

STATE ENVIRONMENTAL QUALITY REVIEW ACT (SEQRA)

FINAL SCOPING DOCUMENT

“Matrix Global Logistics Park West Campus”

530-534 Gulf Avenue, Staten Island, Richmond County, New York

Lead Agency: New York State Department of Environmental Conservation
Division of Environmental Permits
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Date Prepared: November 15, 2022

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530-534 Gulf Avenue, Staten Island, Richmond County, New York

I. INTRODUCTION

This Final Scoping Document was prepared in response to a State Environmental Quality Review (SEQR) Positive Declaration by New York State Department of Environmental Conservation (NYSDEC) as Lead Agency for the proposed Matrix Global Logistics Park West Campus project, a proposed warehouse/logistics center development, located on the east side of the Arthur Kill and near the intersection of Frank W. Gay Boulevard/Fifth Street and Gulf Avenue at 530-534 Gulf Avenue, Staten Island. The proposed 1.78 M square foot development would be on approximately 72-acres parcel containing regulated freshwater and tidal wetlands (refer to Enclosures: Figures 1-3). As required by 6 NYCRR Part 617.8, the primary goals of Scoping are to focus the Draft Environmental Impact Statement (DEIS) on potentially significant adverse impacts, including those from both the construction and operational phases of the proposed action, and to eliminate consideration of those impacts that are irrelevant or not significant.

An Applicant-prepared Draft Scoping Document was noticed in the Environmental Notice Bulletin (ENB) on August 18, 2022. A scoping meeting was held on September 8, 2022. A 36-day public comment period was held and ended on September 23, 2022 and public comments were received from 21 commentors (comments include verbal comments received during the scoping meeting and written comments). After the public comment period ended, the applicant amended the proposed action to reduce and realign the footprint of building #2. This revised design is reflected in the Final Scope narrative and figures.

NYSDEC, as Lead Agency, compiled comments from its own review, from involved or interested agencies, and from the public, and used those comments, plus the Applicant-prepared Draft Scoping Documents, to develop the Final Scoping Document. This Final Scoping Document, as well as supporting project materials, will be available at the Applicant's website at:

<http://matrixwestcampusdocuments.com> and at the Department's website at:
<https://www.dec.ny.gov/permits/125941.html>

In accordance with 6 NYCRR Part 617.8(e), this Final Scoping Document includes the following:

- 1) a brief description of the proposed action;
- 2) the potentially significant adverse impacts identified in Part 3 of the Environmental Assessment Form (EAF) and as a result of coordination with the other involved agencies and the public through the written public comment noted in the scoping procedures above, including an identification of those aspects of the environmental setting that may be impacted;
- 3) the extent and quality of information needed to adequately address each impact in the DEIS, including an identification of relevant existing information, and required new information, including the required methodologies for obtaining new information.
- 4) an initial identification of potential mitigation measures for each potentially significant adverse environmental impact;

- 5) a discussion of project alternatives;
- 6) a partial identification of the information, studies or data that will be included in an appendix rather than within the body of the DEIS; and
- 7) a brief description of prominent issues that were raised during the public comment period on the Draft Scoping Document and Lead Agency responses to those comments determined to be neither relevant nor environmentally significant or that have been adequately addressed in a prior environmental review and the reasons why those issues were not included in the Final Scoping Document.

II. PROJECT DESCRIPTION

The proposed action will be located along the east side of the Arthur Kill and near the intersection of Gulf Avenue and Frank W. Gay Boulevard/Fifth Street at 530-534 Gulf Avenue, Staten Island, NY. A DEIS will be prepared in accordance with the requirements of 6 NYCRR Part 617.9 to assess the potential significant adverse impacts associated with the proposed action

The proposed action is located along the east side of the Arthur Kill and involves the development on an approximately 72-acre parcel containing regulated freshwater and tidal wetlands. The proposed action is located primarily on portions of 5 lots, where the total of the 5 lots is approximately 261 acres. Due to an earlier agreement associated with the development of an adjacent site, approximately 63 acres of the 261 acres are deed-restricted areas where no development is allowed. (See **Figure 2**).

The proposed action includes the creation of two buildings totaling approximately 1.77 million square feet (sf), 1,006 parking spaces, 268 truck loading berths, 208 trailer parking spaces, landscaping, utilities (including an 8-inch natural gas main), sewer and water infrastructure, roadway improvements, a stormwater management system, and accessory structures. In the applicant's proposed action, the applicant seeks to fill approximately 4.69 acres of freshwater wetlands, 0.01 acres of tidal wetlands, and develop within 19.49 acres of wetland adjacent area. The proposed action includes onsite wetland mitigation totaling approximately 9.40 acres. Primary access to the proposed action from Gulf Avenue would be provided by a proposed western extension of Frank W. Gay Boulevard/Fifth Street. Given the recent delineation stated above, if the proposed action remains unchanged the associated acreage of wetland impacts will likely increase.

The project site contains historically mapped and currently delineated tidal and freshwater wetland areas that are regulated by the New York State Department of Environmental Conservation (NYSDEC) and the U.S. Army Corps of Engineers (USACE), and permits are required for the planned construction of buildings, roads and road improvements, and stormwater management measures in the wetlands and wetland adjacent areas. As proposed by the applicant, the project would include wetland creation within the 261-acre project site boundary as mitigation.

Based upon the design presented in the Final Scope and information available at this time, the applicant/project sponsor must obtain the below project approvals. Approvals that may be required are also listed and their need will be determined in the DEIS.

- A New York State Department of Environmental Conservation (NYSDEC) freshwater wetlands permit under Articles 24 and 15 of the New York Environmental Conservation Law (ECL), tidal wetland permit under Article 25 of the New York ECL and Section 401 Water Quality Certification.
- U.S. Army Corps of Engineers (USACE) permits under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act.
- A NYSDEC Part 360 non-specific permit is likely to be required pursuant to the New York State Materials Management Program related to the importation of fill for development purposes.
- NYSDEC approval of the Stormwater Pollution Prevention Plan (SWPPP) prepared in accordance with the New York State Standards and Specifications for Erosion and Sediment Control and the New York State Stormwater Management Design Manual, and Notice of Intent, as required by existing Industrial State Pollutant Discharge Elimination System permit NY-0004502, NYSDEC Permit Number 2-6401-00042/00001, prior to initiation of any site disturbance of one acre or more of uncontaminated area.
- If construction dewatering is necessary for the proposed buildings, roads, utilities, etc., a Part 601 Water Withdrawal permit may be required, and an Individual State Pollutant Discharge Elimination System (SPDES) permit may be required for related discharges; and
- An Article 11/Part 182 Endangered and Threatened Species of Fish and Wildlife; Species of Special Concern; Incidental Take Permit may be required, depending on surveys and evaluations noted in the DEIS.
- The proposed action may require approval by the appropriate regulatory agencies, including NYCDOT, for off-site roadway improvements. The need for and extent of such improvements would be determined as part of the traffic impact analysis in the EIS.

III. DEIS FRAMEWORK

The DEIS will assemble relevant and material facts and evaluate reasonable alternatives. It will also be clearly and concisely written in plain language that can be easily read and understood by the general public. Highly technical material will be summarized and, if it must be included in its entirety, referenced in the DEIS and included in an appendix. Narrative discussions will be accompanied by illustrative tables, charts, graphs, and figures. All figures will be clearly marked to indicate the proposed action location.

Full scale Site Plans are to be included with the DEIS as an appendix and reduced copies of pertinent Site Plans will be included in the text of the DEIS. All plans and maps showing the site will include adjacent properties, other neighboring uses and structures, roads, and waterbodies within 100 feet of the property boundaries and a legend.

The DEIS will be written in the third person without use of the terms I, we, and our. All assertions will be supported by evidence. Opinions that are unsupported by evidence will be kept to a minimum and shall be identified as such. Footnotes will be used as the form of citing references. The DEIS will group each issue identified into one Existing Setting, Potential Impacts, and Mitigation section to permit more expedient and efficient review.

The DEIS may incorporate by reference, in accordance with 6 NYCRR 617.9(b)(7), all or portions of other documents, including EISs, that contain information relevant to the subject DEIS and will include the following information and sections:

- **DEIS Cover Sheet.** In accordance with 6 NYCRR § 617.9(b)(3), this will include a single-page cover sheet identifying the type of document (draft, final), title of project, location, name and address of SEQR Lead Agency contact person, name and address of document preparer, date of Lead Agency acceptance, date of SEQR hearing, and deadline for acceptance of public and agency comments.
- **DEIS Table of Contents.** The table of contents will include a list of all appendices, tables, figures, maps, charts, and any items that may be submitted under a separate cover. All pertinent SEQR documentation will be included as appendices to the DEIS, including but not limited to the Full EAF, Circulation Notice, Determination of Significance (Positive Declaration), Final Scoping Document, and letters from Involved and Interested Agencies. All correspondence relating to issues addressed in the DEIS, such as technical studies and reports, will also be included in the appendices. The table of contents will list the above items and page numbers for each section and item.
- **DEIS Glossary.** The glossary will include an alphabetical list of common acronyms and terms used in the DEIS and definitions for each. An acronym may be used in the DEIS text only after the full name is provided with the acronym following in parentheses.

IV. DEIS CONTENTS

The Final Scope will include an Executive Summary after the cover sheet, table of contents and glossary. The Executive Summary shall include all items noted below. Following the Executive Summary, the DEIS shall include the topics and analyses delineated in the Final Scope as included on the next page.

1.0. EXECUTIVE SUMMARY

In accordance with 6 NYCRR § 617.9(b)(4), this summary will present an overview of the project, provide a brief description of the overall proposed project, and the following:

- Description of action and setting
- Purpose and need for the project
- Impacts of action
- Benefits of action
- Mitigation proposed
- Project Alternatives Considered
- Approvals & Permits Required
- List of All Involved Agencies
- List of Interested Agencies

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**Final Scope of Work for a
Draft Environmental Impact Statement
Matrix Global Logistics Park West Campus**

A. INTRODUCTION

This Final Scope of Work outlines the technical areas to be analyzed in the preparation of a draft environmental impact statement (DEIS) for a proposed warehouse/logistics center development, located near the intersection of Gulf Avenue and Frank W Gay Boulevard/Fifth Street in Staten Island, New York City (the “proposed action”). The applicant, Matrix Staten Island Western Parcel Development, LLC (“Matrix”) is proposing the development of a warehouse/logistics center on the property located at 530-534 Gulf Avenue in the Bloomfield neighborhood of Staten Island Community District 2 (see **Figure 1**). The proposed action is located along the east side of the Arthur Kill and involves development on an approximately 72-acre parcel containing regulated freshwater and tidal wetlands. The proposed action is located primarily on portions of Block 1835, Lots, 150, 300, and 550, a small portion of Lot 100, and a small portion of Block 1760, Lot 115; in total, these five (5) lots contain approximately 261 acres, of which approximately 63 acres are deed-restricted areas where development is not allowed (see **Figure 2**).

The proposed action includes the creation of two buildings totaling approximately 1.77 million square feet (sf), 1,006 parking spaces, landscaping, utilities (including an 8-inch natural gas main), sewer and water infrastructure, roadway improvements, a stormwater management system, and accessory structures. The proposed action also includes an extension of Frank W. Gay Boulevard/Fifth Street. The applicant seeks to fill approximately 4.69 acres of freshwater wetlands, 0.01 acres of tidal wetlands, and develop within 19.49 acres of wetland adjacent area. Please note these numbers reflect the October 11-14, 2022, NYSDEC wetland delineation that found regulatory freshwater wetlands to encompass larger areas than those presented in the Draft Scope; hence the Final Scope narrative and figures have been updated to reflect this¹ Any impacts to wetlands that may result from the proposed action will be addressed by appropriate mitigation measures. The project site contains historically mapped and currently delineated tidal and freshwater wetland areas that are regulated by the New York State Department of Environmental Conservation (NYSDEC) and the U.S. Army Corps of Engineers (USACE), and permits are required for the planned construction of buildings, roads and road improvements, and stormwater management measures in the wetlands and wetland adjacent areas. It is expected that the proposed action would include wetland creation in the Project Development Area as

¹ An October 11-14, 2022, NYSDEC wetlands delineation found regulatory freshwater wetlands to encompass larger areas than those presented in the Draft Scope; hence the Final Scope narrative and figures have been updated to reflect these changes. More specifically, freshwater wetlands proposed to be infilled increased from 3.24 to 4.69 acres and the proposed development in regulatory wetland adjacent areas decreased from 24 to 19.49 acres.

mitigation. The NYSDEC permits are subject to review under the State Environmental Quality Review Act (SEQRA).

The project site is zoned M3-1, which allows for industrial uses. No special zoning overlay districts are mapped within the project site. The proposed action is consistent with the current zoning and does not require a special use permit or other discretionary approvals from the City of New York.

B. PROJECT IDENTIFICATION

B.1 DESCRIPTION OF THE PROJECT AREA

The project site is an approximately 261-acre parcel which currently comprises parts of five (5) zoning lots. These five zoning lots include parcels owned by Sutherland Marine Development, LLC (Block 1835, Lots 150, 300, and 550), of which Matrix is the contract purchaser; a parcel owned by the City of New York (Block 1835, Lot 100), which the project's proposed driveway crosses via an existing crossing; and a parcel owned by Staten Island Marine Owner's Association (Block 1760, Lot 115) that provides utilities and site access. The 261-acre parcel is undeveloped and contains approximately 115 acres of NYSDEC and USACE-regulated wetland areas, located along the northern, eastern and southern portions of the parcel. There are approximately 83 acres of NYSDEC- and USACE-regulated freshwater wetlands (FW) on the project site (approximately 82 acres of USACE-jurisdictional wetlands, approximately 1 acre of non-USACE-jurisdictional isolated wetlands), as well as approximately 47 acres of NYSDEC-regulated freshwater wetland adjacent area (FWAA), approximately 32 acres of NYSDEC-regulated tidal wetland (TW), and approximately 12 acres of NYSDEC-regulated tidal wetland adjacent area (TWAA). The NYSDEC-regulated wetland totals do not account for overlap between the NYSDEC freshwater wetland, freshwater wetland adjacent area, and tidal wetland adjacent area. Approximately 63 acres are deed-restricted and cannot be disturbed.

B.2 PROJECT SITE HISTORY AND BACKGROUND

The project site is part of a larger parcel extending to the south and east that formerly contained a bulk oil and natural gas storage and distribution facility that was constructed in 1929 by the Gulf Oil Corporation and operated until approximately 1999. Ownership of the facility changed multiple times between 1970 and 1990; the most recent owner of the facility before its demolition was GATX, S.I. Inc., who purchased the facility in 1989. The portion of the project site that contained the former oil storage and distribution facility is hereafter referred to as the "GATX Property," and contained above-ground storage tanks in two sections (the "East Tank Field" and the "West Tank Field"). The tank fields, and a grid of streets to access the tanks, were generally constructed between the 1920s and 1950s. The facility was licensed with the New York State Department of Environmental Conservation (NYSDEC) as Major Oil Storage Facility (MOSF) No. 2-2180. This facility received petroleum products (including gasoline, fuel oil, jet fuel, lubricating oil, and crude oil) from ships before distributing them through a series of on-site pipelines and transferring them off-site using a railroad connection and tanker trucks.

The MOSF was subject to a 1992 Order on Consent (NYSDEC Reference No. R2-3484-91-02) for violations of oil storage regulations. Another Order on Consent (D2-0001-98-01-02) was agreed upon in 1998 based on alleged violations of the MOSF license, the 1992 Order on Consent, and additional regulations governing petroleum bulk storage tanks. The MOSF ceased operation in 1999, and most of the storage tanks, piping, and other above-ground structures were demolished by 2001.

Investigation and remediation of petroleum-impacted soil and groundwater on the GATX Property was performed by GATX and its consultant between about 1997 and 2006; much of the remediation was performed pursuant to the 1998 Consent Order between GATX and NYSDEC and a 2001 Corrective Action Plan (CAP) and its amendments. Remediation included dewatering, excavation of grossly impacted soil and hotspots, removal of free petroleum product, on-site biotreatment of impacted soil, cleaning of stormwater infrastructure including piping and oil/water separators, monitored natural attenuation of groundwater, installation of site cover material, and stabilization of two portions of the GATX Property (known as the Western Surface Cover Area [WSCA] and Eastern Surface Cover Area [ESCA]) to render the site protective of human health and ecological receptors. The CAP assumed that the GATX Property would receive surface cover material of imported fill and impervious development components (such as concrete and asphalt pavement) and redeveloped for as-of-right commercial and/or industrial use, and wetland/open water areas would be protected during redevelopment (see the description of deed restriction below).

Additional remedial requirements included future obligations pertaining to maintaining the site surface cover, stormwater management, establishment of a Site Management Plan (SMP), and environmental monitoring of any proposed disturbance to the regulated site cover areas. Remediation is largely complete, excepting the final portion of the site surface cover in the WSCA, which is proposed to be completed in coordination with the site redevelopment (the proposed action). In addition to the environmental cleanup, the NYSDEC Consent Order included preservation of dedicated wetlands (see the description of deed restrictions below).

In 2004, GATX sold its properties to 380 Development, LLC, a subsidiary of Event Equipment Leasing and its parent company, International Speedway Corporation (ISC), but GATX retained responsibility for completing the 1998 Consent Order requirements, except for the final surface cover. At the time, ISC acquired the property with the anticipation of developing a mixed-use project known as the Motorsports Entertainment Complex, which included a NASCAR raceway. ISC formally abandoned the NASCAR project in 2006. 380 Development, LLC, the entity that owned the property, was subsequently acquired by Staten Island Marine Development, LLC (SIMD) from ISC in August 2013.

In September 2013, SIMD, through its subsidiary 380 Development, entered into a Modified Order on Consent (MOC) with the NYSDEC to govern the completion of the outstanding remediation requirement—constructing the final surface cover to eliminate exposure pathways. As part of the MOC requirements, 380 Development entered into an agreement with NYSDEC to preserve in perpetuity approximately 242 acres of wetlands, wetland adjacent area buffers, and open space located within the entire SIMD-owned property (referred to as “deed restricted wetland areas”). A figure depicting these areas will be included in the DEIS to facilitate an understanding of project site history and impact assessments of the proposed action.

In 2016, the eastern portion of the SIMD property (including the ESCA) was purchased by Matrix Development Group. This eastern parcel was redeveloped as a logistics park with industrial and distribution buildings, known as the Matrix Global Logistics Park, which includes fulfillment centers and warehouses. Redevelopment was conducted in accordance with the MOC, CAP, and an NYSDEC-approved Engineering Work Plan (EWP) and its addenda. The Matrix Global Logistics Park is now governed by a 2016 SMP, which contains requirements pertaining to management and reporting on engineering and institutional controls. The MOC, CAP, and EWP anticipated redevelopment of the eastern and western portions of the GATX Property; however, the western portion of the property (which includes the project site) has remained undeveloped.

B.3 DESCRIPTION OF THE PROPOSED ACTION

This section of the DEIS will describe the proposed action subject to review in the DEIS. It will be provided in narrative form, but also include reference to maps, drawings and technical reports as necessary to provide the reader sufficient detail to clearly understand the project. The information will include the information presented in the Final Scope and additional updated information such as, but not limited to, updated wetland boundaries and any further modification of the project design, layout or other project feature to accurately describe the project.

For purpose of this document, the applicant provided a general description of the proposed action, which includes the creation of two buildings totaling approximately 1.77 million sf, 1,006 parking spaces, landscaping, utilities (including an 8-inch natural gas main), sewer and water infrastructure, roadway improvements, a stormwater management system, and accessory structures. To facilitate the proposed action, the three lots where development would primarily occur (Block 1835, Lots 150, 300, and 550) would be subdivided to create five new lots. Therefore, the number of lots the proposed action will encompass will increase from 5 to 7. Access and utility improvements would also be made on small portions of Block 1835, Lot 100 and Block 1760, Lot 115.

B.3.1 DEVELOPMENT PROGRAM

The proposed action includes approximately 1.77 million gross square feet (gsf) of Use Group (UG) 16 uses² and 1,006 accessory parking spaces. In the future, the buildings are likely to contain UG 6 uses,³ as accessory office space may be required by future tenants. The proposed action would facilitate the applicant's proposal through approval of the site plan, which establishes the location, maximum floor area, allowable UGs, and building footprint of the proposed development, and the configuration and number of parking spaces. The proposed action would therefore be limited to the building footprints, UGs, and floor area shown on the authorized site plan and the layout and maximum number of parking spaces. However, the site plan does not set the size and location of the individual tenants within the development, which could fall under UG 6 and 16, and allows flexibility for where the approved and permitted uses are located within the approved development footprint.

As shown in **Figure 3**, the proposed site plan would include two buildings, one of approximately 1,258,600 gsf (Building 1) and one of approximately 512,400 gsf (Building 2). Both buildings would contain UG 16 and potentially UG 6 uses. Both buildings would be constructed of precast concrete exterior walls with architecturally distinctive glazed areas at building entries, with low-sloped energy efficient membrane roof assemblies containing provisions to accommodate solar photovoltaic arrays. Vehicular parking areas would be located on the buildings' rooftops. The proposed action would also include accessory structures, e.g., utility facilities (water tank, water pump house, sanitary pump station, electrical block house), guard houses, landscaping features, and an MTA/NYCT bus station restroom.⁴

² Use Group 16 is a category of uses defined in the New York City Zoning Resolution (ZR) generally consisting of automotive and semi-industrial uses, including warehouses and trucking terminals.

³ Use Group 6 is a category of uses defined in the ZR generally consisting of retail and commercial uses, including business and professional offices.

⁴ In coordination with MTA, a new bus stop would be created near the warehouse/logistics center buildings. The stop would be served by two local routes (S40 and S90) that currently serve the Matrix Global Logistics Park to the east of the project site. This stop would facilitate warehouse/logistics center employees commuting by bus; the restroom would be an amenity for the MTA drivers.

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The proposed action includes 1,006 accessory parking spaces. The proposed development program is summarized in **Table 1**.

Based on preliminary transportation projections, auto and truck trips resulting from the proposed warehouse/logistics center are expected to peak during the morning (6:45 AM-7:45 AM), midday (12:00 PM-1:00 PM) and evening (5:15 PM-6:15 PM) on weekdays, and during the midday (12:45 PM-1:45 PM) on Saturdays.⁵ The transportation analysis to be prepared for the proposed action is discussed in Part E.5, Impact on Transportation.

**Table 1
Proposed Development Program**

Building	Address	Zoning Use Group (UG) ¹	Occupancy	Gross Floor Area (gsf) ²	Zoning Floor Area (zsf)	Accessory		
						Car Parking Spaces ³	Trailer Parking Spaces	Truck Loading Berths
1	532 Gulf Ave.	16, 6	S-1, B	1,258,600	1,258,600	686	122	176
2	534 Gulf Ave.	16, 6	S-1, B	512,400	512,400	320	86	92
Total				1,771,000	1,771,000	1,006	208	268

Notes: ¹ The proposed action would facilitate the applicant’s proposal through approval of the site plan, which would set the size and location of the proposed development, and the configuration and number of parking spaces. The proposed development will be limited to the building footprints and floor area shown on the conceptual site plan and the layout and number of parking spaces. However, the site plan does not set the size and location of the individual tenants within the development, which could fall under Use Group 6 and 16, and allows flexibility for where the approved and permitted uses are located within the approved development footprint.

² Gross square foot (GSF) areas are approximate.

³ One parking space is required for every 2,000 GSF of S-1 (Storage) warehouse uses and for every 300 GSF of B (Business/support office) uses.

⁴ The accessory structures (utility facilities, guard houses, bus station restroom) are not calculated into the overall ZSF and GSF

Sources: Langan Engineering, Environmental, Surveying, Landscape Architecture and Geology, D.P.C

B.3.2 CIRCULATION PLAN AND UTILITIES

Currently, a signalized entrance roadway at the eastern boundary of the project site provides access from Gulf Avenue, which has an existing curb cut on the open and built portion of Gulf Avenue. The proposed action would utilize the existing traffic light located at the easterly curb cut for the Matrix Global Logistics Park site on Gulf Avenue (see **Figure 1**). Primary access to the site of the proposed action from Gulf Avenue would be provided by an extension of Frank W. Gay Boulevard/Fifth Street, and designed to minimize impacts to wetlands and habitats of species of concern. Design features that have been incorporated to minimize wetland and habitat impacts include roadway realignment and replacing roadside slopes with retaining walls. Wildlife passages will also be proposed underneath the roadway to facilitate movement of wildlife including, but not limited to, frogs and turtles. As requested by NYSDEC, these passages will be designed so they do not hydraulically connect wetlands of different salinities. Other measures such as wildlife fencing will be proposed to direct wildlife away from roadways and to these designated passages.

⁵ Based on the preliminary trip generation estimates, the proposed action would result in approximately 580 auto trips and approximately 160 truck trips in the weekday AM peak; approximately 300 auto trips and approximately 100 truck trips in the weekday midday peak; approximately 560 auto trips and approximately 170 truck trips in the weekday evening peak; and approximately 510 auto trips and approximately 120 truck trips in the Saturday midday peak.

The extension of Frank W. Gay Boulevard/Fifth Street would also include the primary utility connections for the proposed action. A 12-inch water main and a sanitary force main (connecting to a sanitary pump station constructed adjacent to Building 1) would be constructed along Frank W. Gay Boulevard/Fifth Street to provide potable water and sanitary sewer service to the proposed action. An 8-inch gas line would also be constructed along Frank W. Gay Boulevard/Fifth Street; electric and telecom service would be provided by overhead lines along the street. The utility services would tie into the existing utilities serving the Matrix Global Logistics Park on the eastern parcel.

In total, including building area and on-site circulation/utility improvements, the proposed action would result in disturbance of approximately 72 acres of the project site (out of a total area of approximately 261 acres).

In addition to the on-site circulation/utility improvements, the proposed action may require off-site roadway modifications to improve access to the project site, particularly along Gulf Avenue.

The need for and extent of such improvement measures would be determined as part of the traffic impact analysis in the DEIS (see the scope of work presented below) and coordinated with the appropriate regulatory agencies, including the New York City Department of Transportation (NYCDOT).⁶ The DEIS will further explain the proposed on-site and any off-site circulation/utility improvements to sufficient detail to facilitate discussions on impacts and alternatives.

B.3.3 PHASING, CONSTRUCTION AND OPERATION

The DEIS will include a discussion of the proposed construction, construction schedules and sequencing, expected year of project completion, construction access routes and hours of construction to sufficient detail to facilitate a discussion on impacts. Construction techniques and equipment will be discussed including, but not limited to, methods of grading, stormwater basin creation and wetland creation to sufficient detail to facilitate discussions of impacts.

B.3.4 PROPOSED WETLAND IMPACTS AND PROPOSED MITIGATION

The applicant's proposed action seeks to develop on a portion of the mapped NYSDEC-Class 1 emergent wetland and USACE-regulated FW and NYSDEC-regulated FWAA and TWAA and, proposes to preserve approximately 56 acres of wetland areas through a new deed restriction. The proposed action would also provide several landscaped buffers between the proposed buildings and the regulated wetland areas to be preserved. Stormwater management areas (e.g., wet ponds, swales, and bioretention basins) would be provided adjacent to each of the buildings within the proposed action and will be designed to avoid and/or minimize adverse impacts to wildlife including the Atlantic Coast leopard frog (*Lithobates kauffeldi*), the Northern diamond-backed terrapin (*Malaclemys terrapin terrapin*) and, as necessary, mitigate for unavoidable significant adverse impacts.

At the time of this Final Scope, the applicant proposes to mitigate for the loss of 4.69 acres of freshwater wetlands through the creation of 9.40 acres of emergent freshwater wetlands on site. The applicant also proposes to protect the wetland mitigation area through a new deed restriction in addition to the 56

⁶ For projects undergoing environmental review in New York City, when the analysis identifies significant adverse impacts that require mitigation affecting local streets, NYCDOT must be consulted. Although potential mitigation measures, such as changes to lane striping and/or intersection signal timing, are identified by the analysis, the need for improvements is typically confirmed following completion of environmental review, and NYCDOT's approval of the measures occurs at that time.

acres of proposed deed restricted wetlands noted above. The proposed mitigation will be further analyzed in the DEIS..

B.3.5 STORMWATER MANAGEMENT

Currently, stormwater runoff from the site flows either overland to the Arthur Kill and its tidal tributaries or into onsite wetlands. Runoff that flows to the wetlands is subsequently pumped into onsite oil/water separators and then discharged to the Arthur Kill and its tidal tributaries. The DEIS will include a description of existing drainage patterns to further characterize the site.

The proposed action will include a stormwater management system in accordance with a Stormwater Pollution Prevention Plan (SWPPP) to be prepared in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, the New York State Stormwater Management Design Manual, and the Notice of Intent, as required by the existing NYSDEC State Pollutant Discharge Elimination System (SPDES) Permit for Stormwater Discharges from Construction Activity Discharge—Industrial (Permit No. NY-0004502, NYSDEC Permit Number 2-6401-00042/00001).

Because the water bodies that ultimately receive the runoff are tidal, stormwater management for the proposed action is not required to address runoff quantity. Stormwater management for the proposed action will be designed to address water quality and runoff reduction volume through bioretention basins, wet ponds, and hydrodynamic separators. The stormwater design will also investigate and address how runoff volume from the action might impact the onsite wetlands (see Section E.5.4 Impact to Wetlands). The development will maintain existing drainage patterns to the maximum extent practical.

B.3.6 BUILD YEAR

The proposed action would take up to approximately 24 months to construct. Assuming commencement of construction in 2023, the proposed action would be completed in 2025. Therefore, for the purposes of environmental analysis, the proposed action is assumed to be completed, fully tenanted and operational in 2025.

C. PROPOSED APPROVALS

The applicant is requesting the following non-ministerial approvals:

- A New York State Department of Environmental Conservation (NYSDEC) freshwater wetlands permit under Articles 24 and 15 of the New York Environmental Conservation Law (ECL), tidal wetland permit under Article 25 of the New York ECL and Section 401 Water Quality Certification.
- U.S. Army Corps of Engineers (USACE) permits under Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act.
- A NYSDEC Part 360 non-specific permit is likely to be required pursuant to the New York State Materials Management Program related to the importation of fill for development purposes.
- NYSDEC approval of the Stormwater Pollution Prevention Plan (SWPPP) prepared in accordance with the New York State Standards and Specifications for Erosion and Sediment Control and the New York State Stormwater Management Design Manual, and Notice of Intent, as required by existing Industrial State Pollutant Discharge Elimination System permit NY-0004502, NYSDEC Permit Number 2-6401-00042/00001, prior to initiation of any site disturbance of one acre or more of uncontaminated area.

- If construction dewatering is necessary for the proposed buildings, roads, utilities, etc., a Part 601 Water Withdrawal permit may be required, and an individual State Pollutant Discharge Elimination System (SPDES) permit may be required for related discharges.
- An ECL Article 11/Part 182 Endangered and Threatened Species of Fish and Wildlife; Species of Special Concern; Incidental Take Permit may be required, depending on surveys and evaluations noted below.

In addition, as noted above, the proposed action may require approval by the appropriate regulatory agencies, including NYCDOT, for off-site roadway improvements. The need for and extent of such improvements would be determined as part of the traffic impact analysis in the DEIS.

As noted above, the proposed action is consistent with the current zoning and does not require a special use permit or other discretionary approvals from the City of New York. In addition, the utility improvements associated with heating systems for the proposed action (e.g., gas-fired units) do not require any discretionary air quality permits, such as a NYSDEC State Facility or Title V permit.⁷

D. PURPOSE, PUBLIC NEED AND BENEFITS OF THE PROPOSED ACTION

As with the previous project to develop the Matrix Global Logistics Park, the proposed action would result in construction of a warehouse/logistics center. The purpose or objective of the proposed action will be described in the DEIS as well as the public need for and public benefit(s) from implementation of the proposed action.

E. ENVIRONMENTAL SETTING, POTENTIAL IMPACTS AND MITIGATION MEASURES

The Draft Scope was prepared to facilitate participation in the environmental review of the proposed action, offering an opportunity for the public and interested agencies to provide comment. After receiving and considering comments on the Draft Scope, NYSDEC, as Lead Agency, has prepared and issued this Final Scope of Work. The DEIS will be prepared in accordance with the State Environmental Quality Review Act (SEQRA) and implementing regulations set forth in 6 NYCRR Part 617.

The DEIS described in this Final Scope will examine the full range of potential environmental impacts related to both short-term construction activities and long-term operational changes that may result from implementation of the proposed action. Because the proposed action is expected to be completed in 2025, its environmental setting is not the current environment, but that of the future. Therefore, the

⁷ NYSDEC permits are required for projects that have the potential to emit pollutants exceeding set thresholds. The proposed action's heating system has not been confirmed at this time: it is expected that the buildings may use electric heating in accordance with the recently adopted New York City local law restricting new gas installations in buildings under seven stories without applications prior to December 2023. If gas heating is used, it would be typical of warehouse/logistics center buildings. These gas-fired units would be required to meet the energy efficient requirements of the NYC Building Code, and are not expected to exceed these thresholds. Under local regulations by the New York City Department of Environmental Protection (DEP), a work permit is required for boilers with a heat input rating of 4.2 million Btu-per hour or greater, or non-emergency engine generators greater than 600 horsepower in size. The proposed action is not expected to requiring any boilers or generators of these sizes, therefore a DEP permit also not required.

DEIS technical analyses will characterize current conditions and forecast these conditions to 2025 (the “analysis year”), for the purpose of determining impacts.

The DEIS will provide a description of “Existing Conditions,” and assessments of future conditions without the proposed action (the “No Action condition”) and with the proposed action (the “With Action condition”). Absent the proposed action, in the “No Action condition,” there would be no changes or alterations to the project site, which would remain an undeveloped parcel, the same as the existing condition. The analyses of the No Action condition account for other nearby developments that would occur in the future independent of the proposed action. In each technical area of the analysis, the With Action condition will be compared to the No Action condition to evaluate the potential for significant adverse impacts of the proposed action in 2025. The DEIS will also address alternatives, including the No Action Alternative, and propose mitigation ratios, mitigation and strategies for any identified significant adverse impacts, to the extent practicable. Wetland mitigation ratios and wetland mitigation site locations will be based on factors enumerated in NYSDEC wetland guidance and regulations such as wetlands functions and benefits lost, wetland class, local importance or rarity, etc.

The DEIS will include a discussion of all parking structures, parking and loading areas and parking spaces, including how they will be arranged onsite and relate to circulation, to sufficient detail to facilitate a discussion on impacts. The DEIS will further explain the proposed on-site and any off-site circulation and utility improvements to sufficient detail to facilitate a discussion on impacts. Also, to facilitate discussion on construction impacts, the DEIS will include a discussion of the proposed construction, construction schedules, expected year of project completion, construction methods, construction access routes and hours of construction to sufficient detail to facilitate a discussion on impacts.

The format of the DEIS and methodologies that will be used to assess the potential environmental impacts of the proposed action will follow SEQRA guidelines and the Final Scope. This Final Scope follows the approaches identified in SEQRA to the extent applicable, and the DEIS may include information requested by NYC agencies as well, if applicable.

The DEIS will present an assessment of the potential for impacts from the proposed action. Based on a preliminary evaluation of the proposed action following the SEQRA Environmental Assessment Form guidance, detailed analysis is not warranted in the following technical areas: geological features; agricultural resources; aesthetic resources; open space and recreation; critical environmental areas; noise and light other than operational and construction noise and light impacts to wildlife, vegetation and wetlands; odor; community character (including community facilities and services); public water supply and wastewater treatment infrastructure; energy; and Sanitation services.⁸ No significant adverse impacts to these technical areas are anticipated to result from the proposed action. Should a Part 360 non-specific facility permit be required, it will be discussed in a solid waste assessment. However, if at any time during the DEIS process additional potentially significant adverse impacts are identified by the NYSDEC, the associated technical areas will be addressed and included in the DEIS.

The study areas and assessment methodologies proposed to determine the potential for impacts associated with the proposed action are described below. In each of the technical areas outlined below,

⁸ The SEQRA impact generally align with technical analysis areas included in City Environmental Quality Review (CEQR) guidance, e.g., community facilities and services, urban design and visual resources, and neighborhood character. In addition to the SEQR evaluation, an assessment of the proposed actions following CEQR guidance was performed which determined that detailed analysis is not warranted in the CEQR socioeconomic conditions and shadows technical areas.

the DEIS will describe the environmental setting (existing conditions); discuss how potential impacts will be evaluated; evaluate the potential short- and long-term significant adverse impacts from construction and operation of the proposed action; and discuss how measures to avoid or minimize impacts will be developed and evaluated. After these avoidance and minimization measures have been assessed, the DEIS will address mitigation of any unavoidable adverse impacts if warranted.

E.1 PROJECT DESCRIPTION

The Project Description will identify and explain the proposed action and the purpose and need for the proposed action. It will contain a brief discussion of current conditions on the project site and in the surrounding area; the No Action Condition; the proposed action, including a description of the proposed site plan, the height and bulk of the proposed buildings, and preserved jurisdictional wetlands, stormwater wet ponds, and landscaping areas; and figures to depict the proposed action. It will also include description of the approvals required, the guiding regulations and a description the approvals process. A table of the required approvals, the corresponding agency and regulatory citation will also be provided. The analytical framework will be included in this chapter, and figures will be presented in context of the surroundings.

E.2 IMPACTS ON LAND USE, ZONING AND PUBLIC POLICY

This analysis will evaluate the potential short- and long-term impacts of the proposed action in terms of land use compatibility and trends in zoning and public policy. This analysis will also evaluate potential measures to avoid or minimize impacts, and to mitigate impacts that cannot be reasonably avoided or minimized. Specifically, the assessment will:

- Provide a brief development history of the project site and the study area. The study area will include the project site and the area within approximately 1/2-mile. In addition, the assessment will consider significant land uses in the surrounding area outside of the 1/2-mile study area, such as nearby residential areas.
- Describe the existing land use setting of the project site and the study area, including predominant land use patterns in the study area and recent development trends for the study area.
- Provide a zoning map and discuss existing zoning and any recent zoning actions in the study area.
- Summarize other public policies that may apply to the project site and study area, including any formal neighborhood or community plans.
- Describe conditions in the project site absent the proposed action. Prepare a list of other projects expected to be built in the study area that would be completed before or concurrent with the proposed action. Describe the effects of these projects on land use patterns and development trends. Also, describe any pending zoning actions or other public policy actions that could affect land use patterns and trends in the study area, including plans for public improvements.
- Describe the proposed action and provide an assessment of the impacts of the proposed action on land use and land use trends, zoning, and public policy. Consider the effects related to issues of compatibility with surrounding land use, consistency with zoning and other public policy initiatives, and the effect of the proposed action on development trends and conditions in the area.
- The project site is located in New York City's designated Coastal Zone; therefore, the DEIS must include an assessment of the proposed action's consistency with the New York City

Waterfront Revitalization Program (WRP). This assessment will begin with the completion of the Coastal Assessment Form (CAF), which identifies the WRP policies that are relevant to the proposed action. Where needed, this assessment will draw upon other technical analyses in the DEIS.

E.3 IMPACT ON LAND

E.3.1 IMPACT ON LAND SURFACES

This section will describe the existing land surface of the project site, including existing landcover within the project site such as developed areas, vegetated areas and any disturbed unvegetated areas, topography, soil and depth to groundwater, and hazardous materials (see Section E.3.2 Impacts on Hazardous Materials). The analysis will evaluate the potential short- and long-term impacts of the proposed action to the land surface due to disturbance, including excavation, movement, and removal of soil; import and placement of fill and/or cover material; potential erosion associated with removal of vegetation; and construction in or near onsite and offsite wetlands (see also E.3.2 Impacts on Hazardous Materials).

E.3.2 IMPACT ON HAZARDOUS MATERIALS

This section of the DEIS will address the potential presence of hazardous materials, petroleum products, and/or other environmental conditions on the project site and assess the potential short- and long-term impacts due to impacts caused by land disturbing actions resulting from the project. The DEIS will summarize a completed Phase I Environmental Site Assessment (ESA), as well as historical reports, work plans, environmental investigations, and remedial work, including:

- Investigation completed by GATX and its consultants, including sampling focused on:
 - General site characterization
 - Tanks and piping
 - Historical spills and facility operations
 - Groundwater
- Remediation completed by GATX and its consultants/contractors, including:
 - Removal of storage tanks and piping
 - Excavation and on-site biotreatment of grossly impacted soil
 - Free product recovery
 - Cleaning of stormwater infrastructure, including oil/water separators
 - Excavation dewatering, and treatment of groundwater prior to discharge
 - Monitored natural attenuation of groundwater
- 2001 CAP, prepared by Roux Associates
- 2005 Due Diligence Investigation Results, prepared by EcolSciences
- Remediation completed by 380 Development, LLC and its consultants/contractors, including excavation and off-site disposal of soil hotspots
- 2011 EWP (and its addenda), prepared by KE Engineering Services PC

- Import and placement of Surface Cover material, pursuant to the EWP (including dates of import, material import sources, and analytical standards for the imported fill quality)
- 2016 SMP, prepared by KE Engineering Services PC
- 2022 Pre-Purchase PFAS Preliminary Screening Investigation Letter Report, prepared by Langan

The DEIS will include any necessary recommendations for additional testing or other activities that would be required either prior to or during construction and during operation of the project, including a discussion of any necessary remedial or related measures, including maintenance of remedial measures put in place. Additional testing, if required, will target Recognized Environmental Conditions (RECs) identified by the Phase I ESA or RECs discovered after the Phase I ESA that are in areas to be disturbed by the proposed action and are outside of the WSCA.

E.4 IMPACTS ON HISTORIC RESOURCES

Historic and cultural resources are districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes properties listed on the State/National Register of Historic Places (S/NR) or contained within a district listed on or formally determined eligible for S/NR listing; properties recommended by the New York State Board for Historic Preservation for listing on the S/NR; National Historic Landmarks; designated NYC Landmarks (NYCLs); properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); and properties not identified by one of the programs listed above, but that meet their eligibility requirements.

E.4.1 ARCHAEOLOGICAL RESOURCES

Based on consultation with LPC, the project site is potentially archaeologically sensitive and additional archaeological analysis is warranted. Therefore, a Phase 1A Archaeological Documentary Study will be prepared. The Phase 1A investigation will outline the historic contexts, environmental setting, and development history and past disturbance of the site to identify any potential resource types that may be present. The Phase 1A study will also lead to a determination as to whether or not additional archaeological investigations (e.g., Phase 1B testing) are needed. The conclusions of the Phase 1A Archaeological Documentary Study will be summarized in the DEIS, and potential impacts on any archaeological resources will be assessed. Also, the DEIS will summarize any required additional archeological investigations conducted and present the findings. The Phase 1A, 1B and similar archeological studies will be included as appendices.

E.4.2 ARCHITECTURAL RESOURCES

There are no known architectural resources in the vicinity of the project site, nor do there appear to be any properties that meet the eligibility criteria for National Register listing. Therefore, an assessment of potential impacts on architectural resources is not warranted.

E.5 IMPACTS ON NATURAL RESOURCES/WETLANDS

Natural resources include any water, water vapor, land (including surface or subsurface), air, fish, wildlife, biota and any other natural features that comprise the environment. An assessment of natural resources is appropriate if natural resources exist on or near the site of the proposed action, or if an action involves disturbance of that resource.

The natural resources assessment will describe the existing natural resources within and adjacent to the project site at a level of detail suitable for evaluating potential impacts to these resources from the

project. This includes groundwater, floodplains, aquatic resources, wetlands and terrestrial ecological communities, wildlife, including Protected Species (rare, threatened, endangered, and species of special concern), and species designated by NYSDEC as Species of Greatest Conservation Need (SGCN) found and/or known to be on the site including the Atlantic Coast leopard frog⁹ and the Northern diamond-backed terrapin.¹⁰

This description of existing natural resources shall be developed based on existing information from literature sources and other information obtained from governmental and non-governmental agencies combined with the results of the site-specific wetlands survey, NYSDEC wetland delineation reports, natural resources inventory and surveys and tree survey.

The natural resources analyses will assess the potential for the construction and operation of the proposed action to affect these natural resources. Natural resource impacts to be discussed in the DEIS will include direct and indirect impacts. Impacts will be considered on the individual, population and community levels.

The natural resources analysis will:

- Identify natural resources of concern to state, federal and city agencies.
- Identify the regulatory programs that protect floodplains, wetlands, wildlife, threatened or endangered species, aquatic resources, or other natural resources within the project site.
- Discuss the jurisdictional history of onsite wetlands.
- Discuss NYSDEC surveys and wetland delineations and provide figures in the DEIS to accurately portray state and federal wetlands and state regulated adjacent areas. The DEIS shall include tables quantifying acreage of onsite wetlands and wetland types based upon the most current confirmed wetland delineations.
- Assess the future conditions for natural resources within the vicinity of the project site in the No Action condition.
- Assess the potential impacts to the projected future natural resources within and adjacent to the project site from the proposed action, including direct and indirect impacts to natural resources

⁹ The Atlantic Coast leopard frog is classified by the NYSDEC as a Species of Greatest Conservation Need – High Priority meaning: 1) the status of this species and conservation action is needed in the next 10 years and 2) the species is experiencing a population decline, or have identified threats that may put it in jeopardy, and is in need of timely management intervention or it is likely to reach critical population levels in New York. NYNHP notes this species is critically imperiled or imperiled in NYS with populations appearing to have declined precipitously leaving only a handful of populations remain in the lower Hudson Valley and on Staten Island (<https://guides.nynhp.org/atlantic-coast-leopard-frog/>)

¹⁰ The Northern diamond-backed terrapin is classified as a species of greatest conservation need by NYSDEC meaning the status of this species is known and conservation action is needed. These species are experiencing some level of population decline, have identified threats that may put them in jeopardy, and need conservation actions to maintain stable population levels or sustain recovery.

during construction (short-term) and operation (long-term) of the project. Direct impacts may include, but not be limited to, clearing of vegetation, loss of wetlands, habitat fragmentation, loss of species habitat due to filling activity, and loss of upland habitat due to wetland mitigation. Indirect impacts may include, but not be limited to, increased noise, light and human activity during construction and operation of the project, shading of wetlands and other terrestrial habitat due to buildings and parking structures, changes in wetland hydrology, changes in salinity and water levels, stormwater discharge vehicle traffic and bird-window collisions. The potential impacts of the alternatives will also be assessed and compared to the proposed action.

- Identify the regulatory programs and permits that would apply to the proposed action and the measures that would be developed, as necessary, to mitigate and/or reduce any of the proposed action's potential significant adverse effects on natural resources.
- Use existing information available from published literature and sources such as New York Department of Environmental Conservation (NYSDEC) Natural Heritage Program (NYNHP); NYNHP Rare Animal Status List (October 2017 or more recent); existing NYSDEC datasets (e.g., Breeding Bird Atlas data, Herp Atlas Project, tidal and freshwater wetland maps, NYSDEC Colonial Waterbird Studies, etc.); Natural Areas Conservancy Nature Maps; New York City soil surveys; New York-New Jersey Harbor Estuary Program (HEP), DEP, the New York City Department of Parks and Recreation (NYC Parks), information on federally listed species from the United States Fish and Wildlife Service (USFWS); and other resources and the results of site-specific wetlands delineations, ecological community and seasonal wildlife surveys, and surveys to describe the ecological communities and wildlife present within and adjacent to the project site as identified below.

Completed Studies. Completed studies that will serve as sources of site-specific information include, but are not limited to:

- Wetland Function and Value Assessment, prepared by Ecolsciences, Inc. completed in 2015,
- Wetland Function and Value Assessment, prepared by Princeton Hydro, LLC, completed in 2016, and
- A Survey for the Eastern Mud Turtle and other freshwater turtles, prepared by Jason Tesauro Consulting, LLC, dated August 21, 2019 (Survey completed in accordance with NYNHP protocols provided by NYSDEC).
- NYSDEC confirmed wetland delineations or NYSDEC wildlife surveys as noted above.

Ongoing Studies. The section includes the Natural Resources Inventory (NRI) as presented by the applicant. The applicant began the NRI in March 2022. The NRI conducted as of date is described below as presented by the applicant. In the DEIS, studies conducted before the issuance of this Final Scope will include further detailed descriptions of the scope and methodologies utilized to a sufficient level of detail to enable evaluation of the studies' adequacy during the DEIS process.

The overall study area of the NRI includes the project site and adjacent properties to the east and south and adjacent wetlands to the north and west. Specifically, the study area was limited by Old Place Creek to the north, existing development to the east, and the Arthur Kill to the south and west. The NRI includes wildlife and vegetative identification at habitat-specific point stations. A total of 31 point

stations are situated along five transects mapped throughout the property. The transect method utilized is based on the 1987 Corps of Engineers Wetland Delineation Manual. At each sample point, tree, shrub, and herbaceous vegetation and wildlife were identified and documented. In addition to the sample points, general surveys of each distinct vegetative community were conducted to ensure a thorough examination of all vegetative species present onsite. Evaluations for vegetation and wildlife commenced on a monthly basis in March 2022 and have continued through present. Seasonal field surveys and site walks were also conducted between 2019 and 2021. A complete listing of vegetative and wildlife species identified at the site and a map showing the ecological communities will be included in the DEIS.

Prior to initiating field efforts, a literature search was performed to identify wildlife species common to the area that might be expected to utilize the project site. NYNHP and the USFWS were also contacted for a listing of wildlife species of concern which have been reported within the area. The wildlife survey of the project site conducted as of date focused on the presence/absence of avian, mammalian, reptilian, and amphibian species. The assessment was conducted in conjunction with vegetation identification using the same transects and sampling protocols. Survey methods included direct and indirect observations (i.e., tracks, droppings, hair, feathers, etc.). Visual observations using binoculars, spotting scopes and detailed inspections under logs, forest floor litter, and rocks were conducted. Audible indicators were also used to identify both avian and amphibian species.

Studies & Survey Methodologies. Future or on-going studies, surveys or NRIs must comport to the methodology and standards delineated in this Final Scope and Attachment 1 of the Final Scope, unless otherwise determined by NYSDEC. Methodologies and scopes will be fully described in the DEIS. Deviation from these methodologies and standards delineated in the Final Scope must be approved by the NYSDEC. .

Field Investigations. Field investigations and survey efforts must cumulatively cover all four (4) seasons to attempt to identify resident species and transient species that may only occur on the project site during migration to the satisfaction of the NYSDEC. All field investigations will be included in the DEIS to a sufficient level of detail. The study area shall be the project site and adjacent properties, as described in the above subsection and explained in the DEIS.

Literature Searches & Natural Resource Surveys & Presentation of Results. Results shall be presented in the DEIS and shall include, but not be limited to, the below items to facilitate the natural resources analyses, impact analyses and assessment of proposed measures avoid, minimize and/or mitigate impacts.

- NYSHHP and USFWS rare and protected species lists will be obtained at least once a year during the survey period and the most current version will be provided in the Appendix of the DEIS.
- A comprehensive list of vegetative and wildlife species identified onsite and within study area. Fish, arthropods, birds, amphibians, reptiles, and mammals documented on site and within the study area will be listed.
- A map and a table of onsite ecological communities. The map shall portray community boundaries and the table shall include community types defined by Edinger (2014) and size.

- A list shall be compiled of all species observed on the site and those species likely to occur on the site based on habitat requirements, geographical distribution and existing information from searches noted above. The inventory of fauna on the site shall be correlated with the vegetative community mapping.
- Protected Species and Species of Greatest Conservation Need Species findings shall be presented as described in the Section E.5.7 Impacts on Protected Species.

E.5.1 IMPACTS ON GROUNDWATER

Groundwater resources within the project site will be described based on existing sources of information including groundwater level monitoring conducted by KE Engineering Services, PC and the information resulting from the implementation of the Geotechnical Investigation Work Plan to be conducted by Langan.

The analysis will evaluate the potential short- and long-term impacts of the proposed action on groundwater resources due to land disturbing activities such as excavation and grading, and implementation of the protection measures described under Section 3.2 Hazardous Materials, and operation of the proposed action by considering the stormwater management measures and any long-term protection measures described under Hazardous Materials. This section will describe potential measures to avoid and minimize impacts, and to mitigate impacts if they cannot be reasonably avoided or minimized.

E.5.2 IMPACTS ON FLOODING

The floodplain resources within the project site will be described based on existing information such as the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps (FIRMs) and Revised Preliminary FIRMs. Sea-level rise projections, storm surges, flooding and resultant stormwater volumes to be calculated as part of this analysis will be described and shall be based upon NYSDEC Community Risk and Resiliency Act (CRRRA) guidance as delineated in <https://www.dec.ny.gov/energy/102559.html> and 6 NYCRR Part 490, Projected Sea-level Rise. The analysis, using the most restrictive floodplain base flood elevations (BFEs) and/or requirements, will evaluate potential project-generated short- and long-term impacts to the floodplain and potential flood risks on the project site and adjacent properties; project operation and maintenance; and access to and from the facility, while also taking into consideration future changes due to climate change and sea level rise. This section will describe potential measures to avoid and minimize impacts, and if necessary, to mitigate impacts. If it is determined by the NYSDEC that the analysis does not fully describe impacts, a floodplain encroachment analysis (using the 2015 Preliminary BFEs) may be necessary to determine potential impacts on the project area and adjacent properties.

E.5.3 IMPACTS ON AQUATIC RESOURCES INCLUDING SURFACE WATER RESOURCES, WATER QUALITY, AQUATIC BIOTA (I.E., AQUATIC VEGETATION, BENTHIC INVERTEBRATES, AND FISH)

Aquatic resources, including surface waters, water quality, and aquatic biota such as aquatic vegetation, benthic invertebrates, fish, aquatic reptiles and amphibians, will be described based on existing information such as water quality classification - Title 6 of the New York Code of Rules and Regulations (NYCRR) Part 701, NOAA Essential Fish Habitat mapper, and results of site-specific surveys conducted within the project site listed in Section E.5.

The analysis will evaluate potential short- and long-term impacts to these resources due to the proposed action including potential discharge of sediment during construction activities, loss of habitat, discharge of stormwater, and any other operational impacts due to site management activities. This section will describe potential measures to avoid and minimize impacts, and if necessary, to mitigate impacts.

E.5.4 IMPACTS ON WETLANDS

Wetlands within and adjacent to the project site will be described based on existing information such as the results of site-specific wetland studies, wetland class, size and wetland function and value assessments listed in Section E.5. and NYSDEC and USACE jurisdictional determinations. Current wetland surveys and delineations will be summarized in the DEIS and included as appendices. Current wetland delineations will also be provided as figures to accurately portray state and federal wetlands and state regulated adjacent areas and assess impacts. Tables quantifying acreage of all onsite wetland types will be provided.

The analysis will evaluate potential short- and long-term impacts to onsite and adjacent wetlands, wetland functions and wetland adjacent areas due to the project-related activities such as potential discharge of sediment during construction activities, placement of fill, changes to the drainage patterns, stormwater management practices and effects to wetland water balance, changes in wetland hydrology and water level in the short and long term, and any other operational impacts due to site use and management. The impact analysis will also reference changes to the onsite wetland vegetative communities in terms of location and size via the vegetative community map and table discussed in Sections E.5 and E5.4. This section will describe potential measures to avoid and minimize impacts to wetlands, including integration of proposed design measures such as, but not limited to, the development of stormwater management practices that take into account natural drainage patterns, habitat suitability for wildlife, and serve to supplement onsite preserved wetland and wetland adjacent areas, and, if necessary, to mitigate impacts.

Mitigation measures for any unavoidable adverse impacts will be proposed and will need to be further evaluated in the DEIS. They will entail wetland creation, preservation, and wetland enhancement. The discussion of mitigation ratios and measures will include an analysis of wetland benefits and functions lost and in need of replacement. The discussion will include alternative locations and wetland ratios that may best replace functions and benefits lost while avoiding and minimizing impacts to existing habitats. The analysis will be accompanied by a table noting the impacted and created wetlands NYSDEC classification, vegetative community types, acreages, quality and other parameters deemed necessary to facilitate comparisons and discussion. The discussion of mitigation measures will also include why the proposed mitigation area was selected and an analysis of hydrology, vegetation, soils, wildlife, and buffer condition, among other variables. Further, the DEIS will include discussion of a monitoring plan, invasive species management, an adaptive management plan, a site protection instrument (i.e., deed restriction), and corrective actions.

E.5.5 IMPACTS ON PLANTS AND ANIMALS INCLUDING VEGETATION AND ECOLOGICAL COMMUNITIES, WILDLIFE, AND SOILS

Plants, ecological communities, wildlife, and soils within the project site will be described based on existing information and site-specific surveys listed in Section E.5, NYSDEC datasets (e.g., Breeding Bird Atlas data, Herp Atlas Project, Atlantic Coast leopard frog data), USDA Natural Resources Conservation Service (NRCS) Soil Surveys, Natural Areas Conservancy Nature Maps, and New York City soil surveys. Ecological communities will be categorized in accordance with the Ecological

Communities of New York State Second Edition (Edinger 2014). A vegetative community map and table will be included that shows the location of each community, its acreage and the acreage lost and/or impacted by the proposed action and each alternative. The analysis will evaluate potential short- and long-term impacts of project-related activities on these resources such as vegetation clearing (including tree removal), loss of habitat, habitat fragmentation, changes in hydrology and water levels of surround wetlands, salinity changes in wetlands, increased noise and human activity during construction and operation of the proposed action, shading of ecological communities due to buildings and parking structures, lighting and its impact on wildlife, increased vehicle traffic and its impact on wildlife, the proposed buildings' potential to increase bird-window collisions and mortality, and other wildlife impacts. This section will describe potential measures to avoid and minimize impacts to these plant and animal resources, and if necessary, to mitigate impacts.

E5.6 IMPACTS ON SIGNIFICANT, SENSITIVE, OR DESIGNATED RESOURCES

Significant, sensitive or designated resources on and adjacent to the project site will be described based on existing information including the New York Coastal Zone, and NYC WRP designated Special Natural Waterfront Area (SNWA) Northwestern Staten Island Harbor Herons SNWA (Harbor Herons Complex). The analysis will evaluate potential short- and long-term impacts of project-related activities along with a development of potential measures to avoid and minimize impacts, and if necessary, to mitigate impacts.

E5.7 IMPACTS ON PROTECTED SPECIES AND SPECIES OF GREATEST CONSERVATION NEED

Protected Species (rare, threatened, endangered, and species of special concern), and species designated by NYSDEC as Species of Greatest Conservation Need, including the Atlantic Coast leopard frog and the Northern diamond-backed terrapin (SGCN), known or with the potential to occur on and adjacent to the project site will be described in the DEIS based on existing information and results of site-specific surveys listed in Section E.5. Existing information sources include, but are not limited to: site inquiries and reviews conducted by NYSDEC Natural Heritage Program (NHP), National Marine Fisheries Service (NMFS) (Northeast Region) National Oceanic and Atmospheric Administration (NOAA), and the USFWS; and the NYSDEC's New York Nature Explorer, Breeding Bird Atlas (2000-2005), Herpetological Atlas Project, List of protected fish and wildlife (6 NYCRR Part 182), and List of protected plants and trees (6 NYCRR Part 193). In addition, the analysis will include known or potential use of the project site and areas adjacent to the project as defined as the study area in Section E.5 Impacts on Natural Resources/Wetlands by Protected species or SGCN including the Atlantic Coast leopard frog and the Northern diamond-backed terrapin. The DEIS will identify onsite habitats or vegetative communities, corresponding to the vegetative community map discussed earlier in the Final Scope, that are likely to support these species.

The analysis in the DEIS will evaluate potential short- and long-term impacts of project-related activities on these Protected Species, and SGCN. The analysis will also include a description of potential measures to avoid and minimize impacts, and, if necessary, to mitigate impacts to these species. Impacts to be considered in this analysis will include direct and indirect impacts as noted in E.5.0 Impacts on Natural Resources/Wetlands.

In addition, if it is determined that any Protected Species or SGCN exist at the site or surrounding area, those species' essential habitat requirements will be discussed in the DEIS and impact analyses will also evaluate potential short- and long-term impacts of project-related activities on these species and their essential behaviors including species' biological and ecological behaviors. Essential behaviors

include: breeding, foraging, hibernation, reproduction, foraging, sheltering, migration, and overwintering.

If any such species are identified and the Department deems it necessary, population levels of each species will be determined by a method preapproved by the Department. An interim report may be required to determine if further population assessment work is warranted. This information will be included in DEIS.

This discussion and tables in the DEIS shall characterize the study area, document species usage; analyze impacts to species, species' behavior and habitat; and prescribe appropriate measures to avoid, minimize or mitigate impacts. The discussion and/or tables corresponding to this analysis will include, but not be limited to, such information as: species name and status; actual or potential usage onsite and surrounding area; documented behavior; size and type of suitable habitat present before and after the proposed project; and impacted habitats and behaviors.

E.6 IMPACT ON TRANSPORTATION

The objective of a transportation analysis is to determine whether a proposed action may have a potentially significant adverse impact on traffic operations and mobility; public transportation facilities and services; pedestrian elements and flow; safety of roadway users (pedestrians, bicyclists and vehicles); and parking. This analysis will evaluate potential short- and long-term impacts of project-related activities on these transportation resources, describe potential measures to avoid and minimize these impacts, and if necessary, to mitigate impacts.

A screening process is used to determine if quantified analyses of transportation conditions are warranted. The preliminary assessment begins with a trip generation analysis to estimate person and vehicle trips that would result from the proposed actions. The SEQOR workbook (Question D 2 - Project Operations - Full EAF (Part 1) - NYS Dept. of Environmental Conservation; <https://www.dec.ny.gov/permits/91660.html>) provides step by step guidance to help determine if a detailed traffic analysis is warranted. The workbook states that if a project is expected to generate fewer than 100 peak hour vehicle trips, further traffic impact analyses may not be warranted if one or more of the following conditions do not apply: high traffic volumes on surrounding roads may affect movement to and from the proposed development; proximity of the proposed access points to other existing drives or intersections may be a problem; and lack of existing left turn lanes on the adjacent roadway at the proposed access drive may cause a problem; inadequate sight distance at access points; and a development includes a drive-through operation that may cause other traffic related issues. The workbook also lists information generally included in a traffic impact analysis in the event the applicant or reviewing agency decides a traffic impact analysis is needed.

CEQR guidelines identify a two-tier screening process. If a project is expected to result in fewer than 50 peak hour vehicle trips and fewer than 200 peak hour transit or pedestrian trips (Level 1 screening thresholds), further quantified transportation analyses are not warranted. When the Level 1 are exceeded, detailed trip assignments (Level 2) are performed to estimate the incremental trips at specific transportation elements and to identify potential locations for further detailed analyses. If the trip assignments show that the proposed actions could generate 50 or more peak hour vehicle trips at an intersection, 200 or more peak hour subway trips at a station, 50 or more peak hour bus trips in one direction along a bus route or 200 or more peak hour pedestrian trips traversing a pedestrian element, then further quantified analyses may be warranted to assess transportation conditions in the Study Area.

The proposed action's trip generation is expected to exceed the thresholds for detailed transportation analyses during the weekday AM, midday, PM, and Saturday midday peak hours. Therefore, quantified

analyses will be required to assess the potential impacts of project-generated trips on key traffic intersections, pedestrian locations, nearby transit services, the area's parking resources and vehicular and pedestrian safety. The DEIS will discuss the location and function of all security measures and address if vehicles will be credentialed before entering the site. The transportation analysis will assess the potential impacts of these features on public roadways in regard to queuing and other relevant transportation parameters. These measures, if known, will be included on the site plan and addressed in the DEIS. If the proposed action would result in a potentially significant adverse impact to transportation conditions, the DEIS would identify improvement measures to avoid, minimize or mitigate such adverse impacts.

Specific tasks to be undertaken as part of the Transportation assessment are as follows:

E.6.1 TRAVEL DEMAND SCREENING ASSESSMENT

The transportation analysis will use the Reasonable Worst Case Development Scenario (RWCDs) to assess the potential transportation impacts of the proposed action. Travel demand estimates for the proposed action will be prepared based on trip generation, modal split and vehicle occupancy data and assumptions from standard sources such as U.S. Census data, approved studies, information provided by the project team and other references. The trip estimates (Level 1 screening assessment) will be summarized by peak hour, mode of travel and person versus vehicle trips. In addition, detailed trip assignments (Level 2 screening assessment) will be performed to verify the intersections and pedestrian/transit elements for undertaking quantified analysis. The results of these trip estimates and assignments will be summarized in a Travel Demand Factors (TDF) Memorandum for review and concurrence by the Lead Agency and the New York City Department of Transportation (NYCDOT).

E.6.2 TRAFFIC

The traffic study area for detailed traffic counts and capacity analyses is expected to include up to seventeen (17) intersections, primarily located along key roadways including Gulf Avenue, Edward Curry Avenue, and Goethals Road North. These intersections will be verified based on the results of Level 2 screening assessment per the TDF Memorandum. Furthermore, in consultation with NYCDOT, the New York State Department of Transportation (NYSDOT) and the Port Authority of New York and New Jersey (PANYNJ), the need for traffic analysis of highway segments in the vicinity of the project site will be evaluated and verified based on the results of the Level 2 screening assessment per the TDF Memorandum.

E.6.2.1 Data Collection

New data collection will be conducted, including manual turning movement video counts, Automated Traffic Recorder (ATR) counts, vehicle classification counts and pedestrian counts.

In addition, information pertaining to street widths, traffic flow directions, lane markings, parking regulations and bus stop locations at study area intersections will be inventoried, and traffic control devices (including signal timings) in the study area will be recorded and verified with official signal timing data from NYCDOT.

E.6.2.2 Existing Traffic Analysis

Balanced peak hour baseline traffic volume networks will be prepared to conduct a detailed capacity analysis of the study area intersections. The capacity analysis will be conducted using the current *Highway Capacity Manual* (HCM) methodology with NYCDOT's approved version of *Synchro*. The

existing volume-to-capacity (v/c) ratios, delays and Levels of Service (LOS) for the weekday AM, midday, PM, and Saturday midday peak hours will be calculated and summarized.

E.6.2.3 Future No-Action Condition Analysis

Future No-Action Condition traffic volumes will be calculated by incorporating the background growth to existing traffic volumes, and accounting for any incremental changes in traffic volumes expected to result from future planned developments in the study area. Trip estimates for future projects will be determined using the approved set of travel demand factors and other appropriate references. In addition, geometric and traffic control changes that could be implemented within the study area, independent of the proposed action, would be incorporated into the Future No-Action Condition traffic analysis. The Future No-Action Condition v/c ratios, delays and LOS at the study area intersections will be calculated and summarized.

E.6.2.4 Future With-Action Condition Analysis

A traffic impact analysis for the proposed action will be conducted by adding incremental project-generated trips onto the Future No-Action Condition traffic network. Physical and operational changes resulting from the proposed action will also be incorporated into the analyses. The potentially significant adverse traffic impacts will be evaluated, and if any potentially significant adverse impacts are identified, improvement measures will be recommended to mitigate such impacts.

E.6.3 PARKING

Project-generated parking demand is expected to be accommodated by the proposed supply of off-street accessory parking spaces on the project site and is not expected to result in project-generated public parking demand. However, a qualitative description of on-street public parking in the study area will be provided as part of the transportation analyses. If warranted, a quantitative parking assessment will be prepared for inclusion in the DEIS.

E.6.4 TRANSIT

The project site is served by two (2) MTA/New York City Transit (NYCT) local Staten Island bus routes (S40 and S90) which are accessible at a stop along Frank W. Gay Boulevard/Fifth Street, within the Matrix Global Logistics Park—Staten Island (GLPSI) to the east of the project site. As part of the proposed action, the existing S40 and S90 bus service is proposed to be extended to a new stop(s) within the project site.

A qualitative description of available transit options in the study area will be provided as part of the transportation analyses. If warranted, a quantitative bus line-haul assessment will be prepared for inclusion in the DEIS.

E.6.5 PEDESTRIANS

A qualitative description of pedestrian infrastructure in the study area will be provided as part of the transportation analyses. If warranted, a quantitative pedestrian assessment will be prepared.

E.6.6 VEHICULAR AND PEDESTRIAN SAFETY

Accident data for the study area intersections and other nearby sensitive locations from the most recent three-year period will be obtained from NYCDOT. The data will be summarized by accident-type on a rolling 12-month basis to determine if any of the study area locations may be classified as a high

pedestrian/bicycle accident location. If any high accident locations are identified, measures will be recommended to alleviate potential safety issues.

E.7 IMPACT ON AIR QUALITY

The DEIS will include an air quality analysis that will be used to: evaluate potential short- and long-term impacts of project-related activities on air quality (including potential impacts related to mobile source of air quality emissions), design potential measures to avoid and minimize these impacts, and if necessary, to mitigate impacts. Before any modeling commences, a modeling protocol must be submitted to the NYSDEC for review and pre-approval before any modeling and/or analysis commences. Upon receipt of NYSDEC approval, modeling may commence. The DEIS shall include approved modeling protocols and/or modeling efforts as appendices.

E.7.1 MOBILE SOURCE ANALYSIS

E.7.1.1 Carbon Monoxide (CO)

A screening analysis will be performed for intersections included in the traffic study area to determine the potential for significant carbon monoxide impacts and which locations may need further detailed study. Intersections will be chosen based on the procedures outlined in the NYSDOT Environmental Manual (TEM), or latest available NYSDOT guidance and the EPA Guidelines for Modeling Carbon Monoxide Roadway Intersections.

For intersections with a Level of Service of “D” or worse in the Build Condition, the TEM capture criteria will be used to determine whether intersections require further study. If any of the capture criteria are met, a volume threshold screening analysis will be performed at affected intersections. The intersections selected for the screening analysis will be based on the traffic network.

If any intersections do not pass the volume threshold screening criteria, a mobile source analysis would be performed using vehicular CO engine emission factors from EPA’s MOVES model based on provided speed and vehicle mix data and EPA’s AERMOD dispersion model and DEC approved DAR-10 protocol as necessary to predict the maximum change in carbon monoxide concentrations, and to determine if the potential for exceedances of the CO ambient standard exists at intersections near the project site. The area to be included in this modeling effort will be determined using EPA’s recommendations in the Guideline for Modeling Carbon Monoxide from Roadway Intersections (i.e., all significant mobile source emissions within 1,000 feet of the intersection of concern).

Mobile sources will be considered in the context of Section 7(3) of the New York Climate Leadership and Community Protection Act (CLCPA) given the proposed action is located within draft disadvantaged communities (DACs). As required by CLCPA Section 7(3), the DEIS will discuss how the transportation analysis will be used to gauge potential impacts to DACs along traffic routes for preliminary NYSDEC approval before commencing any analysis of impacts to DACs at the site or along traffic routes.

E.7.1.2 Particulate Matter (PM)

A screening analysis will be performed for particulate matter (PM) less than 10 microns and less than 2.5 microns in diameter (PM₁₀ and PM_{2.5}) from mobile sources. Based on EPA guidance regarding PM, traffic data for the intersections that would be affected by the proposed action, such as the LOS, the increase in the number of diesel vehicles, and potential receptor locations will be considered to determine whether a refined microscale modeling analysis would be warranted for PM₁₀ and PM_{2.5}.

If the screening analysis indicates the need for a refined PM analysis, maximum predicted PM₁₀/PM_{2.5} concentrations will be determined using appropriate MOVES emission factors and applying corresponding traffic data. Following the procedures outlined in the Transportation Conformity Guidance for Quantitative Hot-Spot Analyses in PM_{2.5} and PM₁₀ Nonattainment and Maintenance Areas (November 2013), 24-hour PM₁₀ and PM_{2.5} and annual average PM_{2.5} concentrations will be determined using the EPA's AERMOD model and/or DAR-10 protocol as necessary at simulated receptors for the critical analysis year. Using the procedures in the Transportation Conformity Guidance, four peak hour periods (morning peak, midday, evening peak, and overnight) will be analyzed using the latest available five years of meteorological data from the most representative meteorological station near the project site. Maximum predicted PM₁₀/PM_{2.5} concentrations will be compared to the NAAQS and the potential for significant adverse air quality impacts would be determined. Mitigation measures will be proposed, if required.

PM will be considered in the context of Section 7(3) of the CLCPA analysis and will identify and discuss impacts to DACs at the site or along traffic routes and measures to address these impacts

E.7.2 MESOSCALE ANALYSIS

An analysis of mesoscale emissions will be performed to estimate emissions generated by the proposed action and examine the regional impacts of the proposed action on air quality.

E.8 IMPACT ON GREENHOUSE GAS EMISSIONS, AND EVALUATIONS PURSUANT TO THE CLIMATE LEADERSHIP AND COMMUNITY RESILIENCY & RISK ACT

In accordance with State and City guidance, greenhouse gas (GHG) emissions generated by the proposed action will be quantified, and an assessment of consistency with both the State and City's established GHG reduction goals and requirements will be prepared. This includes the 2030 and 2050 statewide emission limits established by the CLCPA and promulgated as 6 NYRCC Part 496. Per Section 7(2) of the CLCPA, an analysis is required to consider if projects are consistent with achieving these emission limits. As such, the analysis will evaluate potential short- and long-term impacts of project-related activities on GHG emissions as measured under the CLCPA accounting requirements, describe potential measures to avoid and minimize these impacts, and mitigate impacts where they cannot reasonably be avoided or minimized.

Emissions will be estimated for each year the facility will be operational and reported as annual metric tons of each gas and as carbon dioxide equivalent (CO₂e) emissions. GHG emissions other than carbon dioxide (CO₂) that are subject to the CLCPA will also be included. This may include CO₂, CH₄, and N₂O associated with fossil fuels as well as any HFC emissions associated with HVAC or refrigeration equipment that may be installed. The CO₂e values will be provided using both 20-year and 100-year global warming potentials consistent with the requirements under the NYSDEC Part 496 regulation and NYCDEP.

The GHG analysis will include quantification of direct emission (GHG emissions from on-site boilers used for steam, heat, and hot water; any natural gas; fuel used for on-site electricity generation, if any; and GHG emissions from the proposed action's vehicle fleet) and indirect emissions as required by the CLCPA Section 7(2) (GHG emissions from purchased electricity generated off-site and GHG emissions from vehicle trips to and from the project, and emissions associated with imported fossil fuels and electricity). Emissions from project construction and emissions associated with the extraction or production of construction materials will be qualitatively discussed. Opportunities for reducing GHG emissions associated with construction and operations will be considered.

The proposed action would include development of an approximately 72-acre parcel of existing undeveloped land and would include the removal of trees to accommodate the proposed development and staging of construction; however, the proposed action would also include landscaping improvements and add new vegetation. The potential changes in carbon sequestration associated the proposed action must be assessed.

Relevant measures to reduce energy consumption and GHG emissions that could be incorporated into the proposed action will be discussed, and the potential for those measures to reduce GHG emissions from the proposed action will be assessed. Consistency with sections 7(2) and 7(3) of the CLCPA will be assessed to determine if the proposed action would interfere with achieving the Statewide Emission Limits as established in 6 NYCRR Part 496 or if there are disproportionate burdens on disadvantaged communities. Additionally, consistency with the City's GHG reduction goal will be discussed.

In addition to GHG emissions, climate change has contributed to rising sea levels, increases in storm surge and coastal flooding, and increases to the frequency and duration of heat effects due to the urban heat island effect. An analysis of climate change is required for all projects requiring NYSDEC permits and the potential impacts of climate change on the proposed action and its infrastructure will be evaluated. The analysis will evaluate potential short- and long-term impacts to the project site including but not limited to access routes, utility rights-of-way, areas of traffic improvements, floodplains and potential flood risks taking into consideration future changes due to all climate hazards, climate change and sea level rise. Potential measures to avoid and minimize impacts, and if necessary, to mitigate impacts, will be described (see also Section E.5.2 Impacts on Flooding). The discussion will focus on sea level rise and changes in storm frequency projected to result from global climate change and the potential future impact of those changes in storm frequency on project infrastructure and uses, in accordance with the Community Risk and Resiliency Act (CRRA) and CLCPA. The analysis will also include an assessment of the potential heat island effects to the proposed development and the surrounding areas as well as the effects on energy consumption associated with changes to heating and cooling demands.

The CRRA, as enacted in 2014, included five major provisions. The 2CLCPA amended the CRRA by expanding the scope to include consideration of all climate hazards, not only sea-level rise, storm surge and flooding. In order to show compliance with the CRRA and CLCPA, the climate change assessment will perform the following tasks:

- Identification of all impacts to the site and the surrounding area in terms of flooding, climate risk, resiliency, etc. utilizing the most restrictive Floodplain BFEs and/or requirements;
- Description of how project design accounts for future physical climate risk due to all climate hazards including, but not limited to, sea-level rise, storm surge, and flooding;
- Identification of how natural resilience measures were incorporated into project design to conserve, restore or mimic natural landforms and processes to reduce climatic risks; and
- Concurrence with the recommendation within the State Flood Risk Management Guidance (SFRMG) regarding flood-risk management guideline elevations that incorporate possible future conditions, including the greater risks of coastal flooding presented by sea-level rise and enhanced storm surge, and of inland flooding expected to result from increasingly frequent extreme-precipitation events.

The DEIS will be consistent with any additional Departmental guidance regarding CLCPA and CRRA, which may become final during the preparation of the DEIS,

E.9 IMPACT ON PUBLIC HEALTH

A public health analysis is warranted if a project would result in a significant unmitigated adverse impact in other analysis areas, such as air quality, water quality, hazardous materials, or noise. If unmitigated significant adverse impacts are identified in any of these technical areas, and the lead agency determines that a public health assessment is warranted, an analysis will be provided for the specific technical area or areas. The analysis will evaluate potential short- and long-term impacts of project-related activities on public health, describe potential measures to avoid and minimize these impacts, and if necessary, to mitigate impacts. In addition, an evaluation of the measures to protect the health and safety of workers during construction and operation of the proposed action will be provided. This evaluation will focus on the health and safety requirements of the U.S. Occupational Safety and Health Administration (OSHA).

E.10 MITIGATION

Where potentially significant adverse impacts are identified in the DEIS analyses, reasonable and practicable measures that have the potential to avoid or minimize these impacts will be identified. Where impacts cannot be reasonably avoided or minimized then mitigation measures should be proposed and assessed. A summary of mitigation measures and a timeframe for implementation, if available, will be presented in the DEIS. Where impacts cannot be mitigated, they will be identified as unavoidable significant adverse impacts.

F. UNAVOIDABLE ADVERSE ENVIRONMENTAL IMPACTS

The proposed action may result in adverse impacts that are unavoidable. Unavoidable adverse impacts are defined as those that would occur if a proposed project or action is implemented regardless of the mitigation employed, or if mitigation is impracticable. If unavoidable impacts are identified, they will be specifically documented in the DEIS. The description of the unavoidable adverse environmental impacts shall include necessary information on the extent and likelihood of the identified impacts, and long-term consequences of the identified impacts. In addition, any regulatory and/or permitting requirements triggered by the identified impacts will also be described.

G. ALTERNATIVES

The goal of analyzing alternatives in a DEIS is to investigate means to avoid or reduce adverse environmental impacts revealed in the DEIS process. Alternatives shall be prepared in sufficient detail so that the impacts of alternatives can be compared to those of the applicant's preferred alternative. A narrative and tables comparing applicant's preferred alternative to all other alternatives shall be generated. In regard to impacts to wetlands, for example, the narrative and table shall include, but not be limited to, the type and size of wetland and adjacent area impacted; type and size of wetland mitigation if any; type of permits needed; and other pertinent factors deemed necessary to sufficiently compare and contrast the proposed action to the alternatives. Where an alternative is rejected, a reasoned explanation must be provided as to why it is not feasible. The DEIS will consider a range of alternatives to the Proposed Project, as follows:

- The No Action alternative.
- An alternative that reduces or minimizes potential impacts on NYSDEC- and USACE-regulated wetland and wetland adjacent areas.

- An alternative that reduces or minimizes potential impacts on NYSDEC- and USACE-regulated wetlands and wetland adjacent areas by limiting the project footprint to the Western Surface Cover Area as defined in the most current approved version of the Engineering Work Plan approved by the NYSDEC.
- An alternative that reduces potential impacts on NYSDEC- and USACE-regulated wetlands and wetland adjacent areas to solely impacts related to access roadways and utilities.
- An alternative that elevates the access roadway on piles or similar method.
- An alternative that considers a different circulation plan and access to the project site via Fifth Avenue as the main entrance instead of using Frank W. Gay Boulevard/Fifth Street.
- An alternative that considers a water-dependent use on the project site.

If the proposed action results in unmitigated significant adverse impacts in any technical analysis area (e.g., transportation), the DEIS will analyze any alternatives that would avoid those unmitigated significant adverse impacts.

A description and evaluation of each Alternative will be provided at a level of detail sufficient to permit a comparative assessment of each alternative discussed.

H. IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

This section of the DEIS will identify or evaluate the irreversible and irretreivable commitment of resources that the proposed action may require. This evaluation will consider the resources, both natural and human-made, which would be expended in the construction and operation of the proposed action, including commitments of energy and materials.

I. GROWTH INDUCEMENT

The proposed action is not anticipated to alter regional growth patterns, impact residential settlement patterns, or affect growth in employment centers. Growth inducement aspects of the proposed actions need to be addressed “where applicable and significant.” Growth inducement impacts are not anticipated, and, if any, will be treated in the context of land use impacts.

J. TABLE & FIGURES

This section of the DEIS will include, but not be limited to, the below tables and figures, those cited in the Scope and DEIS and other tables and figures deemed necessary to facilitate project understanding, impact analyses, appropriateness of mitigation and comparison of wetland mitigation alternatives and project alternatives.

1. Table of Required Approvals with required approval, agency and regulatory citation.
2. Figures depicting the proposed action as noted in Project Description.
3. Vegetative Cover Map
4. Vegetative Community Map and Table
5. Wildlife & Vegetative communities Actual and Potential Use
6. Wetland Mitigation Alternatives Table

7. Figure depicting 242 acres and all areas previously agreed in the 2013 Modified Order on Consent to be preserved in perpetuity including approximately 242 acres of wetlands, wetland adjacent area buffers, and open space located within the entire SIMD-owned property (referred to as “deed restricted wetland areas”)

8. Project Alternatives Table

K. APPENDICES

Appendices will include material not suitable for insertion in the main body of the DEIS, and shall include key SEQR documents, technical reports including but not limited to:

- SEQR Positive Declaration & Final Scoping Document
- Stormwater Pollution Prevention Plan (SWPPP)
 - Stormwater Support Information, which will be provided in an outline, format, and type consistent with the SWPPP requirements such as:
 - Site Plan showing direction of stormwater routing
 - Stormwater runoff estimates
 - Description of stormwater controls
- Site Plans (full size)
- Preliminary or Final Part 360 NYSDEC permit applications if required
- An Article 11/Part 182 Endangered and Threatened Species of Fish and Wildlife; Species of Special Concern; Incidental Take Permit Application if applicable.
- Preliminary or Final Part 601 Water Withdrawal permit application if required.
- Preliminary or Final Individual State Pollutant Discharge Elimination System (SPDES) permit if required.
- Floodplain & FIRM maps
- Ecological Studies including but not limited to the Natural Resource Inventory
- Wetland Delineation Reports
- Archaeological Correspondence
- U.S. Fish & Wildlife Service (USFWS) and Natural Heritage Program (NHP) Correspondence
- Traffic Impact Study
- Correspondence (including all SEQR documentation)

- CLCPA Analyses
- Air Quality Modeling Protocol and Modeling

L. FINAL SCOPING DOCUMENT ENCLOSURES

- Site Location Maps (Figures 1 -3) (as provided by applicant)
- List of Commentors on Draft Scope
- Responses to Comments on the Draft Scope Deemed Not Relevant and/or Not Environmentally Significant and Did Not Result in a Change to the Draft Scope
- Attachment 1: Natural Resource Surveys

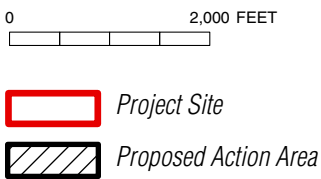
V. ISSUED RAISED DURING PUBLIC SCOPING & RESPONSES TO COMMENTS NOT INCLUDED IN THE FINAL SCOPE

In accordance with 6 NYCRR 617.8(f)(7), this section of the scoping document includes: a brief description of the prominent issues that were raised during public scoping and determined to be not relevant or not environmentally significant, or that have been adequately addressed in a prior environmental review as well as the reasons why those issues were not included in the Final Scope.

Comments on the Draft Scope were received during the public scoping meeting and during the public review period. The prominent issues raised included:

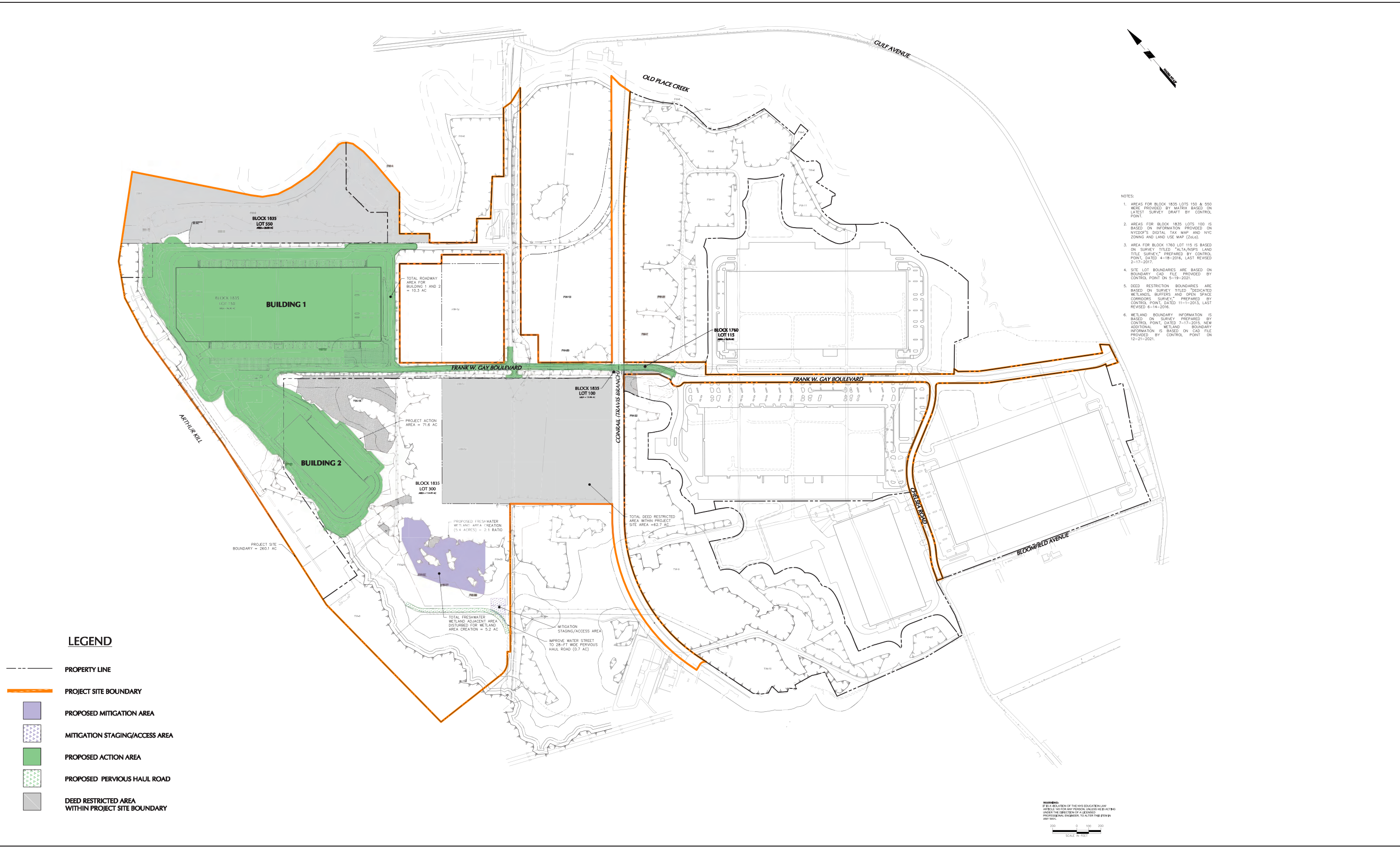
- Project scale and footprint is too large and should be reduced to minimize impacts, especially on wetlands, wildlife, rare and protected species, and flooding.
- Wetlands must be protected and not filled or developed; project should not impact them.
- Wetland mitigation, if needed, should be conducted at a higher ratio than 2:1 given the importance of wetlands for wildlife, flood resiliency and future climate change risks.
- Project site maintains rare species and will adversely impact them.
- Project site is known to be populated by Atlantic Coast leopard frog and Northern diamond-backed terrapin and project will impact them. Project footprint should be reduced, project should incorporate design measures to avoid/minimize impacts.
- Project will adversely impact area's flood resiliency ability and will result in flooding adjacent lands, including environmental justice communities.
- Detailed wildlife and avian surveys are needed to characterize usage by these species.
- Vegetative mapping is needed to understand onsite habitats and usage by fauna.
- Project should incorporate design measures to deal with stormwater runoff that also preserve wetlands and habitat for faunal species, especially the Atlantic Coast leopard frog.
- Project will exacerbate existing traffic congestion resulting in unsafe conditions and traffic; there is a need for a detailed traffic impact analysis.
- The project-related traffic will result in greater air and noise pollution in an area already severely affected.
- The project should include a requirement that applicant to not transfer the force main for sewage pumping to NYCDEP and submit a 20-year performance bond with the Force Main.
- The project will increase air pollution and adversely affect public health and will impact adjacent communities including environmental justice communities.
- Analyses on project-related impact on noise, odor, light, wastewater treatment and sanitation in the DEIS.

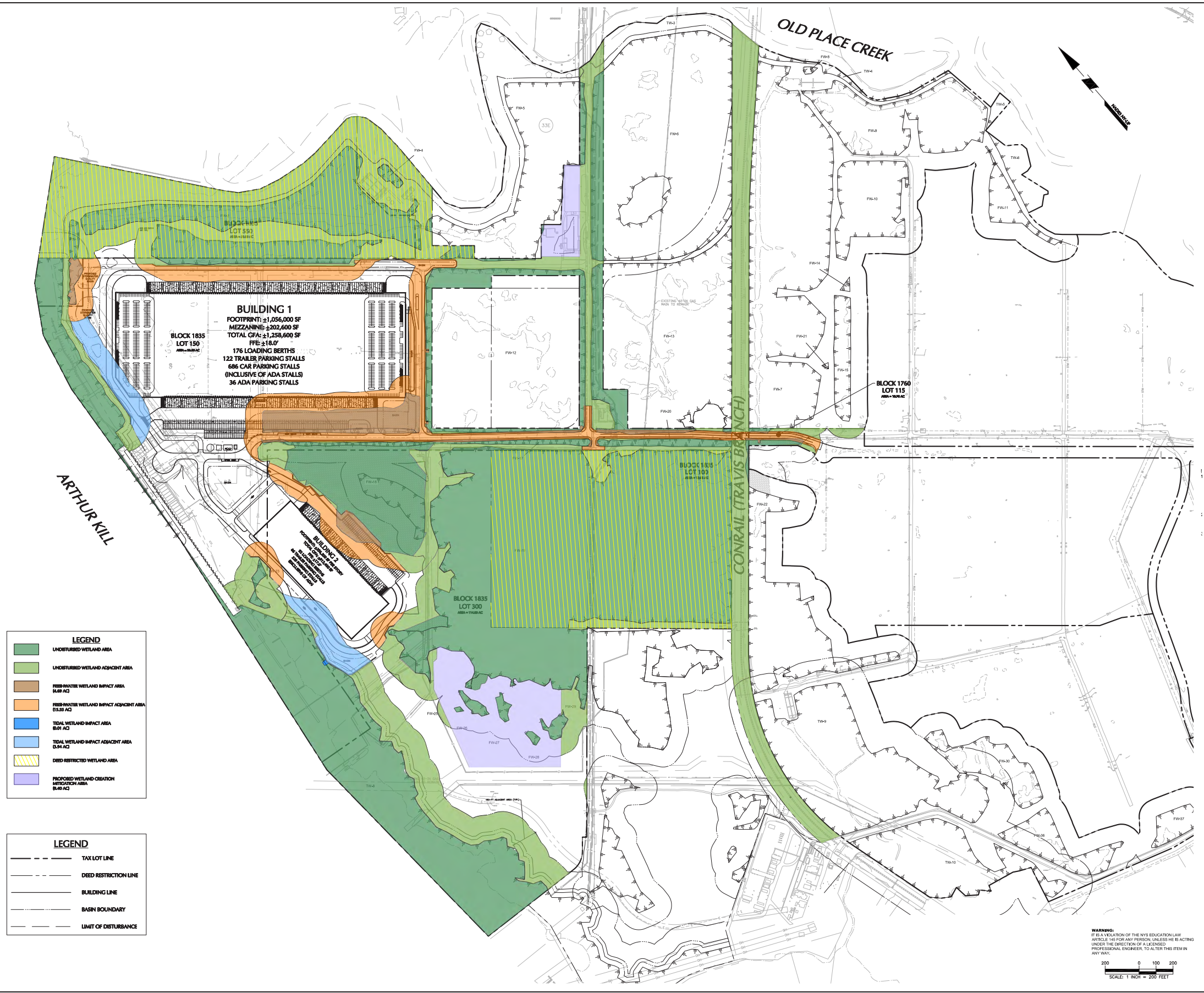
In addition, a list of all commentors is included as an enclosure of the Final Scope. A table is included as an enclosure of the Final Scope that provides the public comments received that the Lead Agency determined to not be relevant and/or not environmentally significant or determined to be adequately addressed in the Draft Scope. This table also provides the Lead Agency's reasons why the issue was not included in the Final Scope. The table is included in the List of enclosures of the Final Scope.



MATRIX GLOBAL LOGISTICS PARK WEST CAMPUS

Project Location
Figure 1





List of Commentors on Draft Scope

1. Matthew Sheehan
2. Jocelyn DeCrescenzo and Jacquelyn Drechsler
3. Joan Beard
4. Linda M. Baran, Staten Island Chamber of Commerce
5. Nicolas Shearman
6. Shakil Ahmed, New York City Department of Transportation, Office of Project Analysis/CEQR Traffic Engineering and Planning
7. MurrayLantner
8. Rev. Gabriella Velardi-Ward, Coalition for Wetlands and Forests
9. Mary L. Bullock, Port Richmond/North Shore Alliance
10. Judith K. Canepa, New York Climate Action Group
11. Jack Bolembach
12. Catherine Skopic
13. James Scarcella, Natural Resources Protective Association
14. Angela Mirro
15. Vito J. Fossella, Staten Island Borough President
16. David Cuff, New York City Department of Parks
17. Gina Santucci, NYC Landmarks Preservation
18. Sarah Charlop-Powers, Natural Areas Conservancy
19. Jeremy Feinberg
20. Ida Sanoff
21. Linda Cohen

	A	C	D	E
2	RESPONSES TO DRAFT SCOPING DOCUMENT COMMENTS DEEMED NOT RELEVANT AND/OR NOT ENVIRONMENTALLY SIGNIFICANT AND DID NOT RESULT IN A CHANGE TO THE DRAFT SCOPE			
3	Technical Scope Section	Comment Text	Commenter	Response
4	B. Project Identification	It should also be noted that the proposed development is compatible with the surrounding land use, and consistent with zoning and other public policy initiatives, including the vision set forth in the Working West Shore 2030 Study ... Accordingly, I am offering my support to the development	Fossella	No changes have been made in response to this comment as this comment represents support for the project and is not a comment on the scope.
5	B. Project Identification	I write in support of the proposed action for the expansion of the Matrix Global Logistics Park (GLP) ... the evaluation of the proposed GLP expansion in the Draft Scope for the Draft Environmental Impact Statement (DEIS) should reflect that there are no potentially significant adverse impacts resulting from the proposed Matrix development given plans for addressing the minimal infill of regulated wetlands through a generous mitigation effort.	Baran	No changes have been made in response to this comment as this comment represents support for the project and is not a comment on the scope.
6	B. Project Identification	Block 7983, Lot 110 is included in the Mill Creek Bluebelt, but Lot 100 is not. We request that, since Lot 100 is actually closer to Mill Creek, it become part of the Mill Creek Bluebelt.	Canepa	No changes have been made in response to this comment. New York City is the sole entity capable of designating whether or not a parcel is included in the Mill Creek Bluebelt. As such, this comment is beyond the scope of the Proposed Action.
7	B. Project Identification	The DEIS must describe all settlements associated with property development, historical restoration efforts, and open space preservation agreements. Much of this area received heavy investments following the 1990 Exxon oil spill. The DEIS must describe this history and evaluate what property will remain protected and restored and how to describe what efforts will support protection of past restoration efforts. The DEIS should also evaluate if a larger mitigation ratio than the described 2:1 ratio is necessary to compensate for impacts to these areas.	Charlop-Powers	No changes have been made in response to this comment. The historic development of the project site is included in the Draft Scope in section B.2 and will be further discussed in the DEIS.
8	B. Project Identification	Quality of life: Graniteville has no other open green space. We have no park. Where there was, at one time, trees and flowers and animals and beauty and the healing of green spaces, we now have nothing. With the Matrix project, there will be another change in landscape and it will become private property. What is the procedure, in this case, for alienation of public lands, turning it over to private owners? I object to this alienation as well as to the destruction of the natural environment.	Velardi-Ward	No changes have been made in response to this comment. The project site is privately owned and not a designated public open space, therefore the Proposed Action would not result in any alienation of public land.
9	B. Project Identification	I liked the idea that there could be some kind of stacked parking facility to hold over a thousand parking spaces.	Scarcella	No changes have been made in response to this comment as this comment represents support for the multistory parking already part of the Proposed Action.
10	B. Project Identification	The project should work something out to commit to public transportation to the site.	Scarcella	No changes have been made in response to this comment as the Scope already includes a discussion of a new bus stop near the warehouse/logistics center buildings. The stop would be served by two local routes (S40 and S90) that currently serve the Matrix Global Logistics Park to the east of the project site. This stop would support public transit use by facilitating warehouse/logistics center employees commuting by bus.

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11	B.2 Project Site History and Background	According to the text, the MOC requirements from the 2004 GATX property settlements included preserving in perpetuity approximately 242 acres of wetlands, buffers and open space. Suggest the DEIS explain how much of this was in each category. Recommend the DEIS specify the acreage of the wetland and uplands and give maps indicating where these were. The text implies that the western portion of the property was left open for development but so far has remained undeveloped. It would be helpful if the DEIS describes the agreement that this portion could be open to development and evaluate how the site will be fragmented as a result of any disparate development.	Cuff	No changes have been made in response to this comment. The Scope already includes and the DEIS will discuss the history of the project site, including prior development, agreements and restrictions. Figures will be included. The DEIS will also include an analysis of habitat fragmentation.
12	B.3 Description of the Proposed Action	Section B.3 of the Draft Scope of Work states that the proposed warehouse buildings will contain provisions to accommodate a solar photovoltaic array. The Draft EIS must confirm that there will be an actual full scale photovoltaic array installed on all existing and new buildings to offset carbon emissions associated with the project.	Lantner	No changes have been made in response to this comment. The Scope already requires a discussion of measures to offset carbon and pollutant emissions, which will include the use of photovoltaic arrays, in the DEIS.
13	B.3.2 Circulation Plan and Utilities	Applicant will need a Force Main for sewage pumping, the history of Force Mains on Staten Island is very poor, in general, developers only support sewage pump and treatment for 5 years, then they request NYC DEP take over, at taxpayers expense. We are requesting DEC require a 20 year performance bond on the Force Main sewage pumping. This will ensure maintenance and upgrades of sewage treatment at the facility.	Scarcella	No changes have been made in response to this comment. The force main introduced as part of the proposed development is not expected to be transferred to the New York City Department of Environmental Protection (DEP).
14	B.3.3 Proposed Wetland Impacts and Proposed Mitigation	Some of the land included in this plan is protected land, meaning it belongs to the public ... wetlands would be destroyed, both freshwater and tidal wetlands. Any mitigation that might be done may very well be outside the community where they presently exist and that is most in need of the existing wetlands' benefits	Skopic	No changes have been made in response to this comment. The project site is privately owned and not a designated public open space; therefore, the Proposed Action would not result in any alienation of public land. In addition, mitigation measures for any unavoidable adverse impacts are proposed and will be further described and evaluated in the DEIS.
15	B.3.3 Proposed Wetland Impacts and Proposed Mitigation	It's very foolish to develop this parcel of land despite the attempts at mitigation. Staten Island does not need this, New York City does not need this. I think the wetlands are more valuable than any development ... We already have way too much development and not enough open green space.	Mirro	No changes have been made in response to this comment. The project site is privately owned and not a designated public open space, therefore the Proposed Action would not result in any alienation of public land.
16	B.3.4 Stormwater Management	The Stormwater Pollution Prevention Plan and Draft EIS must study, analyze and implement the Preservation of Undisturbed Areas, Preservation of Buffers, Reduction in Clearing and Grading, Locating Development in Less Sensitive Areas and Open Space Design consistent with Section 5 of the NYS Storm water Design Manual. Compliance with the NYS Stormwater Design Manual and a Stormwater Pollution Prevention Plan is a requirement for this type of construction activity in New York State.	Lantner	No changes have been made in response to this comment. Per Section B.3.4 of the Draft Scope, Stormwater Pollution Prevention Plan (SWPPP) will be prepared in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, the New York State Stormwater Management Design Manual, and the Notice of Intent, as required by the existing NYSDEC State Pollutant Discharge Elimination System (SPDES) Permit for Stormwater Discharges from Construction Activity Discharge—Industrial (Permit No. NY-0004502, NYSDEC Permit Number 2-6401-00042/00001).

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17	C. Proposed Approvals	DEC, in collaboration with other State agencies, should consider purchasing more property in the area of the proposed Matrix Logistics Park West Campus, and deny permits for the filling in of wetlands that would create significant adverse impacts.	Shearman	No changes have been made in response to this comment. The purchase of private lands by the State of New York is beyond the scope of the Proposed Action. Whether the proposed action meets permitting standards will be evaluated as part of the permitting process.
18	E. Environmental Setting, Potential Impacts and Mitigation Measures	The Environmental Impact Statement (EIS) must compare the proposed project to no project to see the real effect on the environment and the community.	Velardi-Ward	No changes have been made in response to this comment. As described in the draft scope of work (Section E, "Environmental Setting, Potential Impacts and Mitigation") the EIS will analyze the potential impacts of the proposed project as compared to the "No Action condition," in which there would be no changes or alterations to the project site and the project site would remain an undeveloped parcel, the same as the existing condition.
19	E. Environmental Setting, Potential Impacts and Mitigation Measures	Graniteville is an official Environmental Justice Community; this community and the nearby mobile home community will be greatly affected by the Matrix project. I expect that the effects on these communities will be mentioned in the Matrix Global Logistics Park West EIS.	Velardi-Ward	No changes have been made in response to this comment. The project site is not located in a Potential Environmental Justice area as identified by NYSDEC Maps & Geospatial Information System (GIS) Tools for Environmental Justice (https://www.dec.ny.gov/public/911.html). However, the proposed action is located within a disadvantage community as per the draft maps associated with Climate Leadership and Community Protection Act (CLCPA). Therefore, NYSDEC will evaluate the Proposed Actions' consistency with CLCPA addressing project's activities that could result in impacts that disproportionately burden disadvantaged communities.
20	E. Environmental Setting, Potential Impacts and Mitigation Measures	This is an Environment Injustice community, already living with over development and no parks or protected open green spaces. This project will severely impact the community's quality of life, already compromised.	Mirro	No changes have been made in response to this comment. The project site is not located in a Potential Environmental Justice area as identified by NYSDEC Maps & Geospatial Information System (GIS) Tools for Environmental Justice (https://www.dec.ny.gov/public/911.html). However, the proposed action is located within a disadvantage community as per the draft maps associated with Climate Leadership and Community Protection Act (CLCPA). Therefore, NYSDEC will evaluate the Proposed Actions' consistency with CLCPA addressing project's activities that could result in impacts that disproportionately burden disadvantaged communities.
21	E. Environmental Setting, Potential Impacts and Mitigation Measures	The EIS must compare the propsoed project to no project to see the real effect on the environmental and the community.	Bullock	No changes have been made in response to this comment. As described in the draft scope of work (Section E, "Environmental Setting, Potential Impacts and Mitigation") the EIS will analyze the potential impacts of the proposed project as compared to the "No Action condition," in which there would be no changes or alterations to the project site and the project site would remain an undeveloped parcel, the same as the existing condition.
22	E. Environmental Setting, Potential Impacts and Mitigation Measures	Graniteville is an official Environmental Justice Community	Bullock	No changes have been made in reponse to this comment. NYSDEC notes that the Proposed Action is not located in a Potential Environmental Justice Area.

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23	E. Environmental Setting, Potential Impacts and Mitigation Measures	DEC issued a finding that specific technical analysis is not required for noise, odor, light, wastewater treatment, and sanitation. We object to that and request that the Draft Environmental Impact Statement include assessment of each of those factors with such specific technical analysis.	Canepa	Changes have been made in response to this comment. The Scope has been amended to include project-related construction and operational impacts associated with noise and lighting as it affects natural resources. However, no changes have been made to the Scope as related to odor, wastewater treatment and sanitation, which were not identified in the positive declaration of significance as having potential significant adverse impacts. Please refer to the full EAF for more details.
24	E. Environmental Setting, Potential Impacts and Mitigation Measures	We object to your wording that specific technical analysis is not required for noise, odor, light, waste water treatment and sanitation. We request the DEIS address these and other concerns with technical analysis	Scarcella	Changes have been made in response to this comment. The Scope has been amended to include project-related construction and operational impacts associated with noise and lighting as it affects natural resources. However, no changes have been made to the Scope as related to odor, wastewater treatment and sanitation, which were not identified in the positive declaration of significance as having potential significant adverse impacts. Please refer to the full EAF for more details.
25	E. Environmental Setting, Potential Impacts and Mitigation Measures	The Environmental Impact Statement (EIS) must compare the proposed project to no project to see the real effect on the environment and the community.	Velardi-Ward	No changes have been made in response to this comment. As described in the draft scope of work (Section E, "Environmental Setting, Potential Impacts and Mitigation") the EIS will analyze the potential impacts of the proposed project as compared to the "No Action condition," in which there would be no changes or alterations to the project site and the project site would remain an undeveloped parcel, the same as the existing condition.
26	E. Environmental Setting, Potential Impacts and Mitigation Measures	Graniteville is an official Environmental Justice Community and there is a nearby mobile home community. Both will be greatly affected by the Matrix project. I expect that the effects on these communities will be mentioned in the Matrix Global Logistics Park West EIS.	Velardi-Ward	No changes have been made in response to this comment. The project site is not located in a Potential Environmental Justice area as identified by NYSDEC Maps & Geospatial Information System (GIS) Tools for Environmental Justice (https://www.dec.ny.gov/public/911.html). However, the proposed action is located within a disadvantage community as per the draft maps associated with Climate Leadership and Community Protection Act (CLCPA). Therefore, NYSDEC will evaluate the Proposed Actions' consistency with CLCPA addressing project's activities that could result in impacts that disproportionately burden disadvantaged communities.
27	E. Environmental Setting, Potential Impacts and Mitigation Measures	This project really concerns me in terms of its scope, its impact on wetlands, its impact on wildlife and the tidal wetlands, and the particulate impact on humans in Staten Island that already have high rates of asthma.	Scarcella	No changes have been made in response to this comment. As outlined in the Draft Scope of Work, The DEIS will examine the full range of potential environmental impacts related to both short-term construction activities and long-term operational changes that may result from implementation of the proposed action. This will include assessments of the Proposed Action's potential impacts on natural resources, including wildlife and wetlands, and air quality.

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28	E. Environmental Setting, Potential Impacts and Mitigation Measures	The EIS should compare the project to no project, because I don't think there should be any project here.	Velardi-Ward	No changes have been made in response to this comment. As described in the draft scope of work (Section E, "Environmental Setting, Potential Impacts and Mitigation") the EIS will analyze the potential impacts of the proposed project as compared to the "No Action condition," in which there would be no changes or alterations to the project site and the project site would remain an undeveloped parcel, the same as the existing condition.
29	E. Environmental Setting, Potential Impacts and Mitigation Measures	This is an environment Injustice community in Graniteville ... we also have a mobile home community where there are elderly, disabled, and low-income residents. They're going to be tremendously affected by this project.	Velardi-Ward	No changes have been made in response to this comment. The project site is not located in a Potential Environmental Justice area as identified by NYSDEC Maps & Geospatial Information System (GIS) Tools for Environmental Justice (https://www.dec.ny.gov/public/911.html). However, the proposed action is located within a disadvantage community as per the draft maps associated with Climate Leadership and Community Protection Act (CLCPA). Therefore, NYSDEC will evaluate the Proposed Actions' consistency with CLCPA addressing project's activities that could result in impacts that disproportionately burden disadvantaged communities.
30	E. Environmental Setting, Potential Impacts and Mitigation Measures	Aesthetic Resources - Aesthetically speaking this site is viewed by thousands of people every day that pass over the Goethals Bridge as well as the thousands of workers at the Matrix East development. Currently these people view a large expanse of open space and salt and freshwater marshes which will be replaced by buildings and pavement. Additionally, as identified below there is Open Space Recreation (canoeing/kayaking) within a few hundred feet of the proposed project on Old Place Creek, and therefore the new warehouse buildings will present a huge impairment of aesthetic resources to those passive recreational paddlers and hikers, not to mention motorists and area employees. A detailed analysis of Aesthetic Resources must thereby be included in the Draft Scope of Work/Draft Environmental Impact Statement.	Lantner	No changes have been made in response to this comment. Aesthetic resources are generally analyzed as part of the community character under SEQRA. Community character was analyzed as part of the FEAF and NYSDEC concluded that no potential significant environmental impacts to community character would result from the Proposed Action.

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31	E. Environmental Setting, Potential Impacts and Mitigation Measures	Open Space Recreation - The proposed development is within a few hundred feet of Old Place Creek. Old Place Creek hosts a NYSDEC canoe launch with a route to paddle to the Arthur Kill. The DEC web site states that the Old Place Creek meanders toward the northern end of the Arthur Kill next to the Goethals Bridge providing a wonderful stretch of tidal salt marsh. A detailed analysis of Open Space Recreation must thereby be included in the Draft Scope of Work/Draft Environmental Impact Statement.	Lantner_007	No changes have been made in response to this comment. The proposed action is not anticipated to significantly adversely impact open space recreational opportunities in the area. The NYSDEC canoe launch on Old Place Creek to the northeast of the proposed action will remain open and public access to the creek will not be adversely impacted. The creek is a not local, state or federal designated aesthetic or scenic resource and therefore, while views from the creek will be altered by the proposed action, SEQR does not require a detailed viewshed, aesthetic or open space recreation analysis. The nearest proposed building would be approximately 400 feet away from the Old Place Creek public open space area and would be separated from the creek by a deed-restricted wetland area. Consequently, the comment is not environmentally significant given Old Place Creek and the project site is not an identified as an officially designated scenic and aesthetic resource.
32	E. Environmental Setting, Potential Impacts and Mitigation Measures	Critical Environmental Areas - As explained throughout this writing. The Site itself is a critical environmental area. It hosts Special Concern/threatened/endangered species and the ACLF which should be considered in the threatened/endangered category. The area is likely critical habitat for the ACLF and it hosts a large rare, and unique salt and freshwater ecosystem, and uplands in NYC and NY State. It also provides for flood control, a buffer for sea level rise. A detailed analysis of Critical Environmental Areas must be included in the Draft Scope of Work/Draft Environmental Impact Statement.	Lantner	No changes have been made in response to this comment. Critical Environmental Areas are specific locations in a town, village, city, county, or the State that have been legally designated as CEAs because they have one or more of the following unique characteristics: are a benefit or threat to human health; have an important or unique natural setting (e.g., fish and wildlife habitat, forest and vegetation, open space and areas of important aesthetic or scenic quality); hold important agricultural, social, cultural, historic, archaeological, recreational, or educational values; or have an inherent ecological, geological or hydrological sensitivity that may be adversely affected by any change. Once an area is designated as a CEA, the reviewing agency must consider the potential impact of any Type I or Unlisted Action on the environmental characteristics of that CEA as part of the determination of significance. The project site and adjacent lands are not part of a NYSDEC designated Critical Environmental Area. Therefore, this comment is not relevant, SEQR does not require further analysis and no amendment to the scope is warranted.
33	E.2 Impacts on Land Use, Zoning, and Public Policy	According to New York State's coastal revitalization policy, it looks like a warehouse facility is not necessarily a water-dependant use, although the project is being sited along the water. Are there plans for shipping and other transport?	Scarcella	No changes have been made in response to this comment. As discussed in section E.2 of the Draft Scope, the DEIS will include an assessment of the proposed action's consistency with the New York City Waterfront Revitalization Program, which includes policies related to water-dependent uses such as shipping facilities. In addition, as discuss in section G, the DEIS will include an alternative to the Proposed Action that considers a water-dependent use on the project site. The scope does not need to be revised to address this comment because it is already reflected in the draft scope. These issues will be further discussed in the DEIS as required by the draft and final scope. The DEIS will be made available for public comment.

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34	E.3.2 Impact on Hazardous Materials	The DEIS should study how toxic and hazardous materials will be managed on site to avoid accidental release to the environment, community, and adjacent wetlands and waterbodies. This assessment should also consider how these materials will be managed and sited with respect to climate change impacts, such as increased flooding, in proximity to the adjacent state and federally recognized environmental justice community.	Charlop-Powers	No changes have been made in response to this comment. As discussed in Scope, the DEIS will address the potential presence of hazardous materials on the project site and assess the potential short- and long-term impacts due to project-related land disturbances. The assessment will include previous investigations and remedial activities performed on the project site, as well as any remaining remedial activities that are required under existing laws and regulations and site-specific consent orders. Concerning operation of the proposed action, the proposed warehouse and logistics facility does not include product manufacturing, the use of industrial processes or the generation of industrial wastes, and is not anticipated to include handling of toxic or hazardous materials.
35	E.3.2 Impact on Hazardous Materials	Recommend the DEIS assess how toxic and hazardous materials will be managed on site to avoid accidental release to the environment. It is suggested that this include an analysis of fuel storage tanks, operational equipment, and shipping products, among others. And the assessment consider how these materials will be managed and sited with respect to climate change impacts, such as increased flooding.	Cuff	No changes have been made in response to this comment. As discussed in Scope, the DEIS will address the potential presence of hazardous materials on the project site and assess the potential short- and long-term impacts due to project-related land disturbances. The assessment will include previous investigations and remedial activities performed on the project site, as well as any remaining remedial activities that are required under existing laws and regulations and site-specific consent orders. Concerning operation of the proposed action, the proposed warehouse and logistics facility does not include product manufacturing, the use of industrial processes or the generation of industrial wastes, and is not anticipated to include handling of toxic or hazardous materials.
36	E.4 Impacts on Natural Resources/Wetlands	The Site Management Plan/ Post Construction Wetlands Management Program that has been developed under the required under DEC Order on Consent (D2-0001-98-01-02) must be updated to incorporate the prescribed measures from the Natural Resources Assessment/ Analysis to avoid/minimize/mitigate impacts to the Atlantic Coast Leopard Frog and must be updated to include a monitoring program for the ACLF.	Lantner	No changes have been made in response to this comment. NYSDEC Order on Consent D2-0001-98-01-02 remains open pursuant to uncompleted milestones in the Order's compliance schedule. Any work on site outside of work already approved under the order and that could impact or otherwise affect compliance under the order will require Departmental review and any necessary approvals to ensure that it not only complies with the terms and conditions of the Order, but with all applicable laws, rules, and regulations.
37	E.4.2 Impacts on Flooding	If the Matrix project is built up high, to offset flooding, we in neighboring Graniteville will be flooded.	Bullock	No changes have been made in response to this comment. The DEIS will include an assessment of potential project-generated short- and long-term impacts to the floodplain and potential flood risks on the project site and adjacent properties, while also taking into consideration future changes due to climate change and sea level rise.
38	E.4.2 Impacts on Flooding	Staten Island's remaining tidal wetlands are an irreplaceable refuge and crown jewel of what had once been a thriving ecosystem, providing resilience, stormwater control and floodwater absorption ... removing or compromising this buffer, we ask what will take its place to mitigate flooding for the structures in the plan and indeed for the entire flood plain?	Canepa	No changes have been made in response to this comment. The DEIS will include an assessment of potential project-generated short- and long-term impacts to the floodplain and potential flood risks on the project site and adjacent properties, while also taking into consideration future changes due to climate change and sea level rise.

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39	E.4.2 Impacts on Flooding	The DEIS should also evaluate how stormwater will be managed on site to not only avoid impacts to natural areas and receiving water bodies, but to enhance flood resiliency in this low-lying coastal wetland.	Charlop-Powers	No changes have been made in response to this comment. As stated in the Scope, the proposed action will include a stormwater management system in accordance with a Stormwater Pollution Prevention Plan (SWPPP) to be prepared in accordance with the New York State Standards and Specifications for Erosion and Sediment Control, the New York State Stormwater Management Design Manual, and the Notice of Intent, as required by the existing NYSDEC State Pollutant Discharge Elimination System (SPDES) Permit for Stormwater Discharges from Construction Activity Discharge—Industrial. In addition, the DEIS will include an assessment of potential project-generated short- and long-term impacts to the project area and surrounding areas and potential flood risks on the project site and adjacent properties, while also taking into consideration future changes due to climate change and sea level rise.
40	E.4.2 Impacts on Flooding	What are the specific resilience measures to repel flooding for structures in the flood plain?	Scarcella	No changes have been made in response to this comment. The Scope includes and the DEIS will assess potential project-generated short- and long-term impacts to the project area and surrounding areas and potential flood risks on the project site and adjacent properties, while also taking into consideration future changes due to climate change and sea level rise. Specific measures incorporated in the project design will be discussed in the DEIS as noted in the Draft and Final Scope.
41	E.4.2 Impacts on Flooding	A tree at full growth can absorb 100 gallons of water. Now that the trees are gone and ponds destroyed if another hurricane like Sandy hits again the risk of flooding in the Graniteville community adjacent to South Avenue is a real possibility	Bolembach	No changes have been made in response to this comment. The Scope includes and the DEIS will assess potential project-generated short- and long-term impacts to the project area and surrounding areas and potential flood risks on the project site and adjacent properties, while also taking into consideration future changes due to climate change and sea level rise. Specific measures incorporated in the project design will be discussed in the DEIS as noted in the Draft and Final Scope.
42	E.4.2 Impacts on Flooding	I'm very concerned about this massive proposed development, which is right on the coast of the Arthur Kill, which we are expecting to rise in the years to come ... I can't understand why DEC is considering such a large project on our coast involving both tidal and freshwater wetlands ... there's a time to consider life and to find a solution that puts the populations at risk of flooding there first.	Cohen	No changes have been made in response to this comment. NYSDEC is required to review all applications submitted to it. NYSDEC is currently in the environmental review process. NYSDEC will also need to conduct a permit application review. No final decisions on this proposed project have been made.
43	E.4.3 Impacts on Aquatic Resources Including Surface Water Resources, Water Quality, Aquatic Biota (i.e., Aquatic Vegetation, Benthic Invertebrates, and Fish).	We, the residents of the areas around this new project, need to know how Old Place Creek is being protected from dumping waste, from emissions and from other sources of contamination.	Bullock	No changes have been made in response to this comment. As discussed in the Scope, the DEIS will include an assessment of potential impacts on aquatic resources, including surface waters such as Old Place Creek.

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44	E.4.3 Impacts on Aquatic Resources Including Surface Water Resources, Water Quality, Aquatic Biota (i.e., Aquatic Vegetation, Benthic Invertebrates, and Fish).	The North Shore of Staten Island has many underground streams ...Old Place Creek branches just before it goes underground, around South Avenue and Goethals Road North. One branch goes northeast, the other branch goes southeast. This fact needs to be part of the Matrix EIS.	Bullock	No changes have been made in response to this comment. As discussed in the Scope, existing onsite conditions, including assessment for streams, will be addressed by field surveys; onsite hydrology and drainage patterns will be discussed; and an assessment of potential impacts on aquatic resources, including surface waters such as Old Place Creek will be included in the DEIS.
45	E.4.3 Impacts on Aquatic Resources Including Surface Water Resources, Water Quality, Aquatic Biota (i.e., Aquatic Vegetation, Benthic Invertebrates, and Fish).	You may know that Old Place Creek is Waters of the United States (WOTUS) and under the jurisdiction of the Army Corp of Engineers (ACOE) It cannot be touched or polluted and must have a regulated buffer zone between it and the construction. We, the residents of the areas around this new project, need to know how Old Place Creek is being protected from dumping waste, from emissions and from other sources of contamination.	Velardi-Ward	No changes have been made in response to this comment. As discussed in the Scope, the DEIS will include an assessment of potential impacts on aquatic resources, including surface waters such as Old Place Creek.
46	E.4.3 Impacts on Aquatic Resources Including Surface Water Resources, Water Quality, Aquatic Biota (i.e., Aquatic Vegetation, Benthic Invertebrates, and Fish).	The North Shore of Staten Island has many underground streams ... Old Place Creek branches just before it goes underground, around South Avenue and Goethals Road North. One branch goes northeast, the other branch goes southeast. This fact needs to be part of the Matrix EIS.	Velardi-Ward	No changes have been made in response to this comment. As discussed in the Scope, existing onsite conditions, including assessment for streams, will be addressed by field surveys; onsite hydrology and drainage patterns will be discussed; and an assessment of potential impacts on aquatic resources, including surface waters such as Old Place Creek will be included in the DEIS.
47	E.4.3 Impacts on Aquatic Resources Including Surface Water Resources, Water Quality, Aquatic Biota (i.e., Aquatic Vegetation, Benthic Invertebrates, and Fish).	Old Place Creek are tidal wetlands and waters of the United States, which means it can't be touched. If this project impacts the tidal wetland or Old Place Creek, it's going to be terrible for us in Graniteville.	Velardi-Ward	No changes have been made in response to this comment. As discussed in the Scope, the DEIS will include an assessment of potential impacts on aquatic resources, including surface waters such as Old Place Creek.
48	E.4.4 Impacts on Wetlands	Please refrain from issuing a permit for the new Staten Island fulfillment center until a complete and thorough study of the proposed site is done and everything in your power is utilized to protect the vital wetland habitat on which the site is to be built. We need wetlands. Sandy made that abundantly clear.	Sheehan	No changes have been made in response to this comment. Any permit issuance for the Proposed Action will require both the issuance of a FEIS and for the applicant to meet applicable permitting standards.
49	E.4.4 Impacts on Wetlands	How dare the NYSDEC even contemplate destroying 90 acres of wetlands next to Old Place Creek by the Goethals Bridge?	Bullock	No changes have been made in response to this comment. NYSDEC is required to review all applications submitted to it. NYSDEC is currently in the environmental review process. NYSDEC will also need to conduct a permit application review. No final decisions on this proposed project have been made.
50	E.4.4 Impacts on Wetlands	The ecology of the wetlands at the site is fragile and any runoff would compromise its ability to filter and protect the environment ... Compromising them by building this massive project is a grave mistake at a time when we most need our natural systems to function and thrive, and to forestall or at the minimum ameliorate this, the facility will need a Force Main to pump the vast amounts of sewage that would emanate from it ... Force Mains require proper maintenance and timely upgrades, and we request that the DEC require a performance bond on the facility's Force Main sewage pumping of 20 years.	Canepa	No changes have been made in response to this comment. As described in the Scope, the DEIS will include an assessment of potential short- and long-term impacts to onsite and adjacent wetlands, wetland functions and wetland adjacent areas. The force main introduced as part of the proposed development is not expected to be transferred to the New York City Department of Environmental Protection (DEP).

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51	E.4.4 Impacts on Wetlands	In this day and age with Global Warming confirmed by scientists every effort should be made to protect the wetlands especially near a heavily populated community ... Building a massive structure with a parking lot accommodating about 850 cars may generate tax revenue, jobs and income but if this project is approved all efforts must be made to protect Wetlands. A strict Environmental Impact Study determining where Wetlands are located must be conducted. Only land not determined to be Wetlands should be permitted to be used for this project. The Matrix Project should be designed so there is minimal adverse impact to the Wetlands . Why not build a Parking Garage with several levels to reduce the footprint thus reducing the destruction of the Wetlands?	Bolembach	No changes have been made in response to this comment. As already described in the Scope, the DEIS will include an assessment of all potential significant adverse environmental impacts, including as to wetlands and wetland adjacent areas. In addition, NYSDEC has conducted a wetland delineation to verify the presence of new and existing wetlands onsite and this delineation will be incorporated into the DEIS and the impacts analysis therein. Any potentially significant environmental impacts to wetlands or wetland adjacent areas will be analyzed in the DEIS. Finally, NYSDEC notes that the Proposed Project contains plans for a multistory parking structure, but that the Scope has been changed to include evaluation of additional rooftop parking.
52	E.4.4 Impacts on Wetlands	The new proposed NY State legislation on wetlands and Class C stream protections is obviously not instantly in effect. I believe there should be a moratorium on any destruction for "development" of wetlands until the legislation is signed by the Governor ... Protection of wetlands and old growth trees and forest may be the greatest mitigation measure we have against the ravages of intesified climate change disasters.	Drechsler et al	No changes have been made in response to this comment. NYSDEC does not have jurisdiction to issue a moratorium for development in or adjacent to regulated wetlands. As a result, NYSDEC must consider all applications it receives for development.
53	E.4.4 Impacts on Wetlands	I am opposed to the filling in of any freshwater or saltwater wetlands at the old GATX site, and urge DEC to not grant any wetland permits or approvals that would create significant adverse impacts ... Western Staten Island has seen significant development of its wetlands and amongst the Harbor Heron habitat complex. Preserving wetlands will help protect the neighborhoods of Staten Island from storms that are increasingly intense due to climate change, and help the Borough's economy and prospects for future economic development.	Shearman	No changes have been made in response to this comment. As already described in the Scope, the DEIS will include an assessment of all potential significant adverse environmental impacts, including as to wetlands and wetland adjacent areas. Whether NYSDEC subsequently issues any permits for the Applicant to conduct regulated activities in the wetlands or wetland adjacent areas is contingent upon thorough review of a complete permit application for a project that meets applicable permitting standards.
54	E.4.4 Impacts on Wetlands	No further development of this site should be allowed because there are already huge wetland systems that must be protected from piecemeal developent ... in order to protect biodiversity in the wetland systems, this should be the end of any development at the site.	Lantner	No changes have been made in response to this comment. NYSDEC is required to review all applications submitted to it. NYSDEC is currently in the environmental review process. NYSDEC will also need to conduct a permit application review. No final decisions on this proposed project have been made.
55	E.4.5 Impacts on Plants and Animals Including Vegetation and Ecological Communities, Wildlife, and Soils.	Much of the natural area and undeveloped open space on the northwest shore of Staten Island was designated as significant coastal habitat by multiple federal and state agencies, NYC Audubon, and Trust for Public Land. Described Significant Coastal Fish and Wildlife Habitats include the Goethals Bridge Pond, Shooters Island, Pralls Island, and Saw Mill Creek Marshes. Extensive avian surveys were conducted with over 100 species of birds present at the site in the early 2000's. This area provided much needed freshwater habitat for coastal birds during nesting and migration. Much has been lost in this area and new avian surveys should be completed to understand the current composition of the bird community ... Multiple surveys should be conducted in April through June to get a better understanding of the current migratory and nesting species. The DEIS should also assess whether the project and associated mitigation could be designed to support affected populations.	Charlop-Powers	No changes have been made in response to this comment. The Scope includes and the DEIS will evaluate potential short- and long-term impacts of project-related activities along with a development of potential measures to avoid and minimize impacts, and if necessary, to mitigate impacts. Wildlife on or near the site of the proposed action will be assessed during the four-season NRI.

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56	E.4.5 Impacts on Plants and Animals Including Vegetation and Ecological Communities, Wildlife, and Soils.	The DEIS should evaluate impacts to migratory birds to reduce the chances of take as defined by the Migratory Bird Treaty Act. For example, during migratory bird season, between April 1 and October 1, removal of vegetation should be minimized or avoided to avoid taking of migratory birds.	Charlop-Powers	No changes have been made in response to this comment. The Scope includes and the DEIS will evaluate potential short- and long-term impacts of project-related activities along with a development of potential measures to avoid and minimize impacts, and if necessary, to mitigate impacts. Wildlife on or near the site of the proposed action will be assessed during the four-season NRI.
57	E.4.6 Impacts on Significant, Sensitive, or Designated Resources	This area was designated a significant coastal habitat by multiple federal and state agencies, Trust for Public Land, and NYC Audubon. NYC Parks conducted extensive avian surveys in the early 2000's and identified over 100 bird species present at the site. The surveys found over 20 state listed species, which are now all Species of Greatest Conservation Need. Recommend the DEIS assess the loss of habitat, freshwater sources, and coastal forage to development in the area. Suggest new avian surveys be completed to understand the current composition of the bird community since development began in the area in 2017, including any cumulative impacts not previously considered. The Proposed Action Area and much of the Project Site were not included in the latest NY State Breeding Bird Atlas so new data for that site is limited. Recommend multiple surveys be conducted in April through June to understand the current migratory and nesting species.	Cuff	No changes have been made in response to this comment. The Scope includes and the DEIS will evaluate potential short- and long-term impacts of project-related activities along with a development of potential measures to avoid and minimize impacts, and if necessary, to mitigate impacts. Wildlife on or near the site of the proposed action will be assessed during the four-season NRI.

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58	E.4.7 Impacts on Threatened, Endangered and Special Concern Species	The Natural Resources Assessment per the Draft Scope of Work, and in the Draft EIS must develop specific mitigation measures that will be implemented to ensure that there is a healthy and robust population of Atlantic Coast Leopard Frog (ACLF) in perpetuity and to ensure that there are migration routes (spring/fall) and connectivity of the site and wetlands. In developing these measures its important to consult with experts on the ACLF to incorporate these measures. Some measures include, but are not limited to: a. Reducing the footprint of the project and protecting critical habitat; b. soft/sloped curbing to allow for frogs/turtles etc. to get out of and up off of any roadways; c. catch basins grates/outlets designed to reduce frogs from falling in and getting trapped; d. allow for connectivity throughout the site including between west, center and east side of the entire Matrix Site; e. wet swales, bioswales, and other green infrastructure along roadways to allow for stormwater control and allow for ACLF movement migration; f. effective road crossings (closed pipes discussed in the Draft Scope of Work may not be adequate and may need to be box culverts with grates on top or other road crossing measures); g. management and design of stormwater control structures for both stormwater and life cycle of the frog (may need a full annual draw down storm water ponds to remove fish and bullfrog larva) outside of the of the ACLF breeding and larval development seasons; h. stormwater ponds should be designed as wetlands(per NYS Stormwater Design Manual) must include features to benefit the ACLF, aquatic bench, wetlands; i. manage landscaped areas as meadows, using native plants, with less mowing and less lawn area to reduce mower impacts on the frog and provide more habitat. This will also serve to reduce geese usage and geese droppings in the area; j. Monitoring for frog road-kill along roadways during the migration period on rainy evenings in February and March and plans to divert traffic around migration areas to prevent road kill; k. For area flood control and ACLF migration habitat, may also consider wet swales both onsite and also along Bloomfield Avenue; l. Creation of micro-pools/vernal pools in areas between	Lantner	No changes have been made in response to this comment. As already described in the Scope, mitigation measures for any unavoidable adverse impacts to wetlands or threatened, endangered or special concern species are proposed and will be further evaluated in the DEIS. The Draft EIS will evaluate impacts to resident wildlife, including threatened, endangered, and species of special concern and will include mitigation measures for any identified impacts. Should impacts to the ACLF warrant mitigation measures, it is the Applicant's intention to consult with experts on the ACLF to incorporate these measures into the Draft EIS and develop specific mitigation measures that will be implemented to ensure that there is a healthy and robust population of ACLF.
59	E.5 Impact on Transportation	I'm concerned about traffic. We have so much traffic here now and we're very, very close to this project. We have so much traffic here and then an healthy adult person can not cross the street. What is a child or disabled person or elderly person supposed to do if we have more traffic?	Velardi-Ward	No changes have been made in response to this comment. As already described in the Scope, the DEIS will evaluate potential short- and long-term impacts of project-related activities on air quality (including potential impacts related to mobile source of air quality emissions), describe potential measures to avoid and minimize these impacts, and if necessary, to mitigate impacts; as well as analyze the effects of project activities on areawide traffic network.
60	E.5 Impact on Transportation	With over 1,000 parking spaces, 300 truck bays and more, in the Matrix proposal, how can there be no effect on traffic? There needs to be an independent study.	Bullock	No changes have been made in response to this comment. As already described in the Scope, the DEIS will analyze the effects of project activities on areawide traffic network.
61	E.5 Impact on Transportation	Please clarify whether any roadway improvements are proposed within the mapped right of way (ROW).	Ahmed	No changes have been made in response to this comment. The extent of potential traffic improvement measures has not yet been finalized and will be developed as part of the DEIS Transportation analysis.

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62	E.5 Impact on Transportation	Please justify the hours selected for analyses and provide all relevant back-up material. Please also coordinate the peak hours with NYSDOT and PANYNJ.	Ahmed	In accordance with CEQR Technical Manual guidelines, the weekday AM, midday, PM and Saturday midday peak hours were selected for detailed analysis because the project-generated vehicle trips during these hours would exceed CEQR screening thresholds for detailed traffic analysis. Note that the Existing Conditions peak hour traffic volumes, as well as the specific hours selected for detailed analysis, will be discussed in the DEIS Transportation Chapter.
63	E.5 Impact on Transportation	The proposed project's construction is 24 months, therefore assess whether detailed transportation analyses are required as per the 2021 CEQR Technical Manual guidelines.	Ahmed	No changes have been made in response to this comment. Construction of the proposed project would not occur in a Central Business District or along a major arterial/thoroughfare. In addition, construction activities would take place entirely on the project site and are not expected to require closing or changes to public transportation infrastructure, including travel lanes, parking lanes, bus lanes, bicycle lanes and pedestrian elements. Therefore, and in accordance with CEQR Technical Manual guidelines, the proposed project's short-term construction duration (approximately 24 months) does not warrant a detailed transportation analysis of construction activities.
64	E.5 Impact on Transportation	Please note the definition of a high crash location has been updated in the 2021 CEQR Technical Manual. Please utilize the 2021 CEQR Technical Manual guidelines.	Ahmed	No changes have been made in response to this comment. The Crash Data Analysis sections in the Travel Demand Factors Memorandum and DEIS Transportation Chapter will consider the latest definition of high-crash locations published in the 2021 CEQR Technical Manual.
65	E.5.2 Traffic	The issue of traffic is a critical issue to be studied ... as of now, a healthy adult cannot cross South Avenue. How do children, elderly or disabled people cross South Avenue? How can this Matrix project, with 1,000+ parking spaces and 300 truck bays, not cause more traffic? There needs to be an independent traffic study for this Matrix project.	Velardi-Ward	No changes have been made in response to this comment. As described in the Draft Scope of Work, the EIS will analyze the effects of project activities on areawide traffic network.
66	E.5.2 Traffic	I'm concerned about traffic, we have so much traffic here now, and a health adult person cannot cross the street. What is a child or disabled person or elderly person supposed to do if we have more traffic?	Velardi-Ward	No changes have been made in response to this comment. As already described in the Scope, the EIS will analyze the effects of project activities on areawide traffic network.
67	E.5.2 Traffic	I agree that the traffic is horrendous. The people who are making decisions try to cross South Avenue first and see how comfortable that is. It's insane already	Cohen	No changes have been made in response to this comment. As already described in the Scope, the EIS will analyze the effects of project activities on areawide traffic network.
68	E.6 Impact on Air Quality	I'm concerned about air pollution because this community has been overburdened with asthma, COPD, and cancer because we have the expressway right next to us. We have Newark Airport at a close distance and we also have the refineries on the other side and the prevailing winds go in this direction.	Velardi-Ward	No changes have been made in response to this comment. As already described in the Scope, the DEIS will evaluate potential short- and long-term impacts of project-related activities on air quality (including potential impacts related to mobile source of air quality emissions), describe potential measures to avoid and minimize these impacts, and if necessary, to mitigate impacts.
69	E.6 Impact on Air Quality	More traffic would also result, and thus more noise and air pollution, whereas; the surrounding community is already experiencing high rates of asthma and other environmentally related health issues.	Mirro	No changes have been made in response to this comment. As already described in the Scope, the DEIS will evaluate potential short- and long-term impacts of project-related activities on air quality (including potential impacts related to mobile source of air quality emissions), describe potential measures to avoid and minimize these impacts, and if necessary, to mitigate impacts; as well as analyze the effects of project activities on areawide traffic network.

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70	E.6 Impact on Air Quality	The scoping plan indicates over 2500 vehicle trips each week. A storage facility built where significant traffic already exists will add to the air pollution in the area by carbon dioxide, carbon monoxide, and fine particulate matter ranging from PM10 down to PM2.5 (which lodges in the lungs). There's an already unacceptable rate of asthma in surrounding neighborhoods (Graniteville, Mariners Harbor and Travis) ... we object to increasing the levels of air pollution, which is on locally a health concern to the people (and wildlife) in the area and globally a contributor to catastrophic climate collapse.	Canepa	No changes have been made in response to this comment. As already described in the Scope, the DEIS will evaluate potential short- and long-term impacts of project-related activities on air quality (including potential impacts related to mobile source of air quality emissions), describe potential measures to avoid and minimize these impacts, and if necessary, to mitigate impacts; as well as analyze the effects of project activities on areawide traffic network.
71	E.6 Impact on Air Quality	The scoping states 2000 auto trips and 540 truck trips per week, this will generate excessive carbon monoxide and particulates. Air quality is already poor in this area with I 278 and 440 traffic confluence ... The draft scope outlines air quality concerns: particulate matter P10 microns to P2.5 microns. We know that many young people in Graniteville and Mariners Harbor and Travis have asthma.	Scarcella	No changes have been made in response to this comment. As already described in the Scope, the DEIS will evaluate potential short- and long-term impacts of project-related activities on air quality (including potential impacts related to mobile source of air quality emissions), describe potential measures to avoid and minimize these impacts, and if necessary, to mitigate impacts; as well as analyze the effects of project activities on areawide traffic network.
72	E.6 Impact on Air Quality	Traffic adds to the already bad air pollution that we in Graniteville experience ... Graniteville, the neighbor of the Matrix project, has major problems with our air quality now. Some of our homes are right next to the SI Expressway. CO2, a greenhouse gas, is therefore abundant here. Then across Arthur Kill there is Newark Airport which emits methane, another greenhouse gas ... Then there are the chemical refineries in Bayway NJ. And as I said the prevailing winds are in the direction of Graniteville. Since we are so bombarded with toxic air, we, the residents of Graniteville and other areas around the Matrix project, need to know what the trucks will be carrying, what will be stored in the warehouse and what route those trucks will be traveling. There is much COPD, asthma and cancer in Graniteville. If they are carrying or storing any toxic material, this use is totally inappropriate for this residential area or for any residential area.	Velardi-Ward	No changes have been made in response to this comment. As already described in the Scope, the DEIS will evaluate potential short- and long-term impacts of project-related activities on air quality (including potential impacts related to mobile source of air quality emissions), describe potential measures to avoid and minimize these impacts, and if necessary, to mitigate impacts; as well as analyze the effects of project activities on areawide traffic network.
73	E.6 Impact on Air Quality	The current population ... is exposed sometimes to unhealthy air quality due to the close proximity of the Chemical Plants in Linden, New Jersey . The prevailing winds blow west to east carrying pollution across Staten Island particularly harming the mostly minority population living in Graniteville which is the closest community to Linden, NJ ... The communities of Graniteville, Mariners Harbor and Port Richmond has a high percentage minority population. They suffered a tragic environmental disaster when 18 acres of valuable wetlands/ forest were destroyed to be replaced by a commercial box store with an adjoining large parking lot. Trees absorb carbon dioxide a green house gas.	Bolembach	No changes have been made in response to this comment. As already described in the Scope, the DEIS will evaluate potential short- and long-term impacts of project-related activities on air quality (including potential impacts related to mobile source of air quality emissions), describe potential measures to avoid and minimize these impacts, and if necessary, to mitigate impacts.
74	E.6 Impact on Air Quality	The project will introduce a lot of trucks and a lot of diesel. They will need to go electric because we're going to have to do something about the particulates being emitted by all these trucks.	Scarcella	No changes have been made in response to this comment. As already described in the Scope, the DEIS will evaluate potential short- and long-term impacts of project-related activities on air quality (including potential impacts related to mobile source of air quality emissions), describe potential measures to avoid and minimize these impacts, and if necessary, to mitigate impacts.

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75	E.6 Impact on Air Quality	I'm concerned about air pollution because this community has been overburdened with asthma, COPD, and cancer.	Velardi-Ward	No changes have been made in response to this comment. As already described in the Scope, the DEIS will evaluate potential short- and long-term impacts of project-related activities on air quality (including potential impacts related to mobile source of air quality emissions), describe potential measures to avoid and minimize these impacts, and if necessary, to mitigate impacts.
76	E.6 Impact on Air Quality	The air quality in this area is terrible, and this is an EJ community.	Cohen	No changes have been made in response to this comment. As already described in the Scope, the DEIS will evaluate potential short- and long-term impacts of project-related activities on air quality (including potential impacts related to mobile source of air quality emissions), describe potential measures to avoid and minimize these impacts, and if necessary, to mitigate impacts; as well as assess the Proposed Actions' consistency with the Climate Leadership and Community Protection Act (CLCPA) addressing project's activities that could result in impacts that disproportionately burden disadvantaged communities.
77	E.7 Impact on Greenhouse Gas Emissions, Climate Change, and Community Resiliency & Risk Act	The geographical area of Staten Island and its Wetlands, impacted by this development are highly recently vulnerable to sea level rise, coastal storm surges and flooding, substantiated by the IPCC, (Intergovernmental Panel on Climate Change). This proposed development comes right up to the Tidal Wetland, Old Place Creek, the creek will be destroyed, and the surrounding community left with no protection ... Wetlands are vital and necessary in providing storm resiliency by absorbing, buffering and mitigating rising sea levels with the ever-increasing occurrence of storms and rainfall.	Mirro	No changes were made in response to this comment. As described in the Scope, the DEIS will assess the potential impacts of climate change on the proposed action and its infrastructure. The analysis will evaluate potential short- and long-term impacts to the project site and surrounding areas; and potential flood risks taking into consideration future changes due to climate change and sea level rise. Potential measures to avoid and minimize impacts, and if necessary, to mitigate impacts, will be described .
78	E.7 Impact on Greenhouse Gas Emissions, Climate Change, and Community Resiliency & Risk Act	The DEIS should describe how the project will include consideration of the effects of climate risks and extreme-weather events as outlined in the Community Risk and Resiliency Act. The evaluation should include climate related impacts to the development, surrounding water bodies, wetlands and forests, and what interventions will be used to minimize those impacts, including stormwater control measures, wetlands, forest, and floodplain restoration and protection ... In the climate change analysis, drainage, and plans for mitigating flooding of the surrounding wetlands should be discussed. For example, if the buildings are constructed to be elevated to mitigate flooding, the DEIS should evaluate where the water will flow and how hydrological impacts will be minimized.	Charlop-Powers	No changes were made in response to this comment. As described in the Scope, the DEIS will assess the potential impacts of climate change on the proposed action and its infrastructure.
79	E.7 Impact on Greenhouse Gas Emissions, Climate Change, and Community Resiliency & Risk Act	One of the most important questions that must be addressed on the Matrix Global Logistics Park West project EIS, is its effect on the very real and increasingly devastating effects of climate change ... In this age of climate change how does it make any kind of environmental sense to destroy this huge number of acres (90+) of wetland with this Matrix project? The use of natural resources such as wetlands, is much more fiscally sensible in preventing the area's destruction from sea level rise, storm surges and torrential rain ... A single mature tree absorbs 100 gallons of water per day. We in Graniteville lost approximately 1,800 trees. That adds up to 180,000 gallons of water being absorbed per day. That goes a long way in absorbing flood waters. And the trees in our wetland were cut down. What will happen in the Matrix project?	Velardi-Ward	No changes were made in response to this comment. As described in the Scope, the DEIS will assess the potential impacts of climate change on the proposed action and its infrastructure. The analysis will evaluate potential short- and long-term impacts to the project site and surrounding areas; and potential flood risks taking into consideration future changes due to climate change and sea level rise. Potential measures to avoid and minimize impacts, and if necessary, to mitigate impacts, will be described .

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80	E.7 Impact on Greenhouse Gas Emissions, Climate Change, and Community Resiliency & Risk Act	Recommend that the climate change analysis take into consideration not only flooding but the impacts of drainage into the surrounding wetlands. For example, if the buildings are constructed to be elevated to mitigate for flooding, the DEIS would include an evaluation of where the water will flow.	Cuff	No changes have been made in response to this comment. As described in the Scope, the DEIS will assess impacts to floodplains and wetlands and potential measures to avoid, minimize, and, if necessary, mitigate impacts due to climate change will be assessed
81	General	It seems to me that there is a lack of transparency in this process ... there were not many people attending or testifying during the hearing. I heard from some that they had a hard time getting into the [virtual] meeting and those who did get in, when they were called on, raised their hand to speak, but could not be heard. The meeting was over in an hour rather than the two hours that were planned. The extra time was not given to those who already spoke for three minutes or to anyone else. When there's a primary or an election we are bombarded with flyers and brochures but when there is a project this important, a little ad is put in the local paper, the Advance. You have to know it is there in order to find it. The same with the DEC website ... I ask why it is that 99% of the people who live around this Matrix project don't know about it, as evidenced by the low turnout at the hearing?	Velardi-Ward	No changes have been made in response to this comment. NYSDEC has adhered to the noticing requirements for a draft Scope of Work as per 6 NYCRR Part 617. NYSDEC will continue to notice the public for this project under both 6 NYCRR 617 and NYCRR 621 as is applicable.

Attachment 1: Natural Resource Surveys

- A. File searches of the NYS Department Natural Heritage Program and US Fish and Wildlife Service and other agency databases will be requested. File searches will be performed for known occurrences of listed rare, threatened, endangered or special concern animals, plants and natural communities, and/or significant wildlife habitats within the study area.
- B. Any Department or USFWS reported occurrences on the site will be investigated for that particular occurrence. Regardless of occurrences being reported for the project site, flora and fauna surveys will be conducted on the project site where adequate sampling has not already occurred as determined by the NYSDEC.
- C. Vegetation surveys and studies to inventory species and identify natural plant communities and habitats consistent with community types defined by Edinger (2014) will be performed. Limits of plant community occurrences may be determined first from interpretation of aerial photographs. Final mapping of plant communities will be produced from onsite investigations.
- D. A comprehensive list of plant species found on the project site including the identification of any rare threatened or endangered species found on the project site will be developed from a survey of the different plant community types identified in paragraph C.
- E. Vegetative communities and habitats that could support rare, threatened, endangered or special concern species will also be identified when performing the task in paragraph C. This shall include, but not be limited to, the species identified by current NHP and USFWS data, Atlantic Coastal leopard frog and the Northern diamond-backed terrapin.
- F. Wildlife species consisting of mammals, birds, reptiles and amphibians observed directly in the various on-site communities in the field will be documented. Wildlife signs (e.g. song, nests, tracks, scat, burrows, markings, etc.) will also be recorded as observed
- G. Bird census work will be performed for resident and migratory species. The bird census work will be performed in the spring and fall (migratory species) and summer (resident/breeding species) months. Census work will include early morning hours. Census work will occur over a sufficient number of days to accurately characterize usage of the site. Census work will include all of the habitat types present on the project site. All birds seen or heard will be recorded to the lowest possible classification. Census methods may include point counts with adequate survey effort and sample design across the study area (as determined by NYSDEC) or other methods approved by NYSDEC to adequately capture avian species diversity and occurrence across the site.

- H. Potential habitats for reptiles and amphibians (frogs, salamanders, turtles and snakes) will be specifically searched. These habitats primarily include wetlands and stream areas, adjacent uplands, sunning spots, loose logs, rocks and soil. Census methods for amphibians and reptiles may include drift fence trapping, net trapping, and/or call recording in the spring and summer across the study area, with adequate survey effort and sample design (as determined by NYSDEC) and/or other methods approved by NYSDEC to adequately capture amphibian and reptile species diversity and occurrence across the site.
- I. Mammal survey methods may include camera trapping, gps monitoring, hair and scat surveys, and/or other survey methods approved by NYSDEC to adequately capture mammal species diversity and occurrence across the site. Surveys will occur during each season.
- J. Fish and arthropods will be surveyed opportunistically across the site during bird, mammal, reptile, and amphibian surveys.