agrees that the permit is contingent upon strict compliance with the ECL, all applicable regulations, the General Conditions specified and any Special Conditions included as part of this permit.

Permit Administrator: STEPHEN A WATTS
 47-40 21ST ST
 LONG ISLAND CITY, NY 11101-5401

Authorized Signature: _____ Date: ___ / ___ / ____

Facility DEC ID: 2620501807

Notification of Other State Permittee Obligations

Item A: Permittee Accepts Legal Responsibility and Agrees to Indemnification

The permittee expressly agrees to indemnify and hold harmless the Department of Environmental Conservation of the State of New York, its representatives, employees and agents ("DEC") for all claims, suits, actions, and damages, to the extent attributable to the permittee's acts or omissions in connection with the compliance permittee's undertaking of activities in connection with, or operation and maintenance of, the facility or facilities authorized by the permit whether in compliance or not in any compliance with the terms and conditions of the permit. This indemnification does not extend to any claims, suits, actions, or damages to the extent attributable to DEC's own negligent or intentional acts or omissions, or to any claims, suits, or actions naming the DEC and arising under article 78 of the New York Civil Practice Laws and Rules or any citizen suit or civil rights provision under federal or state laws.

Item B: Permittee's Contractors to Comply with Permit

The permittee is responsible for informing its independent contractors, employees, agents and assigns of their responsibility to comply with this permit, including all special conditions while acting as the permittee's agent with respect to the permitted activities, and such persons shall be subject to the same sanctions for violations of the Environmental Conservation Law as those prescribed for the permittee.

Item C: Permittee Responsible for Obtaining Other Required Permits

The permittee is responsible for obtaining any other permits, approvals, lands, easements and rights-of-way that may be required to carry out the activities that are authorized by this permit.

Item D: No Right to Trespass or Interfere with Riparian Rights

This permit does not convey to the permittee any right to trespass upon the lands or interfere with the riparian rights of others in order to perform the permitted work nor does it authorize the impairment of any rights, title, or interest in real or personal property held or vested in a person not a party to the permit.

Facility DEC ID: 2620501807

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DEC GENERAL CONDITIONS

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- 4 2 Relationship of this Permit to Other Department Orders and Determinations
- 4 3 Applications for permit renewals, modifications and transfers
- 5 4 Applications for permit renewals, modifications and transfers
- 5 5 Permit modifications, suspensions or revocations by the Department

Facility Level

- 5 6 Submission of application for permit modification or renewal - REGION 2 HEADQUARTERS

Facility DEC ID: 2620501807

DEC GENERAL CONDITIONS
****** General Provisions ******
GENERAL CONDITIONS - Apply to ALL Authorized Permits.

Condition 1: Facility Inspection by the Department
Applicable State Requirement: ECL 19-0305

Item 1.1:

The permitted site or facility, including relevant records, is subject to inspection at reasonable hours and intervals by an authorized representative of the Department of Environmental Conservation (the Department) to determine whether the permittee is complying with this permit and the ECL. Such representative may order the work suspended pursuant to ECL 71-0301 and SAPA 401(3).

Item 1.2:

The permittee shall provide a person to accompany the Department's representative during an inspection to the permit area when requested by the Department.

Item 1.3:

A copy of this permit, including all referenced maps, drawings and special conditions, must be available for inspection by the Department at all times at the project site or facility. Failure to produce a copy of the permit upon request by a Department representative is a violation of this permit.

Condition 2: Relationship of this Permit to Other Department Orders and Determinations
Applicable State Requirement: ECL 3-0301 (2) (m)

Item 2.1:

Unless expressly provided for by the Department, issuance of this permit does not modify, supersede or rescind any order or determination previously issued by the Department or any of the terms, conditions or requirements contained in such order or determination.

Condition 3: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

Item 3.1:

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 3.2:

The permittee must submit a renewal application at least 180 days before the expiration of permits for Title V and State Facility Permits.

Item 3.3

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Facility DEC ID: 2620501807

Condition 1-1: Applications for permit renewals, modifications and transfers
Applicable State Requirement: 6 NYCRR 621.11

Item 1-1.1:

The permittee must submit a separate written application to the Department for renewal, modification or transfer of this permit. Such application must include any forms or supplemental information the Department requires. Any renewal, modification or transfer granted by the Department must be in writing.

Item 1-1.2:

The permittee must submit a renewal application at least 180 days before the expiration of permits for Title V and State Facility Permits.

Item 1-1.3

Permits are transferrable with the approval of the department unless specifically prohibited by the statute, regulation or another permit condition. Applications for permit transfer should be submitted prior to actual transfer of ownership.

Condition 4: Permit modifications, suspensions or revocations by the Department
Applicable State Requirement: 6 NYCRR 621.13

Item 4.1:

The Department reserves the right to exercise all available authority to modify, suspend, or revoke this permit in accordance with 6NYCRR Part 621. The grounds for modification, suspension or revocation include:

- a) materially false or inaccurate statements in the permit application or supporting papers;
- b) failure by the permittee to comply with any terms or conditions of the permit;
- c) exceeding the scope of the project as described in the permit application;
- d) newly discovered material information or a material change in environmental conditions, relevant technology or applicable law or regulations since the issuance of the existing permit;
- e) noncompliance with previously issued permit conditions, orders of the commissioner, any provisions of the Environmental Conservation Law or regulations of the Department related to the permitted activity.

****** Facility Level ******

Condition 5: Submission of application for permit modification or renewal - REGION 2 HEADQUARTERS
Applicable State Requirement: 6 NYCRR 621.6 (a)

Item 5.1:

Submission of applications for permit modification or renewal are to be submitted to:
 NYSDEC Regional Permit Administrator
 Region 2 Headquarters
 Division of Environmental Permits
 1 Hunters Point Plaza, 4740 21st Street
 Long Island City, NY 11101-5407

Division of Air Resources



Facility DEC ID: 2620501807

(718) 482-4997

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Permit Under the Environmental Conservation Law (ECL)

ARTICLE 19: AIR POLLUTION CONTROL - AIR STATE FACILITY PERMIT

IDENTIFICATION INFORMATION

Permit Issued To: STARBUCKS MANUFACTURING CORPORATION
PO BOX 34442, S-TAX
SEATTLE, WA 98124-1442

Facility: STARBUCKS RESERVE ROASTERY
61 9TH AVE
NEW YORK, NY 10011

Authorized Activity By Standard Industrial Classification Code:
2095 - ROASTED COFFEE
5812 - EATING PLACES

Mod 0 Permit Effective Date: 03/29/2017

Permit Expiration Date: 03/28/2027

Mod 1 Permit Effective Date: 12/28/2020

Permit Expiration Date: 03/28/2027

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- 6 1-1 6 NYCRR 212-1.6 (a): Compliance Demonstration

Emission Unit Level

EU=1-00P25,EP=00001,Proc=001

- 8 1-2 6 NYCRR 212-1.7 (b): Compliance Demonstration
- 8 1-3 6 NYCRR 212-2.4 (b): Compliance Demonstration

EU=1-0G120,EP=00002,Proc=002

- 10 1-4 6 NYCRR 212-1.7 (b): Compliance Demonstration
- 11 1-5 6 NYCRR 212-2.4 (b): Compliance Demonstration

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- 14 9 6 NYCRR 201-1.4: Malfunctions and start-up/shutdown activities
- 14 10 6 NYCRR Subpart 201-5: Emission Unit Definition
- 15 11 6 NYCRR 201-5.2 (c): Renewal deadlines for state facility permits
- 15 1-6 6 NYCRR 201-5.3 (c): CLCPA Applicability
- 16 12 6 NYCRR 201-5.3 (c): Compliance Demonstration
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- 17 14 6 NYCRR Subpart 201-5: Emission Point Definition By Emission Unit
- 17 15 6 NYCRR Subpart 201-5: Process Definition By Emission Unit

EU=1-00P25,EP=00001,Proc=001,ES=A0001

- 18 1-7 6 NYCRR 212-2.3 (b): Compliance Demonstration
- 19 1-8 6 NYCRR 212-2.3 (b): Compliance Demonstration
- 19 1-9 6 NYCRR 212-2.3 (b): Compliance Demonstration
- 20 1-10 6 NYCRR 212-2.3 (b): Compliance Demonstration

EU=1-0G120,EP=00002,Proc=002,ES=A0002

- 21 1-11 6 NYCRR 212-2.3 (b): Compliance Demonstration
- 22 1-12 6 NYCRR 212-2.3 (b): Compliance Demonstration
- 23 1-13 6 NYCRR 212-2.3 (b): Compliance Demonstration
- 24 1-14 6 NYCRR 212-2.3 (b): Compliance Demonstration

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FEDERALLY ENFORCEABLE CONDITIONS

Mod 1/FINAL

**** Facility Level ****

NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS

This section contains terms and conditions which are federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: Sealing - 6 NYCRR 200.5

The Commissioner may seal an air contamination source to prevent its operation if compliance with 6 NYCRR Chapter III is not met within the time provided by an order of the Commissioner issued in the case of the violation. Sealing means labeling or tagging a source to notify any person that operation of the source is prohibited, and also includes physical means of preventing the operation of an air contamination source without resulting in destruction of any equipment associated with such source, and includes, but is not limited to, bolting, chaining or wiring shut control panels, apertures or conduits associated with such source.

No person shall operate any air contamination source sealed by the Commissioner in accordance with this section unless a modification has been made which enables such source to comply with all requirements applicable to such modification.

Unless authorized by the Commissioner, no person shall remove or alter any seal affixed to any contamination source in accordance with this section.

Item B: Acceptable Ambient Air Quality - 6 NYCRR 200.6

Notwithstanding the provisions of 6 NYCRR Chapter III, Subchapter A, no person shall allow or permit any air contamination source to emit air contaminants in quantities which alone or in combination with emissions from other air contamination sources would contravene any applicable ambient air quality standard and/or cause air pollution. In such cases where contravention occurs or may occur, the Commissioner shall specify the degree and/or method of emission control required.

Item C: Maintenance of Equipment - 6 NYCRR 200.7

Any person who owns or operates an air contamination source which is equipped with an emission control device shall operate such device and keep it in a satisfactory state of maintenance and repair in accordance with ordinary and necessary practices, standards and procedures, inclusive of manufacturer's specifications,

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required to operate such device effectively.

Item D: Unpermitted Emission Sources - 6 NYCRR 201-1.2

If an existing emission source was subject to the permitting requirements of 6 NYCRR Part 201 at the time of construction or modification, and the owner and/or operator failed to apply for a permit for such emission source then the following provisions apply:

(a) The owner and/or operator must apply for a permit for such emission source or register the facility in accordance with the provisions of Part 201.

(b) The emission source or facility is subject to all regulations that were applicable to it at the time of construction or modification and any subsequent requirements applicable to existing sources or facilities.

Item E: Recycling and Salvage - 6 NYCRR 201-1.7

Where practical, any person who owns or operates an air contamination source shall recycle or salvage air contaminants collected in an air cleaning device according to the requirements of 6 NYCRR.

Item F: Prohibition of Reintroduction of Collected Contaminants to the Air - 6 NYCRR 201-1.8

No person shall unnecessarily remove, handle, or cause to be handled, collected air contaminants from an air cleaning device for recycling, salvage or disposal in a manner that would reintroduce them to the outdoor atmosphere.

Item G: Proof of Eligibility for Sources Defined as Exempt Activities - 6 NYCRR 201-3.2 (a)

The owner and/or operator of an emission source or unit that is eligible to be exempt, may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request.

Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item H: Proof of Eligibility for Sources Defined as Trivial

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Activities - 6 NYCRR 201-3.3 (a)

The owner and/or operator of an emission source or unit that is listed as being trivial in 6 NYCRR Part 201 may be required to certify that it operates within the specific criteria described in 6 NYCRR Subpart 201-3. The owner or operator of any such emission source must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility which contains emission sources or units subject to 6 NYCRR Subpart 201-3, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations, or law.

Item I: Required Emission Tests - 6 NYCRR 202-1.1

An acceptable report of measured emissions shall be submitted, as may be required by the Commissioner, to ascertain compliance or noncompliance with any air pollution code, rule, or regulation. Failure to submit a report acceptable to the Commissioner within the time stated shall be sufficient reason for the Commissioner to suspend or deny an operating permit. Notification and acceptable procedures are specified in 6 NYCRR Subpart 202-1.

Item J: Open Fires Prohibitions - 6 NYCRR 215.2

Except as allowed by section 215.3 of 6 NYCRR Part 215, no person shall burn, cause, suffer, allow or permit the burning of any materials in an open fire.

Item K: Permit Exclusion - ECL 19-0305

The issuance of this permit by the Department and the receipt thereof by the Applicant does not and shall not be construed as barring, diminishing, adjudicating or in any way affecting any legal, administrative or equitable rights or claims, actions, suits, causes of action or demands whatsoever that the Department may have against the Applicant for violations based on facts and circumstances alleged to have occurred or existed prior to the effective date of this permit, including, but not limited to, any enforcement action authorized pursuant to the provisions of applicable federal law, the Environmental Conservation Law of the State of New York (ECL) and Chapter III of the Official Compilation of the Codes, Rules and Regulations of the State of New York (NYCRR). The issuance of this permit also shall not in any way affect pending or future enforcement actions under the Clean Air Act brought by the United States or any person.

Item L: Federally Enforceable Requirements - 40 CFR 70.6 (b)

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All terms and conditions in this permit required by the Act or any applicable requirement, including any provisions designed to limit a facility's potential to emit, are enforceable by the Administrator and citizens under the Act. The Department has, in this permit, specifically designated any terms and conditions that are not required under the Act or under any of its applicable requirements as being enforceable under only state regulations.

FEDERAL APPLICABLE REQUIREMENTS
The following conditions are federally enforceable.

Condition 13: Visible Emissions Limited
Effective between the dates of 03/29/2017 and 03/28/2027

Applicable Federal Requirement:6 NYCRR 211.2

Item 13.1:

Except as permitted by a specific part of this Subchapter and for open fires for which a restricted burning permit has been issued, no person shall cause or allow any air contamination source to emit any material having an opacity equal to or greater than 20 percent (six minute average) except for one continuous six-minute period per hour of not more than 57 percent opacity.

Condition 1-1: Compliance Demonstration
Effective between the dates of 12/28/2020 and 03/28/2027

Applicable Federal Requirement:6 NYCRR 212-1.6 (a)

Item 1-1.1:

The Compliance Demonstration activity will be performed for the facility:
 The Compliance Demonstration applies to:

Emission Unit: 1-00P25	Emission Point: 00001
Process: 001	
Emission Unit: 1-0G120	Emission Point: 00002
Process: 002	

Item 1-1.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL
 DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

No person shall cause or allow emissions having an average opacity during any six consecutive minutes of 20 percent or greater from any process emission source,

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except only the emission of uncombined water. The Department reserves the right to perform or require the performance of an EPA Reference Test Method 9 opacity evaluation at any time during facility operation.

The facility owner or operator shall conduct a visible emissions observation of all emission points specified by this condition once per day while the process is in operation. The facility owner or operator will investigate, in a timely manner, any instance where there is cause to believe that visible emissions have the potential to exceed the opacity standard specified below.

The facility owner or operator shall investigate the cause, make any necessary corrections, and verify that the excess visible emissions problem has been corrected. If visible emissions with the potential to exceed the limit specified (except the emission of uncombined water) are observed for three consecutive operating days from the same emission point, the facility owner or operator will notify the Department of the observations within one business day. The facility owner or operator will also perform an EPA Reference Test Method 9 opacity evaluation analysis of the affected emission point and submit the results to the Department.

Daily records of the visible emissions observations, any follow-up Method 9 observations, investigations, and corrective actions taken are to be maintained on site for a period of at least five years from the date of the record. Such records shall include the date and time of each observation, weather conditions, results of the observation, corrective actions taken, and explanations for days when weather conditions were prohibitive.

All records kept pursuant to this condition must be provided to the Department upon request.

Parameter Monitored: OPACITY
 Upper Permit Limit: 20 percent
 Reference Test Method: EPA Reference Test Method 9
 Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION
 Averaging Method: 6-MINUTE AVERAGE (METHOD 9)
 Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

****** Emission Unit Level ******

Condition 1-2: Compliance Demonstration

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Effective between the dates of 12/28/2020 and 03/28/2027

Applicable Federal Requirement: 6 NYCRR 212-1.7 (b)

Item 1-2.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-00P25
Process: 001

Emission Point: 00001

Item 1-2.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The afterburner installed for each coffee roaster exhaust must be operated at all times while the coffee roaster is operational.

The afterburner must maintain a minimum temperature established during the most recent stack test. The afterburner must maintain a minimum hourly average temperature of 1259 Degree Fahrenheit as established during the most recent stack test conducted in October 2019 (see condition for 6 NYCRR Part 212.2.3(b)).

Temperature monitoring device for each coffee roaster afterburner shall continuously monitor and record the temperature inside the afterburner to demonstrate compliance with the minimum temperature requirement when the coffee roaster is operational except during any quality assurance and routine maintenance activities.

All equipment shall be installed and maintained in accordance with the manufacturer's instructions and specifications.

All operating and maintenance records shall be kept at the facility for a minimum of five years and must be available to the Department upon request.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1259 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR ROLLING AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 1-3: Compliance Demonstration

Effective between the dates of 12/28/2020 and 03/28/2027

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Applicable Federal Requirement: 6 NYCRR 212-2.4 (b)

Item 1-3.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-00P25 Emission Point: 00001
 Process: 001

Regulated Contaminant(s):
 CAS No: 0NY075-00-0 PARTICULATES

Item 1-3.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No facility owner or operator shall cause or allow emissions of particulates that exceed 0.050 grains per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis, except in instances where determination of permissible emission rate using process weight for a specific source category emitting solid particulate is based upon Table 5 and Table 6 of Subdivisions 212-2.5(a) and (b) of this Part.

Starbucks shall conduct a stack test once during 10 years or Upon request by the agency to verify the particulates emission rate. Initial stack testing demonstrating compliance with this limit was conducted in October 2019.

Facility must submit a stack test protocol to the Department for approval at least 90 days prior to the testing. Facility must perform stack test based on an approved stack test protocol, and then submit to the Department the stack test report for approval, within 60 days of performing the test. The owner or operator shall maintain all records on-site for a minimum of five years and must be available to the Department upon request.

Parameter Monitored: PARTICULATES
 Upper Permit Limit: 0.050 grains per dscf
 Reference Test Method: 40 CFR 60 Appendix A Method 5
 Monitoring Frequency: ONCE EVERY TEN YEARS
 Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED
 Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-4: Compliance Demonstration

Permit ID: 2-6205-01807/00001

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Effective between the dates of 12/28/2020 and 03/28/2027

Applicable Federal Requirement: 6 NYCRR 212-1.7 (b)

Item 1-4.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-0G120
Process: 002

Emission Point: 00002

Item 1-4.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

The afterburner installed for each coffee roaster exhaust must be operated at all times while the coffee roaster is operational.

The afterburner must maintain a minimum temperature established during the most recent stack test.

The afterburner must maintain a minimum hourly average temperature of 1254 Degree Fahrenheit as established during the most recent stack test conducted in October 2019 (see condition for 6 NYCRR Part 212.2.3(b)).

Temperature monitoring device for each coffee roaster afterburner shall continuously monitor and record the temperature inside the afterburner to demonstrate compliance with the minimum temperature requirement when the coffee roaster is operational except during any quality assurance and routine maintenance activities.

All equipment shall be installed and maintained in accordance with the manufactures instructions and specifications.

All operating and maintenance records shall be kept at the facility for a minimum of five years and must be available to the Department upon request.

Parameter Monitored: TEMPERATURE

Lower Permit Limit: 1254 degrees Fahrenheit

Monitoring Frequency: CONTINUOUS

Averaging Method: 3-HOUR ROLLING AVERAGE

Reporting Requirements: UPON REQUEST BY REGULATORY AGENCY

Condition 1-5: Compliance Demonstration

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Effective between the dates of 12/28/2020 and 03/28/2027

Applicable Federal Requirement:6 NYCRR 212-2.4 (b)

Item 1-5.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-0G120 Emission Point: 00002
Process: 002

Regulated Contaminant(s):
CAS No: 0NY075-00-0 PARTICULATES

Item 1-5.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

No facility owner or operator shall cause or allow emissions of particulate that exceed 0.050 grains per cubic foot of exhaust gas, expressed at standard conditions on a dry gas basis, except in instances where determination of permissible emission rate using process weight for a specific source category emitting solid particulate is based upon Table 5 and Table 6 of Subdivisions 212-2.5(a) and (b) of this Part.

Starbucks shall conduct a stack test once during 10 years or Upon request by the agency to verify the particulates emission rate. Initial stack testing demonstrating compliance with this limit was conducted in October 2019.

Facility must submit a stack test protocol to the Department for approval at least 90 days prior to the testing. Facility must perform stack test based on an approved stack test protocol, and then submit to the Department the stack test report for approval, within 60 days of performing the test. The owner or operator shall maintain all records on-site for a minimum of five years and must be available to the Department upon request.

Parameter Monitored: PARTICULATES

Upper Permit Limit: 0.050 grains per dscf

Reference Test Method: 40 CFR 60 Appendix A Method 5

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: AVERAGING METHOD AS PER REFERENCE TEST METHOD INDICATED

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

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STATE ONLY ENFORCEABLE CONDITIONS****** Facility Level ********NOTIFICATION OF GENERAL PERMITTEE OBLIGATIONS**

This section contains terms and conditions which are not federally enforceable. Permittees may also have other obligations under regulations of general applicability

Item A: Emergency Defense - 6 NYCRR 201-1.5

An emergency, as defined by subpart 201-2, constitutes an affirmative defense to penalties sought in an enforcement action brought by the Department for noncompliance with emissions limitations or permit conditions for all facilities in New York State.

(a) The affirmative defense of emergency shall be demonstrated through properly signed, contemporaneous operating logs, or other relevant evidence that:

(1) An emergency occurred and that the facility owner or operator can identify the cause(s) of the emergency;

(2) The equipment at the permitted facility causing the emergency was at the time being properly operated and maintained;

(3) During the period of the emergency the facility owner or operator took all reasonable steps to minimize levels of emissions that exceeded the emission standards, or other requirements in the permit; and

(4) The facility owner or operator notified the Department within two working days after the event occurred. This notice must contain a description of the emergency, any steps taken to mitigate emissions, and corrective actions taken.

(b) In any enforcement proceeding, the facility owner or operator seeking to establish the occurrence of an emergency has the burden of proof.

(c) This provision is in addition to any emergency or upset provision contained in any applicable requirement.

Item B: Public Access to Recordkeeping for Facilities With State Facility Permits - 6 NYCRR 201-1.10 (a)

Where facility owners and/or operators keep records pursuant to compliance with the requirements of 6 NYCRR Subpart 201-5.4, and/or the emission capping requirements of 6 NYCRR Subpart 201-7, the Department will make such records available to the public upon request in accordance with 6 NYCRR Part 616 - Public Access to Records.

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Facility owners and/or operators must submit the records required to comply with the request within sixty working days of written notification by the Department.

Item C: **General Provisions for State Enforceable Permit Terms and Condition - 6 NYCRR Part 201-5**

Any person who owns and/or operates stationary sources shall operate and maintain all emission units and any required emission control devices in compliance with all applicable Parts of this Chapter and existing laws, and shall operate the facility in accordance with all criteria, emission limits, terms, conditions, and standards in this permit. Failure of such person to properly operate and maintain the effectiveness of such emission units and emission control devices may be sufficient reason for the Department to revoke or deny a permit.

The owner or operator of the permitted facility must maintain all required records on-site for a period of five years and make them available to representatives of the Department upon request. Department representatives must be granted access to any facility regulated by this Subpart, during normal operating hours, for the purpose of determining compliance with this and any other state and federal air pollution control requirements, regulations or law.

STATE ONLY APPLICABLE REQUIREMENTS

The following conditions are state only enforceable.

Condition 8: Contaminant List
Effective between the dates of 03/29/2017 and 03/28/2027

Applicable State Requirement:ECL 19-0301

Item 8.1:

Emissions of the following contaminants are subject to contaminant specific requirements in this permit(emission limits, control requirements or compliance monitoring conditions).

CAS No: 000050-00-0
Name: FORMALDEHYDE

CAS No: 000107-02-8
Name: ACROLEIN

CAS No: 0NY075-00-0
Name: PARTICULATES

Condition 9: Malfunctions and start-up/shutdown activities

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Effective between the dates of 03/29/2017 and 03/28/2027

Applicable State Requirement:6 NYCRR 201-1.4**Item 9.1:**

(a) The facility owner or operator shall take all necessary and appropriate actions to prevent the emission of air pollutants that result in contravention of any applicable emission standard during periods of start-up, shutdown, or malfunction.

(b) The facility owner or operator shall compile and maintain records of all equipment malfunctions, maintenance, or start-up/shutdown activities when they can be expected to result in an exceedance of any applicable emission standard, and shall submit a report of such activities to the department when requested to do so, or when so required by a condition of a permit issued for the corresponding air contamination source. Such reports shall state whether any violations occurred and, if so, whether they were unavoidable, include the time, frequency and duration of the maintenance and/or start-up/shutdown activities, and an estimate of the emission rates of any air contaminants released. Such records shall be maintained for a period of at least five years and made available for review to department representatives upon request. Facility owners or operators subject to continuous stack monitoring and quarterly reporting requirements need not submit additional reports for equipment maintenance or start-up/shutdown activities for the facility to the department.

(c) In the event that emissions of air contaminants in excess of any emission standard in this Subchapter occur due to a malfunction, the facility owner or operator shall compile and maintain records of the malfunction and notify the department as soon as possible during normal working hours, but not later than two working days after becoming aware that the malfunction occurred. When requested by the department, the facility owner or operator shall submit a written report to the department describing the malfunction, the corrective action taken, identification of air contaminants, and an estimate of the emission rates.

(d) The department may also require the owner or operator to include, in reports described under Subdivisions (b) and (c) of this Section, an estimate of the maximum ground level concentration of each air contaminant emitted and the effect of such emissions.

(e) A violation of any applicable emission standard resulting from start-up, shutdown, or malfunction conditions at a permitted or registered facility may not be subject to an enforcement action by the department and/or penalty if the department determines, in its sole discretion, that such a violation was unavoidable. The actions and recordkeeping and reporting requirements listed above must be adhered to in such circumstances.

Condition 10: Emission Unit Definition

Effective between the dates of 03/29/2017 and 03/28/2027

Applicable State Requirement:6 NYCRR Subpart 201-5**Item 10.1(From Mod 1):**

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 1-00P25

Emission Unit Description:

This emission unit includes the P25 Roaster (Emission

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Source R0001) and its associated afterburner (Emission Source A0001).

Probat Model GP25 Roaster has a design capacity of roasting up to 55 pounds of green coffee beans per batch with a maximum of four batches per hour. Maximum roasting capacity achieved during the October 2019 source testing was 148 pounds of green beans per hour. P25 coffee roaster and the associated afterburner have heat input capacities of 0.205 mmBTU/hr and 3.5 MMBTU/hr respectively.

P25 roaster is limited to 518 tons of green coffee roasting per 12-month rolling period.

Building(s): 1

Item 10.2(From Mod 1):

The facility is authorized to perform regulated processes under this permit for:

Emission Unit: 1-0G120

Emission Unit Description:

This emission unit includes the G120 Roaster (Emission Source R0002) and its associated afterburner (Emission Source A0002).

Probat Model G120 Roaster has a design capacity of roasting up to 264 pounds of green coffee beans per batch with a maximum of four batches per hour. Maximum roasting capacity achieved during the October 2019 source testing was 546 pounds green coffee beans per hour. G120 coffee roaster and the associated afterburner have heat input capacities of 2.5 MMBTU/hr and 8.7 MMBTU/hr respectively.

G120 roaster is limited to 1909 tons of green coffee bean roasting per 12-month rolling period.

Building(s): 1

Condition 11: Renewal deadlines for state facility permits
Effective between the dates of 03/29/2017 and 03/28/2027

Applicable State Requirement:6 NYCRR 201-5.2 (c)

Item 11.1:

The owner or operator of a facility having an issued state facility permit shall submit a complete application at least 180 days, but not more than eighteen months, prior to the date of permit expiration for permit renewal purposes.

Condition 1-6: CLCPA Applicability
Effective between the dates of 12/28/2020 and 03/28/2027

Applicable State Requirement:6 NYCRR 201-5.3 (c)

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Item 1-6.1:

Pursuant to The New York State Climate Leadership and Community Protection Act (CLCPA) and Article 75 of the Environmental Conservation Law, emission sources shall comply with regulations to be promulgated by the Department to ensure that by 2030 statewide greenhouse gas emissions are reduced by 40% of 1990 levels, and by 2050 statewide greenhouse gas emissions are reduced by 85% of 1990 levels.

Condition 12: Compliance Demonstration
Effective between the dates of 03/29/2017 and 03/28/2027

Applicable State Requirement:6 NYCRR 201-5.3 (c)

Item 12.1:

The Compliance Demonstration activity will be performed for the Facility.

Item 12.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: RECORD KEEPING/MAINTENANCE PROCEDURES

Monitoring Description:

Any reports or submissions required by this permit shall be submitted to the Regional Air Pollution Control Engineer (RAPCE) at the following address:

Division of Air Resources
 NYS Dept. of Environmental Conservation
 Region 2
 47-40 21st St.
 Long Island City, NY 11101

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 45 days after the reporting period.

The initial report is due 5/15/2017.

Subsequent reports are due every 12 calendar month(s).

Condition 1: Air pollution prohibited
Effective between the dates of 03/29/2017 and 03/28/2027

Applicable State Requirement:6 NYCRR 211.1

Item 1.1:

No person shall cause or allow emissions of air contaminants to the outdoor atmosphere of such quantity, characteristic or duration which are injurious to human, plant or animal life or to property, or which unreasonably interfere with the comfortable enjoyment of life or property. Notwithstanding the existence of specific air quality standards or emission limits, this prohibition applies, but is not limited to, any particulate, fume, gas, mist, odor, smoke, vapor, pollen, toxic or deleterious emission, either alone or in combination with others.

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****** Emission Unit Level ******

Condition 14: Emission Point Definition By Emission Unit
Effective between the dates of 03/29/2017 and 03/28/2027

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 14.1(From Mod 1):

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 1-00P25

Emission Point: 00001

Height (ft.): 181 Diameter (in.): 18
 NYTMN (km.): 4510.554 NYTME (km.): 583.944 Building: 1

Item 14.2(From Mod 1):

The following emission points are included in this permit for the cited Emission Unit:

Emission Unit: 1-0G120

Emission Point: 00002

Height (ft.): 181 Diameter (in.): 30
 NYTMN (km.): 4510.554 NYTME (km.): 583.943 Building: 1

Condition 15: Process Definition By Emission Unit
Effective between the dates of 03/29/2017 and 03/28/2027

Applicable State Requirement:6 NYCRR Subpart 201-5

Item 15.1(From Mod 1):

This permit authorizes the following regulated processes for the cited Emission Unit:

Emission Unit: 1-00P25

Process: 001 Source Classification Code: 3-02-002-20

Process Description:

Process 001 is defined as coffee roasting in the P25 coffee roaster. Green coffee beans are fed into the roaster, and after the roasting process are fed into the cooling tray. Air from the roaster and cooling tray are ducted to the afterburner.

Emission Source/Control: A0001 - Control

Control Type: THERMAL OXIDATION

Emission Source/Control: R0001 - Process

Design Capacity: 220 pounds per hour

Item 15.2(From Mod 1):

This permit authorizes the following regulated processes for the cited Emission Unit:

Permit ID: 2-6205-01807/00001

Facility DEC ID: 2620501807

Emission Unit: 1-0G120

Process: 002

Source Classification Code: 3-02-002-20

Process Description:

Process 002 is defined as coffee roasting in the G120 coffee roaster. Green coffee beans are fed into the roaster, and after the roasting process are fed into the cooling tray. Air from the roaster and cooling tray are ducted to the afterburner.

Emission Source/Control: A0002 - Control

Control Type: THERMAL OXIDATION

Emission Source/Control: R0002 - Process

Design Capacity: 1,056 pounds per hour

Condition 1-7: Compliance Demonstration

Effective between the dates of 12/28/2020 and 03/28/2027

Applicable State Requirement: 6 NYCRR 212-2.3 (b)

Item 1-7.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-00P25

Emission Point: 00001

Process: 001

Emission Source: A0001

Item 1-7.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL
DEVICE PARAMETERS AS SURROGATE

Monitoring Description:

Roaster P25 green coffee beans roasting is limited to 148 lbs/hr, the maximum capacity achieved during the October 2019 stack test, which was used to determine acrolein and formaldehyde emission factors and minimum required afterburner operating temperature.

The facility shall maintain onsite records verifying the hourly roasting for a minimum period of five years.

Parameter Monitored: GREEN BEANS

Upper Permit Limit: 148 pounds per hour

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING
DESCRIPTION

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT
ANY TIME

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 45 days after the reporting period.

The initial report is due 5/15/2021.

Subsequent reports are due every 12 calendar month(s).

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Facility DEC ID: 2620501807

Condition 1-8: Compliance Demonstration
Effective between the dates of 12/28/2020 and 03/28/2027**Applicable State Requirement: 6 NYCRR 212-2.3 (b)****Item 1-8.1:**

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-00P25 Emission Point: 00001
Process: 001 Emission Source: A0001Regulated Contaminant(s):
CAS No: 000107-02-8 ACROLEIN**Item 1-8.2:**

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Acrolein emission rate shall be limited to 0.0441 pounds per ton of green coffee beans roasted. This emission rate was used in the air dispersion modeling analysis performed to demonstrate that the Starbucks acrolein emissions does not cause or contribute to an exceedance of its short-term concentration (SGC) and annual guideline concentrations (AGC).

Starbucks shall conduct a stack test to verify the emission rate once during 10 years. The last stack test was conducted in October 2019.

Facility must submit a stack test protocol to the Department for approval at least 90 days prior to the testing. Facility must perform stack test based on an approved stack test protocol, and then submit to the Department the stack test report for approval, within 60 days of performing the test.

The owner or operator shall maintain all records emission for a minimum of five years and must be available to the Department upon request.

Parameter Monitored: ACROLEIN

Upper Permit Limit: 0.0441 pounds per ton

Reference Test Method: 40 CFR 63 Appendix A Method 320

Monitoring Frequency: ONCE EVERY TEN YEARS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-9: Compliance Demonstration
Effective between the dates of 12/28/2020 and 03/28/2027

Permit ID: 2-6205-01807/00001

Facility DEC ID: 2620501807

Applicable State Requirement:6 NYCRR 212-2.3 (b)

Item 1-9.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-00P25 Emission Point: 00001
 Process: 001 Emission Source: A0001

Regulated Contaminant(s):
 CAS No: 000050-00-0 FORMALDEHYDE

Item 1-9.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Total annual throughput of green coffee beans roasting is limited 518 tons per rolling 12-month period.

The amount of daily green coffee beans roasted shall be recorded, summed at the end of the month, and added to the prior 11 months of green coffee beans roasted to demonstrate compliance with the annual limit of 518 tons of green coffee beans roasted per rolling 12-month period.

Work Practice Type: PROCESS MATERIAL THRUPUT
 Process Material: BEANS
 Upper Permit Limit: 518 tons per year
 Monitoring Frequency: MONTHLY
 Averaging Method: ANNUAL MAXIMUM ROLLED MONTHLY
 Reporting Requirements: ANNUALLY (CALENDAR)
 Reports due 45 days after the reporting period.
 The initial report is due 5/15/2021.
 Subsequent reports are due every 12 calendar month(s).

Condition 1-10: Compliance Demonstration
Effective between the dates of 12/28/2020 and 03/28/2027

Applicable State Requirement:6 NYCRR 212-2.3 (b)

Item 1-10.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-00P25 Emission Point: 00001
 Process: 001 Emission Source: A0001

Regulated Contaminant(s):
 CAS No: 000050-00-0 FORMALDEHYDE

Item 1-10.2:

Permit ID: 2-6205-01807/00001

Facility DEC ID: 2620501807

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Formaldehyde emission rate shall be limited to 0.202 pounds per ton of green coffee beans roasted. This emission rate was used in the air dispersion modeling analysis performed to demonstrate that the Starbucks formaldehyde emissions does not cause or contribute to an exceedance of its short-term concentration (SGC) and annual guideline concentrations(AGC).

Starbucks shall conduct a stack test to verify the emission rate once during 10 years. The last stack test was conducted in October 2019.

Facility must submit a stack test protocol to the Department for approval at least 90 days prior to the testing. Facility must perform stack test based on an approved stack test protocol, and then submit to the Department the stack test report for approval, within 60 days of performing the test.

The owner or operator shall maintain all records on-site for a minimum of five years and must be available to the Department upon request.

Parameter Monitored: FORMALDEHYDE

Upper Permit Limit: 0.202 pounds per ton

Reference Test Method: 40 CFR 63 Appendix A Method 320

Monitoring Frequency: ONCE EVERY TEN YEARS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-11: Compliance Demonstration

Effective between the dates of 12/28/2020 and 03/28/2027

Applicable State Requirement:6 NYCRR 212-2.3 (b)

Item 1-11.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-0G120

Emission Point: 00002

Process: 002

Emission Source: A0002

Item 1-11.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: MONITORING OF PROCESS OR CONTROL DEVICE PARAMETERS AS SURROGATE

Permit ID: 2-6205-01807/00001

Facility DEC ID: 2620501807

Monitoring Description:

Roaster G120 green coffee beans roasting is limited to 546 lbs/hr, the maximum capacity achieved during the October 2019 stack test, which was used to determine acrolein and formaldehyde emission factors and minimum required afterburner operating temperature.

The facility shall maintain onsite records verifying the hourly roasting for a minimum period of five years.

Parameter Monitored: GREEN BEANS

Upper Permit Limit: 546 pounds per hour

Monitoring Frequency: AS REQUIRED - SEE PERMIT MONITORING DESCRIPTION

Averaging Method: 1 HOUR MAXIMUM - NOT TO BE EXCEEDED AT ANY TIME

Reporting Requirements: ANNUALLY (CALENDAR)

Reports due 45 days after the reporting period.

The initial report is due 5/15/2021.

Subsequent reports are due every 12 calendar month(s).

Condition 1-12: Compliance Demonstration

Effective between the dates of 12/28/2020 and 03/28/2027

Applicable State Requirement: 6 NYCRR 212-2.3 (b)

Item 1-12.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-0G120

Emission Point: 00002

Process: 002

Emission Source: A0002

Regulated Contaminant(s):

CAS No: 000050-00-0

FORMALDEHYDE

Item 1-12.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: WORK PRACTICE INVOLVING SPECIFIC OPERATIONS

Monitoring Description:

Total annual throughput of green coffee beans roasting is limited to 1909 tons per rolling 12-month period.

The amount of daily green coffee beans roasted shall be recorded, summed at the end of the month, and added to the prior 11 months of green coffee beans roasted to demonstrate compliance with the annual limit of 1909 tons of green coffee beans roasted per rolling 12-month period.

Permit ID: 2-6205-01807/00001

Facility DEC ID: 2620501807

Parameter Monitored: FORMALDEHYDE
 Upper Permit Limit: 0.136 pounds per ton
 Reference Test Method: 40 CFR 63 Appendix A Method 320
 Monitoring Frequency: ONCE EVERY TEN YEARS
 Averaging Method: 1-HOUR AVERAGE
 Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Condition 1-14: Compliance Demonstration
Effective between the dates of 12/28/2020 and 03/28/2027

Applicable State Requirement: 6 NYCRR 212-2.3 (b)

Item 1-14.1:

The Compliance Demonstration activity will be performed for:

Emission Unit: 1-0G120	Emission Point: 00002
Process: 002	Emission Source: A0002

Regulated Contaminant(s):
 CAS No: 000107-02-8 ACROLEIN

Item 1-14.2:

Compliance Demonstration shall include the following monitoring:

Monitoring Type: INTERMITTENT EMISSION TESTING

Monitoring Description:

Acrolein emission rate shall be limited to 0.0139 pounds per ton of green coffee beans roasted. This emission rate was used in the air dispersion modeling analysis performed to demonstrate that the Starbucks acrolein emissions does not cause or contribute to an exceedance of its short-term concentration (SGC) and annual guideline concentrations(AGC).

Starbucks shall conduct a stack test to verify the emission rate once during 10 years. The last stack test was conducted in October 2019.

Facility must submit a stack test protocol to the Department for approval at least 90 days prior to the testing. Facility must perform stack test based on an approved stack test protocol, and then submit to the Department the stack test report for approval, within 60 days of performing the test.

The owner or operator shall maintain all records emission for a minimum of five years and must be available to the Department upon request

Parameter Monitored: ACROLEIN
 Upper Permit Limit: 0.0139 pounds per ton
 Reference Test Method: 40 CFR 63 Appendix A Method 320

Permit ID: 2-6205-01807/00001

Facility DEC ID: 2620501807

Monitoring Frequency: ONCE EVERY TEN YEARS

Averaging Method: 1-HOUR AVERAGE

Reporting Requirements: AS REQUIRED - SEE MONITORING DESCRIPTION

Permit ID: 2-6205-01807/00001

Facility DEC ID: 2620501807