



August 7, 2017

Robert Dobruskin, AICP, Director
New York City Department of City Planning
Environmental Assessment and Review Division
120 Broadway, 30th Floor
New York, New York 10271
Email: rdobrus@planning.nyc.gov
RE: Proposed Second Avenue Retail Development CEQR No. 17DCP030R

Dear Mr. Dobruskin,

NY/NJ Baykeeper would like to take this opportunity to comment on the Draft Environmental Impact Statement (DEIS) prepared for the proposed South Avenue Retail Development in the Graniteville neighborhood of Staten Island.

According to the National Environmental Policy Act (NEPA), an environmental impact statement “shall provide full and fair discussion of significant environmental impacts and shall inform decision makers and the public of the reasonable alternatives which would avoid or minimize adverse impacts or enhance the quality of the human environment.”¹ The following comments will reflect our belief that the DEIS prepared for South Avenue Retail fails to meet this very basic direction by using a similar build option as its No Action alternative, rather than the current as is condition of the wooded land. Using two similar build options, with no other alternatives, in the DEIS deprives the decision makers and public a meaningful comparison to consider in regard to this project site’s impact on their neighborhood.

NY/NJ Baykeeper has a significant interest in preserving open space in Staten Island, particularly in a neighborhood as already well developed as Graniteville. Adding yet another unnecessary retail development in place of a beautiful wooded area raises significant concerns, as it is not supported by local need or desire. The fact that this particular development abuts a significant tract of protected tidal wetlands only compounds the issue, putting even more green space at risk of loss.

Staten Island sits at the heart of the greater New York metropolitan area, with a staggering population of 20.2 million people at a density of around 2,400 people per square mile.² This is a metro area with more than enough opportunity to shop, but with dwindling opportunity to enjoy nature as wholesale clubs and mega-malls attempt to fill every unoccupied tract of land. This project is proposed for a residential neighborhood with a host of existing retail establishments and shopping centers, there is no additional need or call for more from the residents of the Graniteville neighborhood. There has been no

reasoning presented for how removing precious green space for yet another shopping center will help the people of Graniteville live fuller, healthier lives. Instead, the developer has chosen to push for an even more impactful retail plan, one requiring the DEIS discussed here. Ultimately, the existing green space has a far greater value to the community than more retail locations.

¹ 40 CFR § 1502.1 Purpose.

² <https://censusreporter.org/profiles/31000US35620-new-york-newark-jersey-city-ny-nj-pa-metro-area/>

Fundamentally Flawed DEIS

In the DEIS presented for the South Avenue Retail project, the No Action alternative is nearly identical to the plan with action. While a No Action plan that describes a lesser alternative for a project is permissible under NEPA, the differences between the two options presented here are negligible enough to make it a comparison in name only. Per NEPA, the DEIS “should present the environmental impacts of the proposal and the alternatives in comparative form, thus *sharply defining the issues and providing a clear basis for choice among options* by the decision maker and the public.”³ Therefore, for any meaningful comparison to take place, and to meet the spirit of NEPA’s EIS requirement at all, the No Action plan in this instance should represent the land in its current state compared with the impacts of one or both action plans. Only then can the decision makers and public make a truly informed decision on the potential impact of the project.

³ 40 CFR §1502.14 Alternatives including the proposed action. (emphasis added)

Presenting nearly identical plans as No Action and With Action is misleading, as it obviously leads to a minimal impact result. Additional comparisons of existing conditions to one or both action plans should be required before proceeding so that the actual impact to the site and surrounding neighborhood can be reviewed and considered. A brief overview of the two DEIS options presented side-by-side illuminates the lack of quantifiable difference:

Proposed Project (i.e. With Action) No Action Alternative

226,000 gross square feet (gsf) of new retail including: 228,250 gsf of new retail including:

92,000 gsf wholesale warehouse space 174,750 gsf – 2, 1 or 2 story buildings (6 uses)

67,000 gsf supermarket 42,000 gsf – 4, 1-story buildings (5 uses)

16,000 gsf restaurant 1,000 gsf gas station & automated bank teller

50,000 gsf “destination retail”

1,000 gsf gas station & automated bank teller

838 accessory parking spaces 736 accessory parking spaces

The proposed project requires special permissions to re-zone the area for retail over 10,000-zoned square feet, while the No Action alternative requires no additional permissions. This is essentially the only quantifiable difference in the plans, while the negative effects of either development are equally harmful to the local residents. However, since the comparison in the DEIS is only between these similar alternatives, the harmful effects appear negligible on paper. The reality of either build, discussed in more detail below, is significant negative impacts to the neighborhood and its residents.

Traffic

The project site is currently a wooded parcel of land adjacent to a US Army Corps of Engineers delineated tidal wetland. The surrounding roads lead to a major highway and are therefore fairly busy during certain times of day and certain days of the week. Adding retail establishments with at minimum 736 parking spaces means that the number of cars in and out of the neighborhood will increase drastically. Additionally, the tractor-trailer traffic will also increase significantly, especially in the With Action plan. The wholesale warehouse and supermarket options are likely to receive shipments multiple times a week (possibly even daily during the holidays) on top of the shipments to 6 different retail stores

and gas station. The DEIS addresses this by showing a comparison of traffic impact between the No Action and the With Action plans, and not by including a comparison of existing conditions versus developed conditions.

As anyone who has driven by or near a wholesale warehouse location can confirm, that type of business attracts a far larger and more frenetic crowd day-to-day than the average retail store. Combining that with a supermarket in the same development is a guaranteed way to make the local streets chaotic on the average weekend, and unbearable during the busiest retail times of the year. The DEIS compares the difference as though there is no difference of which to speak, and the difference between 736 and 838 parking spaces is very little difference at all. However, the difference between zero parking spaces and the attraction of cars to a retail development with 736 or 838 parking spaces presents a drastic uptick in the expected traffic in the area.

Air Quality

With the significant increase in vehicle traffic through the area, comes a significant increase in carbon emissions. The cars and tractor-trailers entering, driving around, idling within the retail lot will significantly increase the carbon emissions in the area as compared to the existing site conditions. The DEIS does not make that comparison, though, and instead compares the numbers between the two build options. Comparing emissions data between No Action and With Action is not a valid gauge of the increase in emissions that will occur if either version of the project is built.

The DEIS states that “the incremental traffic resulting from the proposed project would not exceed the PM emission screening threshold.” This incremental increase is between No Action and With Action, not between existing, natural conditions and one or both alternatives. Comparisons like this do not promote informed decision making or meaningful review of the proposed project’s impact. It is even less helpful when comparative background data used is gathered from sites in Harlem, the Bronx, or Division Street in Manhattan; all of which have significantly higher background levels than the green space and residential areas that exist in Graniteville today.

When it comes to air quality, shortcut comparisons like these should not be taken lightly. Carbon emissions from added vehicle traffic and the potential for increased exposure to carcinogens from cigarette smoke due to the added number of people milling around the site should be taken very seriously and judged against the existing site conditions, not the two build alternatives. A more thorough and realistic review of potential air quality changes should be conducted in order to protect the health and wellbeing of Graniteville’s residents.

Noise Pollution

The DEIS compares the change in noise based on the No Action versus With Action alternatives. It does not take an expert on noise pollution to know that cars, trucks, people, and miscellaneous mechanical equipment make significantly more concentrated noise than a large wooded area. However, there is no significant increase found in the DEIS comparisons because it is not considering the change from current conditions. There is no doubt that the residential homes nearest to the development will be most affected by the change in background noise, but the residents are not presented with a meaningful comparison through the DEIS on which to base informed opinions on how the proposed development will affect their daily lives.

Neighborhood Character

Very closely related to the change in background noise in the area is the significant change to the overall character of the neighborhood. This project would drastically change the character of the neighborhood, causing a significant uptick in traffic, congestion, and urbanization that is neither needed nor wanted by

local residents. Graniteville is a predominantly residential area, with several existing retail and manufacturing uses, and little available green space. What little future development is planned for the area immediately surrounding the project site can be identified as mostly more residential. What this neighborhood needs is to retain its natural areas, as they enhance the quality and character of the neighborhood.

Water Quality

The wetlands and natural floodplain on the site currently store and filter the excess water from the upland area, but the change to impervious surface and active retail uses will certainly strain the filtering capabilities of the remaining wetlands beyond capacity. At the public hearing held recently, there was mention of including bioswales and shrub plantings. How could this possibly replace a mature forest and natural area? The short answer is that it cannot, and any benefit these wetlands and natural floodplains provide to the surrounding area will be lost.

The DEIS fails to address the vast difference between the existing conditions and developed conditions, specifically the significant increase in polluted runoff from vehicles, ice melt, gas station activities, and retail activities. The proposed South Avenue project would add a significant amount of unnecessary impervious surface to an already heavily paved borough. New York City has been tending toward preserving green space and increasing green infrastructure over the past several years in an effort to reduce the volume of stormwater on an already taxed municipal sewer system and address localized flooding. Adding a large-scale retail development in place of wetlands-adjacent green space goes directly against this sort of purposeful planning and the efforts of New York City to make its neighborhoods more resilient.

Additionally, the increase in end-users will increase the strain on the aged and overwhelmed sewer system on Staten Island. Issues with stormwater inundation on the municipal separate storm sewer system already cause water quality issues in the area. Tying a large retail development into this system will not only increase Staten Island's infrastructure burden but also risks undoing any small progress made on improving the municipal sewer systems thus far. At the public hearing we were told that they would retain 100% stormwater onsite, but they did not state for what size storm.

The land adjacent to Graniteville Swamp Park has the ability to help protect the neighborhood from future storms and flooding. Removing the permeable green space that helps absorb and filter water will absolutely have an impact on the way storms affect the neighborhood, a factor conveniently glossed over in the DEIS. The DEIS addresses only the difference between two full-build alternatives, and not a more realistic comparison between the approximate 28 acres of land as it is now and a future with roughly 17 acres of that same land developed. Above all else, converting existing natural areas into paved, big box-stores and parking lots in our most vulnerable communities is not consistent with New York City's long-term resiliency goals.

Loss of Open Space

Lastly, Staten Island falls within the NY-NJ Harbor Estuary, home to 20 million people and hundreds of bird, fish and wildlife species. Preserving natural habitat and open space is essential in this heavily developed area. Open space is essential to our livelihood because it protects water supplies, improves water quality, protects flood prone areas, and creates and improves habitat. If permitted, this development would unnecessarily wipe out what little open space Graniteville has and the damage would be irreversible.

NY/NJ Baykeeper submits this comment letter in the hope that your review will take a serious look at the greater overall impact and need of this project, not merely on water quality, emissions, or traffic,

but also on the effects on the quality of life for Graniteville residents. The DEIS, as presented, does little to aid in the meaningful comparison of reasonable alternatives by failing to include a true no build alternative and limited alternative analysis. Protecting their health and wellbeing should be the first priority, and to do this a far more in-depth review of the project's potential impact must be ordered prior to deciding on the fate of this land.

Respectfully submitted,

Debbie Mans, NY/NJ Baykeeper
Michele Langa, Baykeeper and Executive Director Staff Attorney