Chapter 1: PROJECT DESCRIPTION

1.1. Introduction

ENVIRONMENTAL REVIEW PROCESS

This Final Environmental Impact Statement ("FEIS") for the proposed Fountain Avenue Land Use Improvement and Residential Project ("project") in Kings County, New York, has been prepared by the New York State Urban Development Corporation d/b/a Empire State Development ("ESD"), pursuant to the New York State Environmental Quality Review Act ("SEQRA"), codified in Article 8 of the Environmental Conservation Law, and its implementing regulations (6 NYCRR Part 617).

Prior to the preparation of the Draft Environmental Impact Statement ("DEIS"), the applicant, Fountain Seaview One Housing Development Fund Company, Inc. (as "Fountain Seaview Limited Partnership," an affiliate of The Arker Companies) prepared a SEQRA Full Environmental Assessment Form ("FEAF") Part I, and ESD prepared the New York State Department of State ("NYSDOS") Coastal Management Program Coastal Assessment Form ("CAF") on October 19, 2015. (Please refer to Appendix A of this FEIS for the CAF.) ESD determined the proposed action to be an Unlisted Action per SEQRA, and that it had the potential to result in at least one significant adverse environmental impact, and issued notice of Public Scoping and Intent to Prepare a DEIS for the proposed action on October 23, 2015. ESD held a public scoping session on the Draft Scope of Work ("SOW"), a/k/a, "scope of analysis," to Prepare an Environmental Impact Statement on November 17, 2015. There were no changes made to the scope of analysis as a result of the public scoping session and comments received. The Final SOW is included as Appendix B of this FEIS.

ESD completed the DEIS and held a public hearing on the DEIS and the General Project Plan ("GPP") in two sessions (3:00 p.m. to 5:00 p.m. and 6:00 p.m. to 8:00 p.m.) on May 24, 2016 at the Brooklyn Sports Club Senior Citizens Center located at 1540 Van Siclen Avenue in Brooklyn, New York. The public comment period remained open through June 23, 2016. Summaries of the substantive oral and written comments received during the public comment period are provided together with ESD responses in Chapter 27, "Response to Comments," which is new to the FEIS. The publication of this FEIS will be followed by issuance of a findings statement in the ensuing months. ESD will prepare project documents, including a GPP and Restrictive Declaration applicable to the project site, as described

herein, to implement the proposed action. Public review and comment on the GPP will be coordinated with the SEQRA process.

SUMMARY OF PROPOSED ACTION AND DEVELOPMENT PROGRAM

The proposed action would include the disposition of two currently unbuilt parcels (Block 4586, Lot 200 and Lot 500) in Kings County (Brooklyn), New York, from Dormitory Authority of the State of New York ("DASNY") to ESD and sale by ESD to a conditionally designated developer (Fountain Seaview One Housing Development Fund Company, Inc.).

The two parcels comprising the project site are currently part of the former Brooklyn Developmental Center campus ("BDC"). With the sale of the project site, comprising an area totaling +/- 291,852 square feet ("sf") (+/- 6.8 acres), the BDC would be reduced in size from +/- 1,494,548 sf (+/- 34.3 acres) to +/- 1,198,869 (+/- 27.5 acres).

The proposed action would include the adoption and affirmation of a GPP by ESD to facilitate the construction of approximately 1,169 units of affordable housing and up to approximately 122,500 sf of commercial space. The GPP would require that 100 percent of the units developed as part the proposed action would be targeted to affordability levels at or below 60 percent of area median income ("AMI"), matching the current incomes of neighborhood residents. Two-hundred units would be set aside for seniors, and 20 percent of the total number of units (234 units) would be designated for people with intellectual and developmental disabilities. The supportive housing components introduced with the proposed action would be subject to funding by New York Office for People with Developmental Disabilities ("OPWDD").

Construction would be undertaken in five phases; the first phase would commence in 2017, and the final phase would be complete in 2028. Each phase would entail the construction of up to two connected buildings, up to 95 feet in height; individual buildings would contain between 65 and 267 residential units. Each phase of development would also introduce ground-floor commercial space.

As currently envisioned, the development introduced with the proposed action would for the most part conform to R7-A zoning equivalency (4.0 floor area ratio), with a C2-4 commercial overlay zone (2.0 FAR). Development on the site would as a result be similar, although somewhat higher in density, to the surrounding R6 zoning that has facilitated the Gateway Estates development. The GPP would allow for overrides of certain aspects of the New York City Zoning Resolution ("ZR") with respect to certain bulk regulations, including height, setback, and floor area, including:

- Uses Permitted As of Right (ZR 22-10; ZR 32-10)
- Quality Housing Program (ZR 23-011; 28-01)
- Modification of Parking Requirements for Public, Publicly-Assisted and Government Assisted Housing or for Non-profit Residences for the Elderly (ZR 25-25)

- Open Space and floor area regulations (ZR 23-141)
- Open Area Requirements for Residences (ZR 23-89)
- Maximum Number of Dwelling Units or Rooming Units (ZR 23-22)
- Parking (ZR 25-12; 25-23)
- Height and Setback Regulations (ZR 23-631)

PROPOSED ACTION FUNDING

Funding for the construction that would occur with the proposed action is expected to be from the following:

- New York State Homes and Community Renewal ("NYSHCR").
- New York City Department of Housing Preservation and Development ("NYCHPD").
- New York City Housing Development Corporation ("NYCHDC"), and
- New York City Housing Authority ("NYCHA").

Specifically, it is anticipated that funding for construction that would occur with the proposed action would be from Tax Exempt Bonds, tax credit equity, private financing and below market financing from New York State and New York City. The supportive housing components assumed to be part of the proposed action would be subject to funding by OPWDD.

1.2. Purpose and Need

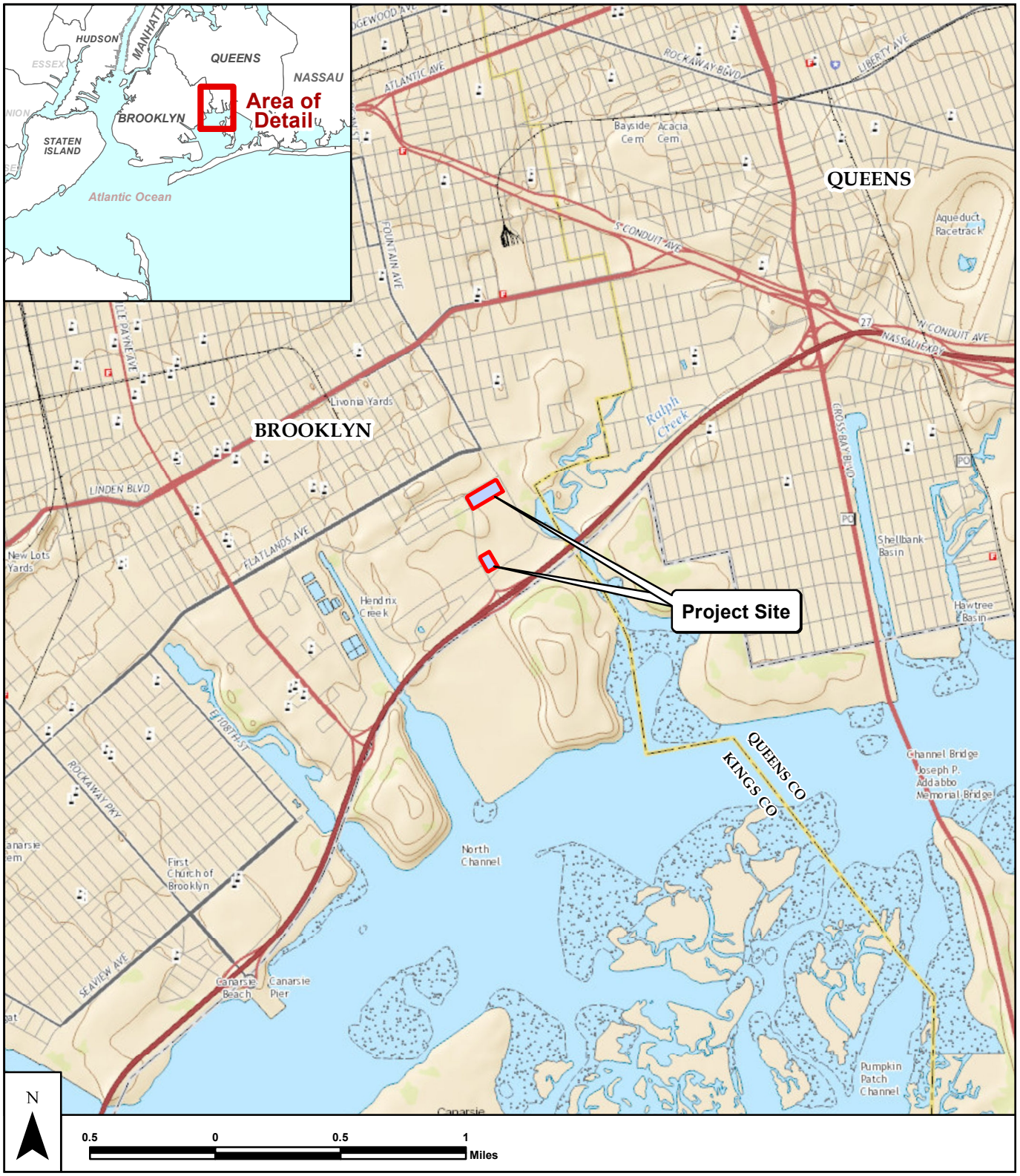
The proposed action facilitates the construction of affordable housing in a significantly underserved portion of Brooklyn, in the area known as East New York. The proposed sale and redevelopment of the project site would allow for the reuse of primarily undeveloped acreage to provide affordable housing for New Yorkers, and would further accommodate people with intellectual and developmental disabilities. The proposed action would achieve the following goals:

- The construction of affordable housing, including affordable senior housing and housing accommodating people with intellectual and developmental disabilities, in a significantly underserved portion of Brooklyn;
- The beneficial reuse of primarily undeveloped acreage; and
- The divestment of surplus State property, and realization of revenue to the State and City through proceeds of the sale and future property taxes.

1.3. Project Site

The project site comprises two non-contiguous parcels, which are currently part of the BDC, located at 888 Fountain Avenue in the Spring Creek neighborhood of the East New York section of Brooklyn (Kings County), New York. (Please refer to Figure 1-1, "Project Location.") The BDC is under the jurisdiction of OPWDD. DASNY, as agent for the People of the State of New York, is the current fee owner of the property.

The irregularly shaped block comprising the BDC (Block 4586) is bounded by Vandalia Avenue to the north, Seaview Avenue to the south, Fountain Avenue to the east, and Erskine Street to the west. The BDC block has approximately 735 linear feet of frontage along Vandalia Avenue (north), 1,300 linear feet along Seaview Avenue (south), 1,230 linear feet along Fountain Avenue (east), and 1,380 linear feet along Erskine Street (west). (Please refer to Figure 1-2, "Tax Map.")



Source: USGA The National Map, 2015; National Boundaries Dataset, National Elevation Dataset, Geographic Names Information System, National Hydrography Dataset, National Land Cover Database, National Structures Dataset, and National Transportation Dataset; U.S. Census Bureau - TIGER/Line; HERE Road Data; STV Incorporated, 2015.

Figure 1-1

PROJECT LOCATION

Fountain Avenue Land Use Improvement and Residential Project

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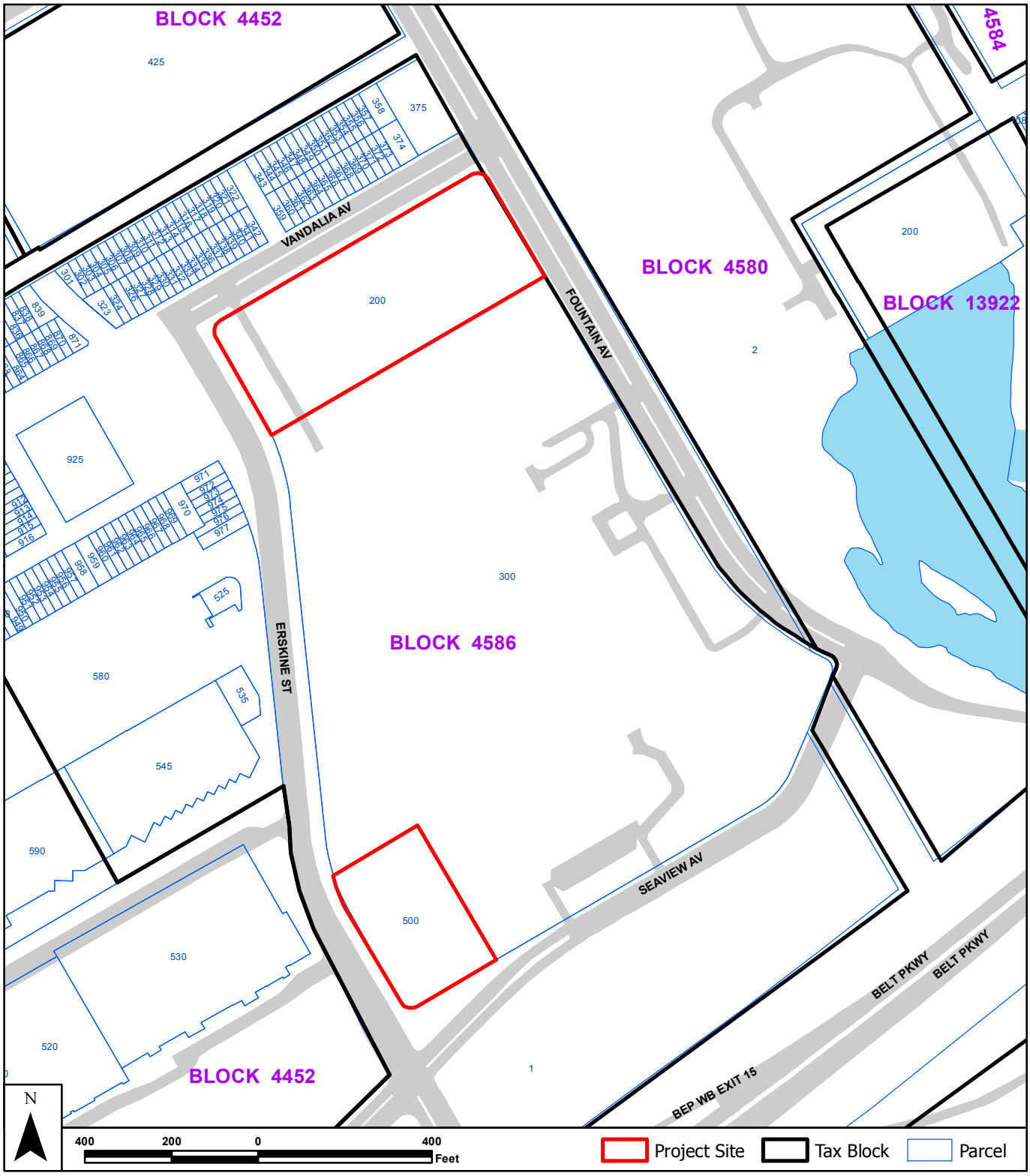

Source: New York City Department of City Planning, MapPLUTO 15v1, 7/20/215.

Figure 1-2

TAX MAP

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The BDC is in a low-density R3-2 general residence zoning district and is developed with a series of six one- to two-story concrete and brick institutional buildings, totaling approximately 512,000 square feet. (Please refer to Figure 1-3, "Aerial Photograph of Project Site and Vicinity.") These buildings are centrally located on the BDC campus, and comprised the residential and support areas of BDC. Prior to 2016, these buildings would have been occupied by resident patients. BDC no longer provides on-site treatment and care for patients, and so the BDC buildings are no longer occupied by residents. However, approximately 200 OPWDD staff continue to work at the BDC, performing administrative functions within the BDC buildings.

On-site surface parking lots and maintained lawn area surround the buildings. The entirety of the campus is surrounded by an 8-foot stone-faced concrete wall, and a campus driveway runs along the inside of the perimeter wall. The campus has its main entrance on Fountain Avenue. A secondary gated entrance, also on Fountain Avenue, is located to the south of the main entrance, though it is locked and not used for general access; in addition, a locked service entrance is located on Erskine Street, on the west side of the block, and two locked service entrances are located on Seaview Avenue, on the south side of the block.

Parkland is located across Fountain Avenue to the east and across Seaview Avenue to the south of the campus, with the Belt Parkway along the Jamaica Bay waterfront further to the south. The Starrett City Gateway Center commercial area and the Gateway Estates residential development are to the west and north of the BDC; the commercial development is complete and occupied, and the residential development is partially complete and occupied. This development followed the Fresh Creek Urban Renewal Plan ("FCURP") established by NYCHPD in 1967; the FCURP was amended in 1982, following the 1972 construction of the BDC and surrounding streets, and then amended a second time in 1996, at which point the Gateway Estates development was subject to environmental review, as part of the plan amendment, allowing for the development that is nearing completion. The BDC was not included in the FCURP.

The two parcels comprising the project site (referred to as "Parcel A" and "Parcel B") are located at the northern and southern ends of the block that encompasses the BDC. Both parcels are currently developed with portions of BDC driveways, parking areas, and lawn area. Parcel A (Block 4586, Lot 500), which is +/- 2.0 acres (+/- 87,120 sf), is located at the southwestern corner of the block, and Parcel B (Block 4586, Lot 200), which is +/- 4.8 acres (+/- 208,559 sf) is located at the northern end of the block.

Parcel A has approximately 348 linear feet of frontage on Erskine Street to the west, and 250 linear feet of frontage on Seaview Avenue to the south. Parcel A currently includes an undesignated parking area (approximately 12 spaces) utilized by BDC staff, a small area used by BDC for outdoor storage, and a segment of driveway internal to BDC.

Parcel B has approximately 283 linear feet of frontage on Erskine Street to the west, 735 linear feet of frontage on Vandalia Avenue to the north, and 283 linear feet of frontage on Fountain Avenue to the

east. Parcel B currently contains a 74-space parking area that is accessible to BDC staff, a segment of driveway internal to BDC, and an area utilized by DASNY for a field office and three storage containers.

Source: Esri, DigitalGlobe, GeoEye, i-cubed. Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AEX, Getmapping, Aerogrid, IGN, IGP, swisstopo, and the GIS User Community; STV Incorporated, 2015.

Figure 1-3

AERIAL PHOTOGRAPH OF PROJECT SITE AND VICINITY

Fountain Avenue Land Use Improvement and Residential Project

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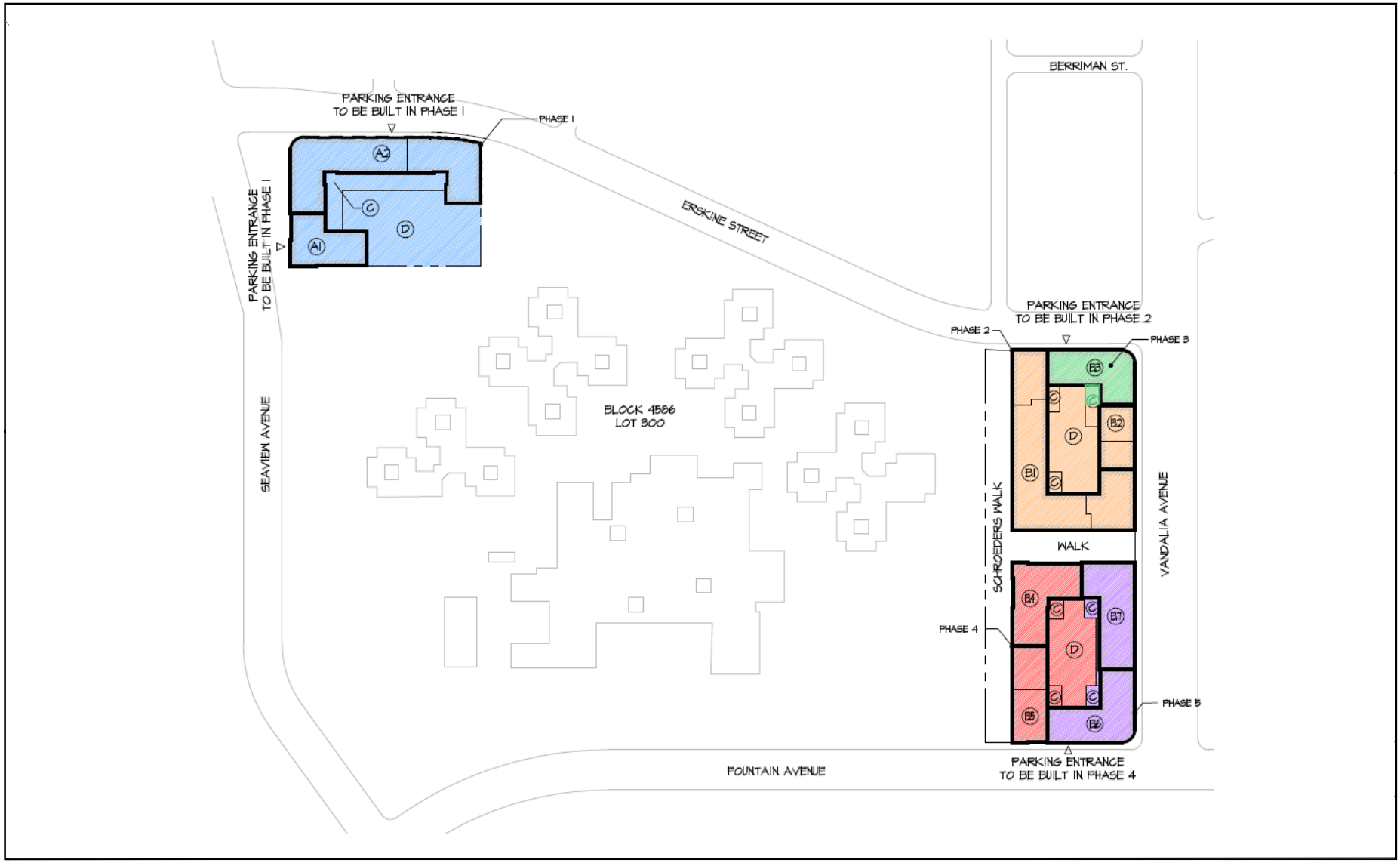
1.4. Proposed Development

PROGRAM

The proposed action would provide approximately 1,169 units of affordable housing and up to approximately 122,500 sf of commercial space. Specifically, preliminary designs indicate that Parcel A would be developed as a pair of attached buildings, containing a total of approximately 332 residential units (approximately 286,297 sf, total), approximately 44,756 sf of commercial area, and approximately 221 parking spaces, including 118 spaces in a below-grade garage. (Please refer to Figure 1-4, "Site Plan.") Parcel B would be developed as two separate building groups (one comprising three attached buildings, and one comprising four attached buildings), all together containing a total of approximately 837 residential units (approximately 686,490 sf, total), approximately 60,704 sf of commercial area, and approximately 254 parking spaces.

The GPP would require that 100 percent of the units developed as part of the proposed action would be targeted to affordability levels at or below 60 percent AMI, approximately matching the current incomes of neighborhood residents. The GPP also would require that approximately 200 units would be set aside specifically for low-income (60 percent AMI, or less) senior citizens.

In addition, up to 20 percent of the non-senior units would be designated for people with intellectual and developmental disabilities.



Source: The Arker Companies, 2016.

A.1	6 Story - 65' High	B.2	9 Story - 95' High	B.5	7 Story - 75' High	C	Private Open Space
A.2	9 Story - 95' High	B.3	9 Story - 95' High	B.6	9 Story - 95' High	D	Parking
B.1	7 Story - 75' High	B.4	5 Story - 50' High	B.7	7 Story - 75' High	△	Parking Entrance
	Phase 1		Phase 2		Phase 4		
			Phase 3		Phase 5		

Figure 1-4

SITE PLAN

Fountain Avenue Land Use Improvement and Residential Project

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DESIGN

Site Plan

As shown on previous Figure 1-4, "Site Plan," the proposed action would introduce three series or "groups" of buildings on parcels A and B, each effecting a "ring" of buildings. Each group of buildings would comprise adjacent but discrete buildings with separate entrances. Each building would be served by an elevator and would include a cellar, which would contain space dedicated to a laundry room, bicycle storage area, storage room, a community room, garbage compactor room, meter and mechanical rooms, and an office with toilet facilities. Each building would have one unit set aside for the residence of a full-time building maintenance employee.

Parcel A

The single building group on Parcel A would comprise two buildings with varied masses, and heights of six stories (approximately 65 feet in height), and up to nine stories (approximately 95 feet in height). The building group would be situated approximately at the western and southern lot lines (at the sidewalk of Erskine Street and Seaview Avenue, respectively) with no setback.

As currently envisioned, a total of 332 dwelling units would be developed on Parcel A, with a mix of apartment types including: studio apartments, one-bedroom apartments, two-bedroom apartments, and three-bedroom apartments. Commercial (retail and/or office) space would be developed at the ground-floor level of Parcel A buildings along Erskine Street. Parking would be provided in a below-grade garage (118 spaces) that would extend throughout the central area of the building group, and approximately 2,200 sf of private open space would be developed atop it, accessible to Parcel A residents from the second floor of each building. Drivers would enter and exit this below-grade parking area via a dedicated driveway on Seaview Avenue. Outdoor surface parking (approximately 103 spaces) would be provided at the northeastern corner of Parcel A; drivers would enter this outdoor parking area from an entrance on Erskine Street and would exit onto Seaview Avenue. A decorative privacy fence would be installed along the perimeter of Parcel A, between the proposed parking area and Lot 300.

Parcel B

The two building groups on Parcel B would comprise buildings with varied masses, and heights of five stories (approximately 50 feet in height), and up to nine stories (approximately 95 feet in height). Both Parcel B building groups would be situated approximately at the Vandalia Avenue lot line to the north, and to the respective lot lines to the west and east (at the sidewalk of Erskine Street and Seaview Avenue, respectively) with no setback.

As currently envisioned, a total of 837 dwelling units would be developed on Parcel B, with a mix of apartment types including: studio apartments, one-bedroom apartments, two-bedroom apartments,

and three-bedroom apartments. The western building group would include approximately 200 units set aside for seniors. Commercial (retail and/or office) space would be developed at the ground-floor level of all Parcel B buildings, except for the two easternmost buildings of the eastern building groups. In addition, ground-floor covered parking would be developed centrally within each Parcel B building group (about 127 spaces for each Parcel B building group, or 254 spaces total for Parcel B), and a total of approximately 7,700 sf of private open space (atop the ground-floor parking areas) would be located on Parcel B, which would be accessible to residents from the second floor of each adjacent building.

A new publicly accessible landscaped thoroughfare with seating would be constructed along the southern border of Parcel B (e.g., indicated as "Schroeders Walk" on the previous Figure 1-4, "Site Plan"), providing a connection from Erskine Street to the west and Fountain Avenue to the east, as well as between the two building groups, connecting to Vandalia Avenue to the north. The entrance to the enclosed parking of the western building group would be from Erskine Street, and the entrance to the enclosed parking of the eastern building group would be from Fountain Avenue. Schroeders Walk would be separated from Lot 300 by a decorative privacy fence installed along the perimeter lot line (between Lot 300 and Parcel B) as part of the proposed action.

Architectural Design

Based on preliminary elevation renderings, it is anticipated that the exterior façades of the buildings would be finished in a pattern of stucco, brick, metal and glass that may give the appearance of a series of attached buildings, resembling development found elsewhere in the City, including the Gateway Estates development nearby. (Please see Figure 1-5a through Figure 1-5g, "Project Rendering.")

The buildings introduced with the proposed action would be constructed in accordance with Enterprise Green Community standards and are anticipated to achieve Enterprise Green Communities Certification. It is anticipated that the proposed action would incorporate energy efficient appliances wherever possible, water-saving devices, and low-volatile organic compound ("low-VOC") interior finish materials throughout the development. Further, it is expected that the proposed action would incorporate solar panels and/or wind turbines.

Southward View of Project Site and BDC

Artist rendering for illustrative purposes only

Source: The Arker Companies, March 2016; STV Incorporated, 2016.

Figure 1-5a

PROJECT RENDERING

Fountain Avenue Land Use Improvement and Residential Project

NEW YORK STATE OF OPPORTUNITY. Empire State Development

Parcel A: Southward View

Artist rendering for illustrative purposes only

Source: The Arker Companies, March 2016; STV Incorporated, 2016.

Figure 1-5b

PROJECT RENDERING

Fountain Avenue Land Use Improvement and Residential Project

NEW YORK STATE OF OPPORTUNITY. Empire State Development

Parcel A: Erskine Street Elevation; View Northeast from Erskine Street, at Seaview Avenue

Artist rendering for illustrative purposes only

Source: The Arker Companies, March 2016; STV Incorporated, 2016.

Figure 1-5c

PROJECT RENDERING

Fountain Avenue Land Use Improvement and Residential Project

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Parcel B: Southward View

Artist rendering for illustrative purposes only

Source: The Arker Companies, March 2016; STV Incorporated, 2016.

Figure 1-5d

PROJECT RENDERING

Fountain Avenue Land Use Improvement and Residential Project

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Parcel B: View Southwest from Vandalia Avenue and Fountain Avenue, Facing Eastern Build Group

Artist rendering for illustrative purposes only

Source: The Arker Companies, March 2016; STV Incorporated, 2016.

Figure 1-5e

PROJECT RENDERING

Fountain Avenue Land Use Improvement and Residential Project

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Parcel B:
Schroeders Walk,
Westward View

Artist rendering for illustrative purposes only

Source: The Arker Companies, March 2016; STV Incorporated, 2016.

Figure 1-5f

PROJECT RENDERING

Fountain Avenue Land Use Improvement and Residential Project

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Parcel B: Schroeders Walk, Westward View toward Western Building Group (at Left)

Artist rendering for illustrative purposes only

Source: The Arker Companies, March 2016; STV Incorporated, 2016.

Figure 1-5g

PROJECT RENDERING

Fountain Avenue Land Use Improvement and Residential Project

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CONSTRUCTION

Schedule

Final design for the proposed action is expected to begin in 2016, pending findings associated with this EIS. The proposed action would be developed in five phases overall, with construction beginning in early 2017 on Parcel A, and with all phases complete and all buildings expected to be occupied by 2028. For the purposes of applicable EIS analyses, the following estimated schedule for construction phasing and occupancy is assumed, based on typical construction timelines:

- Phase 1 would entail the development of Parcel A in its entirety, with construction beginning in early 2017, and with Parcel A buildings fully occupied by the end of 2020.

- Phase 2 would entail development of the two buildings on Parcel B, with construction beginning in early 2019 and the two buildings occupied by the end of 2022. These buildings would include the approximately 200 units of senior housing, which would be constructed as part of the building comprising the frontage on Schroeders Walk. This phase and the remaining phases (Phases 3 through 5) would develop Parcel B, each phase resulting in completion of both residential and commercial components, as well as the ground-floor enclosed parking area (and the private open space areas atop it).

- Phase 3 would construct a single building with frontage on Vandalia Avenue to the north and Erskine Street to the west, thereby completing the western building group on Parcel B. Phase 3 construction would begin early 2021, and the building would be occupied by the end of 2024. Upon completion of Phase 3, the parking for the entire western building group would be accessible.

- Phase 4 would entail development of the first two buildings (southernmost buildings) of the eastern building group on Parcel B, with construction beginning early 2023 and the two buildings occupied by the end of 2026.

- The final phase of the project, Phase 5, would result in two buildings constructed adjacent to the Phase 4 buildings (both with direct frontage on Vandalia Avenue), completing the eastern building group on Parcel B. Phase 5 construction would begin early 2025, and the two buildings would be occupied by the end of 2028. Upon completion of Phase 5, the parking for the entire eastern building group would be accessible.

Phase 1 would result in the complete redevelopment of Parcel A, including all landscaping and provision of on-site open space for residents' use. However, Phases 2 through 5 would result in the ongoing,

incremental development of Parcel B, including the publicly accessible open space. The portion of Schroeders Walk south of the western building group would be completed along with Phase 2; the portion of Schroeders Walk south of the eastern building group would be completed as part of Phase 4; and the portion of Schroeders walk between the two building groups would be completed as part of Phase 5.

Demolition and Construction

Demolition

Demolition on the project site (parcels A and B) would include both the removal of segments of existing wall (e.g., BDC "perimeter" wall), and also the removal of portions of asphalt-paved surface parking lots and driveway.

Construction Method

The construction method will be finalized by the designated developer when geotechnical information is available (expected in 2016 for Parcel A and later for Parcel B). It is anticipated that the construction system for the proposed new buildings would include a concrete spread footings foundation system with a concrete block and precast plan superstructure. Further, the designated developer anticipates that driven (timber) piles would be required to a depth of approximately 40 feet below surface grade. Including cellar and pile-caps, it is expected that the total depth of construction for buildings and foundation would be approximately 14 feet below grade on Parcel A and approximately 11 feet below grade on Parcel B. (Please refer to Chapter 20, "Construction Impacts," for a detailed description of construction activities.)

Commitments Related to the Adjacent BDC Property (Lot 300)

At OPWDD's discretion, the Developer will construct improvements to the perimeter fence and improvements to the internal roadway on the Property.

1.5. General Project Plan and Zoning Overrides

As currently envisioned, the development introduced with the proposed action would generally conform to R7-A zoning equivalency (4.0 floor area ratio), with a C2-4 commercial overlay zone (2.0 FAR). Development on the site would be similar to, although slightly higher in density than, the R6 zoning that has facilitated the adjacent Gateway Estates development. As such, development that would occur on the project site would be primarily residential, with some ground-floor commercial space that could accommodate retail or community facilities included in the base of the buildings on both parcels. For the proposed action, a zoning override via a GPP would establish permitted development on the two parcels in lieu of zoning. (Please refer to Appendix C for proposed zoning overrides.)

1.6. Analysis Framework

METHODOLOGY

Because the proposed action would result in development in New York City, this EIS is prepared following the format of the *New York City Environmental Quality Review ("CEQR") Technical Manual,* and EIS analyses are conducted per the guidance of the *CEQR Technical Manual.* In this way, the proposed action may be assessed in a manner that appropriately reflects the urban conditions and setting of the project site.

ALTERNATIVES

Project Sites

No alternative site is considered for the proposed action, the primary purpose of which is the sale and redevelopment of the project site (Lots 200 and 500 of Block 4586 in Kings County, New York).

The Future With the Proposed Action ("With Action" Conditions)

The EIS analyses are performed for the analysis year, or "build year," 2028, when the project is anticipated to be complete and fully occupied on the two parcels. The future with the proposed action, or "With Action" conditions, on the project site would be as described previously with regard to the proposed land use improvement and residential project. It is expected that potential direct effects associated with the proposed action, such as changes to land use, primarily would be limited to the project site.

However, as described previously, the Restrictive Declaration would require that certain improvements would be made on Lot 300 if requested by OPWDD, in order to ensure that with the sale of the project site and physical reduction of the BDC as part of the proposed action, the proposed action would not substantially alter the operating conditions of the BDC facility buildings and remaining grounds; thus, potential off-site direct effects that may be associated with the proposed action are expected to be limited to the perimeter areas of the BDC (within Lot 300) and within public right-of-way (sidewalk, roadbed, and below-grade utilities) immediately surrounding the project site to facilitate utility connections and project site access, as appropriate.

The Future Without the Proposed Action ("No Action" Conditions)

As noted previously, EIS analyses for the proposed action are performed for the 2028 build year. The EIS assesses the potential for the proposed action to result in significant adverse impacts by comparing

conditions anticipated in 2028 with the proposed action fully constructed and occupied on both parcels ("With Action" conditions or "Build" conditions) to conditions otherwise expected in 2028 without the proposed action ("No Action" conditions or "No Build" conditions).

In the absence of the proposed action, no "as-of-right" development is anticipated on the project site or on the remainder of the block comprising the BDC. There are no plans in place for disposition of the remaining BDC property (Lot 300) or for other use of it. Therefore, this EIS assumes that the physical condition of the project site in 2028 without the proposed action generally will resemble existing conditions (e.g., conditions in 2016).[1]

Accordingly, this EIS does not contemplate the potential impacts of any future reuse and/or sale of the existing BDC facilities or property that would not be part of the parcels A and B; rather, it is focused solely on the potential effects of the proposed action. Any redevelopment of other portions of the BDC that may be proposed in the future would be subject to its own environmental review. This manner of consideration does not constitute impermissible segmentation pursuant to SEQRA, as independent reviews are permissible for a number of reasons:

- First, the proposed action and the future reuse and/or sale of the remaining portion of the BDC are separate, stand-alone activities that are not components of an identifiable overall plan.
- Second, the two actions (i.e., the proposed action and any potential disposition or reuse of the remaining portion of the BDC campus) are functionally independent of each other and approval of the proposed action does not determine whether any such future use and/or sale of the existing facilities would go forward.
- Third, the proposed action is not to be undertaken at the same time as any action on the existing BDC facilities.
- Fourth, the sale and/or reuse of the remaining portion of the BDC is speculative at this time, and no future plans for redevelopment have been created.
- Finally, regardless of how and by whom the remaining portion of the BDC would be used, projects at that location would be subject to separate SEQRA analysis at that time, which analysis would account for the impacts of the proposed action in the No Action conditions. Accordingly, a review deemed segmented would be no less protective of the environment.

Therefore, for the purposes of this EIS the determination of potential impacts associated with the proposed action is made through comparison of the proposed action (proposed development project) to

[1] Although the BDC no longer treats or houses patients on-site, approximately two hundred OPWDD administrative staff remain at the BDC in 2016, maintaining ongoing business-related occupancy; for the purpose of analysis, where the presence of staff at the BDC represents a reasonably conservative, or "worst case," scenario (for example, contributing to traffic volumes on surrounding roadways), similar staffing levels at the BDC are assumed in 2028.

the project site in its current condition, plus additional off-site projects (e.g., not on the same block as the project site) currently identified by the New York Department of City Planning ("NYCDCP") Land Use and CEQR Application Tracking System ("LUCATS"), as relevant to EIS analyses and described in the methodology sections of the respective EIS chapters.