



City Environmental Quality Review

ENVIRONMENTAL ASSESSMENT STATEMENT (EAS) SHORT FORM

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

Part I: GENERAL INFORMATION

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

If "yes," STOP and complete the FULL EAS FORM.

2. Project Name NYC Commerical Waste Zone Program

3. Reference Numbers

CEQR REFERENCE NUMBER (to be assigned by lead agency) 19DOS003Y		BSA REFERENCE NUMBER (if applicable) N/A	
ULURP REFERENCE NUMBER (if applicable) N/A		OTHER REFERENCE NUMBER(S) (if applicable) (e.g., legislative intro, CAPA) Intro TBD	
<b>4a. Lead Agency Information</b> NAME OF LEAD AGENCY Department of Sanitation, City of New York (DSNY)		<b>4b. Applicant Information</b> NAME OF APPLICANT Department of Sanitation	
NAME OF LEAD AGENCY CONTACT PERSON Abas Braimah		NAME OF APPLICANT'S REPRESENTATIVE OR CONTACT PERSON Justin Bland	
ADDRESS 125 Worth Street, Room 708		ADDRESS 125 Worth Street, Room 772	
CITY New York	STATE NY	ZIP 10013	CITY New York
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5. Project Description

The City of New York is proposing to implement a commercial waste zone (CWZ) collection program across the City. A limited number of carters would be authorized to collect commercial waste within each zone. The action would involve legislation by the City Council and Mayor, and rulemaking, implementation and enforcement by the Business Integrity Commission (BIC) and the Department of Sanitation (DSNY), yielding a series of contracts between carters and customers meeting certain parameters. The CWZ program is intended to reduce the existing overlap of commercial carting routes and enhance efficiency, worker and pedestrian safety, transparency in contracting, and customer service. It will also further the City's recycling and sustainability goals and reduce truck traffic and associated air, noise, and greenhouse gas emissions.

Project Location

BOROUGH Citywide	COMMUNITY DISTRICT(S) N/A	STREET ADDRESS N/A
TAX BLOCK(S) AND LOT(S) N/A	ZIP CODE N/A	
DESCRIPTION OF PROPERTY BY BOUNDING OR CROSS STREETS N/A		
EXISTING ZONING DISTRICT, INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY N/A		ZONING SECTIONAL MAP NUMBER N/A

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

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

CITY MAP AMENDMENT  ZONING CERTIFICATION  CONCESSION

ZONING MAP AMENDMENT  ZONING AUTHORIZATION  UDAAP

ZONING TEXT AMENDMENT  ACQUISITION—REAL PROPERTY  REVOCABLE CONSENT

SITE SELECTION—PUBLIC FACILITY  DISPOSITION—REAL PROPERTY  FRANCHISE

HOUSING PLAN & PROJECT  OTHER, explain:

SPECIAL PERMIT (if appropriate, specify type:  modification;  renewal;  other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

**Board of Standards and Appeals:**  YES  NO

VARIANCE (use)

VARIANCE (bulk)

SPECIAL PERMIT (if appropriate, specify type:  modification;  renewal;  other); EXPIRATION DATE:

SPECIFY AFFECTED SECTIONS OF THE ZONING RESOLUTION

**Department of Environmental Protection:**  YES  NO If "yes," specify:

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

LEGISLATION  FUNDING OF CONSTRUCTION, specify:

RULEMAKING  POLICY OR PLAN, specify:

CONSTRUCTION OF PUBLIC FACILITIES  FUNDING OF PROGRAMS, specify:

384(b)(4) APPROVAL  PERMITS, specify:

OTHER, explain: DSNY Approval of Commerical Waste Zone Master Contacts

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

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

OTHER, explain:

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

**7. Site Description:** *The directly affected area consists of the project site and the area subject to any change in regulatory controls. Except where otherwise indicated, provide the following information with regard to the directly affected area.*

**Graphics:** *The following graphics must be attached and each box must be checked off before the EAS is complete. Each map must clearly depict the boundaries of the directly affected area or areas and indicate a 400-foot radius drawn from the outer boundaries of the project site. Maps may not exceed 11 x 17 inches in size and, for paper filings, must be folded to 8.5 x 11 inches.*

SITE LOCATION MAP  ZONING MAP  SANBORN OR OTHER LAND USE MAP

TAX MAP  FOR LARGE AREAS OR MULTIPLE SITES, A GIS SHAPE FILE THAT DEFINES THE PROJECT SITE(S)

PHOTOGRAPHS OF THE PROJECT SITE TAKEN WITHIN 6 MONTHS OF EAS SUBMISSION AND KEYED TO THE SITE LOCATION MAP

**Physical Setting** (both developed and undeveloped areas)

Total directly affected area (sq. ft.): N/A (Generic Action) Waterbody area (sq. ft) and type: N/A

Roads, buildings, and other paved surfaces (sq. ft.): N/A Other, describe (sq. ft.): N/A

**8. Physical Dimensions and Scale of Project** (if the project affects multiple sites, provide the total development facilitated by the action)

SIZE OF PROJECT TO BE DEVELOPED (gross square feet): N/A

NUMBER OF BUILDINGS: N/A GROSS FLOOR AREA OF EACH BUILDING (sq. ft.): N/A

HEIGHT OF EACH BUILDING (ft.): N/A NUMBER OF STORIES OF EACH BUILDING: N/A

Does the proposed project involve changes in zoning on one or more sites?  YES  NO

If "yes," specify: The total square feet owned or controlled by the applicant:

The total square feet not owned or controlled by the applicant:

Does the proposed project involve in-ground excavation or subsurface disturbance, including, but not limited to foundation work, pilings, utility lines, or grading?  YES  NO

If "yes," indicate the estimated area and volume dimensions of subsurface permanent and temporary disturbance (if known):

AREA OF TEMPORARY DISTURBANCE: sq. ft. (width x length) VOLUME OF DISTURBANCE: cubic ft. (width x length x depth)

AREA OF PERMANENT DISTURBANCE: sq. ft. (width x length)

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

	<b>Residential</b>	<b>Commercial</b>	<b>Community Facility</b>	<b>Industrial/Manufacturing</b>
<b>Size</b> (in gross sq. ft.)	N/A	N/A	N/A	N/A
<b>Type</b> (e.g., retail, office, school)	N/A units	N/A	N/A	N/A

Does the proposed project increase the population of residents and/or on-site workers?  YES  NO

If "yes," please specify: NUMBER OF ADDITIONAL RESIDENTS: NUMBER OF ADDITIONAL WORKERS:

Provide a brief explanation of how these numbers were determined:

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

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

If "yes," see [Chapter 2](#), "Establishing the Analysis Framework" and describe briefly:

**9. Analysis Year** [CEQR Technical Manual Chapter 2](#)

ANTICIPATED BUILD YEAR (date the project would be completed and operational): 2024 (See Attachment A)

ANTICIPATED PERIOD OF CONSTRUCTION IN MONTHS: N/A

WOULD THE PROJECT BE IMPLEMENTED IN A SINGLE PHASE?  YES  NO IF MULTIPLE PHASES, HOW MANY?

BRIEFLY DESCRIBE PHASES AND CONSTRUCTION SCHEDULE: N/A

**10. Predominant Land Use in the Vicinity of the Project** (check all that apply)

- RESIDENTIAL     MANUFACTURING     COMMERCIAL     PARK/FOREST/OPEN SPACE     OTHER, specify: N/A

**Part II: TECHNICAL ANALYSIS**

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

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

	YES	NO
<b>1. LAND USE, ZONING, AND PUBLIC POLICY:</b> <a href="#">CEQR Technical Manual Chapter 4</a>		
(a) Would the proposed project result in a change in land use different from surrounding land uses?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project result in a change in zoning different from surrounding zoning?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Is there the potential to affect an applicable public policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If “yes,” to (a), (b), and/or (c), complete a preliminary assessment and attach.		
(e) Is the project a large, publicly sponsored project?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If “yes,” complete a PlaNYC assessment and attach.		
(f) Is any part of the directly affected area within the City’s <a href="#">Waterfront Revitalization Program boundaries</a> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If “yes,” complete the <a href="#">Consistency Assessment Form</a> . See Attachment B		
<b>2. SOCIOECONOMIC CONDITIONS:</b> <a href="#">CEQR Technical Manual Chapter 5</a>		
(a) Would the proposed project:		
o Generate a net increase of 200 or more residential units?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Generate a net increase of 200,000 or more square feet of commercial space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Directly displace more than 500 residents?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Directly displace more than 100 employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o Affect conditions in a specific industry?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>3. COMMUNITY FACILITIES:</b> <a href="#">CEQR Technical Manual Chapter 6</a>		
(a) Direct Effects		
o Would the project directly eliminate, displace, or alter public or publicly funded community facilities such as educational facilities, libraries, hospitals and other health care facilities, day care centers, police stations, or fire stations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Indirect Effects		
o <b>Child Care Centers:</b> Would the project result in 20 or more eligible children under age 6, based on the number of low or low/moderate income residential units? (See Table 6-1 in <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o <b>Libraries:</b> Would the project result in a 5 percent or more increase in the ratio of residential units to library branches? (See Table 6-1 in <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o <b>Public Schools:</b> Would the project result in 50 or more elementary or middle school students, or 150 or more high school students based on number of residential units? (See Table 6-1 in <a href="#">Chapter 6</a> )	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o <b>Health Care Facilities and Fire/Police Protection:</b> Would the project result in the introduction of a sizeable new neighborhood?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4. OPEN SPACE:</b> <a href="#">CEQR Technical Manual Chapter 7</a>		
(a) Would the proposed project change or eliminate existing open space?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Is the project located within an under-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If “yes,” would the proposed project generate more than 50 additional residents or 125 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Is the project located within a well-served area in the <a href="#">Bronx</a> , <a href="#">Brooklyn</a> , <a href="#">Manhattan</a> , <a href="#">Queens</a> , or <a href="#">Staten Island</a> ?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
o If “yes,” would the proposed project generate more than 350 additional residents or 750 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) If the project is located in an area that is neither under-served nor well-served, would it generate more than 200 additional residents or 500 additional employees?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

	YES	NO
(f) Would the proposed project be located in an area that is partially sewerred or currently unsewerred?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(g) Is the project proposing an industrial facility or activity that would contribute industrial discharges to a Wastewater Treatment Plant and/or generate contaminated stormwater in a separate storm sewer system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(h) Would the project involve construction of a new stormwater outfall that requires federal and/or state permits?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>11. SOLID WASTE AND SANITATION SERVICES:</b> <a href="#">CEQR Technical Manual Chapter 14</a>		
(a) Using Table 14-1 in <a href="#">Chapter 14</a> , the project's projected operational solid waste generation is estimated to be (pounds per week): N/A		
o Would the proposed project have the potential to generate 100,000 pounds (50 tons) or more of solid waste per week?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project involve a reduction in capacity at a solid waste management facility used for refuse or recyclables generated within the City?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>12. ENERGY:</b> <a href="#">CEQR Technical Manual Chapter 15</a>		
(a) Using energy modeling or Table 15-1 in <a href="#">Chapter 15</a> , the project's projected energy use is estimated to be (annual BTUs): N/A		
(b) Would the proposed project affect the transmission or generation of energy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>13. TRANSPORTATION:</b> <a href="#">CEQR Technical Manual Chapter 16</a>		
(a) Would the proposed project exceed any threshold identified in Table 16-1 in <a href="#">Chapter 16</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) If "yes," conduct the screening analyses, attach appropriate back up data as needed for each stage and answer the following questions:		
o Would the proposed project result in 50 or more Passenger Car Equivalents (PCEs) per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the proposed project result in 50 or more vehicle trips per project peak hour at any given intersection? <i>**It should be noted that the lead agency may require further analysis of intersections of concern even when a project generates fewer than 50 vehicles in the peak hour. See Subsection 313 of <a href="#">Chapter 16</a> for more information.</i>	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 subway/rail or bus trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the proposed project result, per project peak hour, in 50 or more bus trips on a single line (in one direction) or 200 subway trips per station or line?	<input type="checkbox"/>	<input type="checkbox"/>
o Would the proposed project result in more than 200 pedestrian trips per project peak hour?	<input type="checkbox"/>	<input type="checkbox"/>
o If "yes," would the proposed project result in more than 200 pedestrian trips per project peak hour to any given pedestrian or transit element, crosswalk, subway stair, or bus stop?	<input type="checkbox"/>	<input type="checkbox"/>
<b>14. AIR QUALITY:</b> <a href="#">CEQR Technical Manual Chapter 17</a>		
(a) <i>Mobile Sources:</i> Would the proposed project result in the conditions outlined in Section 210 in <a href="#">Chapter 17</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) <i>Stationary Sources:</i> Would the proposed project result in the conditions outlined in Section 220 in <a href="#">Chapter 17</a> ?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
o If "yes," would the proposed project exceed the thresholds in Figure 17-3, Stationary Source Screen Graph in <a href="#">Chapter 17</a> ? (Attach graph as needed)	<input type="checkbox"/>	<input type="checkbox"/>
(c) Does the proposed project involve multiple buildings on the project site?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project require federal approvals, support, licensing, or permits subject to conformity requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(e) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to air quality that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>15. GREENHOUSE GAS EMISSIONS:</b> <a href="#">CEQR Technical Manual Chapter 18</a>		
(a) Is the proposed project a city capital project or a power generation plant?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(b) Would the proposed project fundamentally change the City's solid waste management system?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) If "yes" to any of the above, would the project require a GHG emissions assessment based on the guidance in <a href="#">Chapter 18</a> ?	<input type="checkbox"/>	<input type="checkbox"/>
<b>16. NOISE:</b> <a href="#">CEQR Technical Manual Chapter 19</a>		
(a) Would the proposed project generate or reroute vehicular traffic?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
(b) Would the proposed project introduce new or additional receptors (see Section 124 in <a href="#">Chapter 19</a> ) near heavily trafficked roadways, within one horizontal mile of an existing or proposed flight path, or within 1,500 feet of an existing or proposed rail line with a direct line of site to that rail line?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(c) Would the proposed project cause a stationary noise source to operate within 1,500 feet of a receptor with a direct line of sight to that receptor or introduce receptors into an area with high ambient stationary noise?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
(d) Does the proposed project site have existing institutional controls (e.g., (E) designation or Restrictive Declaration) relating to noise that preclude the potential for significant adverse impacts?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>17. PUBLIC HEALTH:</b> <a href="#">CEQR Technical Manual Chapter 20</a>		
(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Air Quality;	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	YES	NO
Hazardous Materials; Noise?		

(b) If "yes," explain why an assessment of public health is or is not warranted based on the guidance in [Chapter 20](#), "Public Health." Attach a preliminary analysis, if necessary.

**18. NEIGHBORHOOD CHARACTER:** [CEQR Technical Manual Chapter 21](#)

(a) Based upon the analyses conducted, do any of the following technical areas require a detailed analysis: Land Use, Zoning, and Public Policy; Socioeconomic Conditions; Open Space; Historic and Cultural Resources; Urban Design and Visual Resources; Shadows; Transportation; Noise?

(b) If "yes," explain why an assessment of neighborhood character is or is not warranted based on the guidance in [Chapter 21](#), "Neighborhood Character." Attach a preliminary analysis, if necessary. See Draft Scope of Work

**19. CONSTRUCTION:** [CEQR Technical Manual Chapter 22](#)

(a) Would the project's construction activities involve:

- Construction activities lasting longer than two years?
- Construction activities within a Central Business District or along an arterial highway or major thoroughfare?
- Closing, narrowing, or otherwise impeding traffic, transit, or pedestrian elements (roadways, parking spaces, bicycle routes, sidewalks, crosswalks, corners, etc.)?
- Construction of multiple buildings where there is a potential for on-site receptors on buildings completed before the final build-out?
- The operation of several pieces of diesel equipment in a single location at peak construction?
- Closure of a community facility or disruption in its services?
- Activities within 400 feet of a historic or cultural resource?
- Disturbance of a site containing or adjacent to a site containing natural resources?
- Construction on multiple development sites in the same geographic area, such that there is the potential for several construction timelines to overlap or last for more than two years overall?

(b) If any boxes are checked "yes," explain why a preliminary construction assessment is or is not warranted based on the guidance in [Chapter 22](#), "Construction." It should be noted that the nature and extent of any commitment to use the Best Available Technology for construction equipment or Best Management Practices for construction activities should be considered when making this determination.

**20. APPLICANT'S CERTIFICATION**

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

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

APPLICANT/REPRESENTATIVE NAME  
Steven N. Brautigam, Assistant Commissioner, DSNY Legal Affairs

DATE  
11/5/2018

SIGNATURE  


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

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

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

1. For each of the impact categories listed below, consider whether the project may have a significant adverse effect on the environment, taking into account its (a) location; (b) probability of occurring; (c) duration; (d) irreversibility; (e) geographic scope; and (f) magnitude.

IMPACT CATEGORY	Potentially Significant Adverse Impact	
	YES	NO
Land Use, Zoning, and Public Policy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socioeconomic Conditions	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Community Facilities and Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Open Space	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Shadows	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Historic and Cultural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Urban Design/Visual Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Natural Resources	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Hazardous Materials	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Water and Sewer Infrastructure	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Solid Waste and Sanitation Services	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Energy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air Quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Greenhouse Gas Emissions	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Noise	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Public Health	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Neighborhood Character	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Construction	<input type="checkbox"/>	<input checked="" type="checkbox"/>

2. Are there any aspects of the project relevant to the determination of whether the project may have a significant impact on the environment, such as combined or cumulative impacts, that were not fully covered by other responses and supporting materials?

If there are such impacts, attach an explanation stating whether, as a result of them, the project may have a significant impact on the environment.

YES     NO

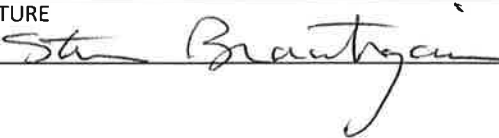
3. Check determination to be issued by the lead agency:

**Positive Declaration:** If the lead agency has determined that the project may have a significant impact on the environment, and if a Conditional Negative Declaration is not appropriate, then the lead agency issues a *Positive Declaration* and prepares a draft Scope of Work for the Environmental Impact Statement (EIS).

**Conditional Negative Declaration:** A *Conditional Negative Declaration* (CND) may be appropriate if there is a private applicant for an Unlisted action AND when conditions imposed by the lead agency will modify the proposed project so that no significant adverse environmental impacts would result. The CND is prepared as a separate document and is subject to the requirements of 6 NYCRR Part 617.

**Negative Declaration:** If the lead agency has determined that the project would not result in potentially significant adverse environmental impacts, then the lead agency issues a *Negative Declaration*. The *Negative Declaration* may be prepared as a separate document (see [template](#)) or using the embedded Negative Declaration on the next page.

**4. LEAD AGENCY'S CERTIFICATION**

TITLE Assistant Commissioner	LEAD AGENCY NYC Department of Sanitation
NAME Steven N. Brautigam	DATE 11/5/2018
SIGNATURE 	



## **A. INTRODUCTION**

The City of New York is proposing to establish and implement a commercial waste zone (CWZ) program across the five boroughs of the City consisting of 20 zones with 3 to 5 private carters operating per zone (the Proposed Action). This Draft Scope of Work for a Generic Environmental Impact Statement (GEIS) describes the studies planned to be conducted to help decision makers and the public understand the expected environmental impact of the Proposed Action.

Currently, New York City's commercial waste system is an open market, regulated system in which private waste carters collect refuse, recyclables, and organics from commercial businesses and compete for contracts with each business. The Business Integrity Commission (BIC) licenses and oversees the private carter industry; this oversight includes setting a citywide rate cap, a maximum price that carters can charge customers for collection and disposal services. The Department of Sanitation (DSNY) regulates the set-out and transfer of commercial waste within the City and enforces against illegal dumping.

Today's commercial waste system achieves its basic goal of collecting and handling the City's commercial waste, but the competitive market has resulted in inefficiencies, with overlapping carting routes and resulting "externalities" that must be borne by the public including the extra truck traffic, an increased risk to pedestrian safety, traffic congestion, air and noise pollution, road wear, and increased use of fossil fuels and greenhouse gas (GHG) emissions contributing to climate change. In some parts of the City, more than 50 carters service a single community district, and an individual commercial block may see dozens of private waste collection trucks on a given night. Compliance with the City's safety equipment and training requirements, and necessary equipment maintenance, are often not enforceable under the current system. Compliance with BIC's rate cap relies on self-reporting and self-policing by carters and customers, and contracts and pricing are not transparent to customers.

In August 2016, DSNY, in partnership with BIC, released a feasibility study by BuroHappold Engineering on the implementation of a CWZ program in New York City that would establish geographic zones for waste collection routes. The study concluded that a CWZ program would be beneficial in reducing inefficiencies in waste collection routes and would reduce carter truck miles traveled by roughly half. The proposed CWZ program described herein builds on this initial work.

The Proposed Action would establish a CWZ program of geographic zones, as further discussed below. A limited number of carters would be authorized to operate in each zone. Each carter would have to adhere to certain parameters intended to improve contractual transparency, worker and public safety and customer service. The CWZ program would advance the City's efforts to increase commercial recycling, reduce carter truck traffic and associated air, noise and GHG emissions, and improve carting industry operational standards. The CWZ program would thereby help advance several key policy objectives: improving roadway safety, complementing *Vision Zero*; furthering the environmental sustainability efforts of *OneNYC*; and reducing the

## **NYC Commercial Waste Zone Program**

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environmental and community impacts of the commercial waste system, a goal of the City's Solid Waste Management Plan (SWMP).

The proposed CWZ program will be reviewed for its potential environmental impacts, in accordance with the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review (CEQR) procedures.

### **B. DESCRIPTION OF PROPOSED ACTION**

The City of New York is proposing an implementation plan and contract-award process to develop a zoned commercial waste system (the CWZ program) throughout New York City's five boroughs. Under the proposed CWZ program, private carters would competitively bid for the right to service businesses within geographic collection zones. Carters that win zone contracts would be obligated to meet certain contractual requirements aligned with the City's program goals and objectives, as further discussed below.

To determine the structure of the proposed CWZ program, a robust, year-long stakeholder engagement process was conducted by DSNY, as lead agency, and Public Works Partners, Inc., a consultant. In the past year over 100 different stakeholders in the commercial waste industry were consulted including commercial businesses that need waste carting services, labor groups, environmental justice advocates, private carters, business improvement district representatives, real estate owners, property managers, trade organizations, other City agencies, traffic safety advocates, and elected officials. From that process, the City's recommended program is a non-exclusive system of 20 geographic zones permitting at least 3 but no more than 5 carters operating within each zone.

In a non-exclusive system, a jurisdiction grants a number of carters the right to compete to provide collection services within a designated zone. No carter could win more than 15 zones in the City. Under this plan, each carter would be able to compete for any and all zones throughout the City based on their preferences. Qualification requirements would be further defined in a Request for Proposals (RFP). While the RFP would define the maximum number of carters able to operate in a particular zone, the number of carters selected for a zone would be determined by the number and quality of the proposals received and the qualifications of the carters. Additionally, the potential to submit proposals as a consortium with other carters or organized through a broker, as well as certain subcontracting allowances, would provide opportunities for an array of different carters. Pricing would be negotiated between individual businesses and carters, subject to rate caps for each carter determined through the contract-award process. Billing would be fair and transparent, with written service agreements outlining rates and any fees so that NYC businesses would only pay for the waste that they produce. Implementing a non-exclusive zoning system is expected to result in a smooth transition for New York City businesses and preserve customer choice, keeping prices competitive and the quality of service high, while substantially reducing truck traffic associated with waste collection.

The proposed CWZ program would likely be implemented in multiple steps. The competitive solicitation process would be expected to begin in 2020. The RFP would be released for all zones, and all proposals would be reviewed and awarded concurrently. Once all contract agreements are executed, customer transition would be expected to begin at the end of 2021 and could take up to two years following the execution of such agreements. Customer transitions would be expected to be complete by 2023 or early 2024. DSNY would continue to serve as the project manager for the CWZ program and in this capacity would oversee the competitive solicitation, negotiation of each

zone's contract between the City and the carter for the right to collect waste, and the overall transition to commercial waste zones. DSNY would continue to enforce regulations controlling commercial waste set out, recycling, and organics separation. DSNY would also become the primary administrator of carter zone contracts under the program and would serve as a provider of last resort if carters repeatedly fail to perform services for any reason. Additionally, DSNY would create a Division of Commercial Waste to administer this CWZ program and consolidate commercial waste outreach, enforcement, and regulatory functions in the agency under a single chain of command. This Division would oversee the solicitation and transition processes and ensure that the CWZ program achieves its stated goals and requirements.

### **C. PROJECT APPROVALS AND COORDINATION**

Implementation of the Proposed Action would involve several local approvals, and is therefore subject to CEQR and SEQRA and their implementing regulations. The City entities that may potentially be involved in the environmental review and approval process for the Proposed Action are:

- Office of the Mayor, City of New York for authorizing legislation;
- New York City Council for authorizing legislation;
- DSNY acting as lead agency for the environmental review,<sup>1</sup> a potential rulemaking and the CWZ program implementation;
- BIC for oversight and potential rulemaking.

### **D. PURPOSE AND NEED**

DSNY is proposing the CWZ program to create a safer and more efficient collection system that provides high-quality, low-cost service while advancing the City's sustainability and recycling goals. The CWZ program would improve customer service, safety and labor standards; promote fairness and transparency; and reduce environmental impacts from commercial carting trucks upon traffic, pedestrians, air quality, and noise levels. In addition, the CWZ program would help meet the City's sustainability goals by furthering the goals of the SWMP and *OneNYC* (including increasing recycling and reducing landfill disposal of waste). Among its hundreds of initiatives, *OneNYC* committed the City to conducting a comprehensive study of CWZs.

In the current, open-market commercial waste system, private carters obtain a license from BIC to allow them to provide commercial waste collection services anywhere within the City. While there are regulations adopted by BIC and DSNY that private carting companies must follow, the current system does not have adequate enforcement mechanisms to ensure that the private carters comply with these regulations. Moreover, guidance documents, notably BIC's Safety Manual, are not enforceable. Independent of BIC and DSNY, carters must also comply with all federal, state, and local regulations that apply to their business operations (e.g., minimum wage laws). Under the CWZ program, carters would be required to comply with current regulations so they could compete for business within the CWZ program, and DSNY would have the mechanism to enforce these regulations if carters fail to comply.

Similarly, the current system does not have appropriate reporting and enforcement mechanisms to ensure carters comply with health and safety standards (e.g., safety equipment, health and safety plans). The CWZ program would encourage carters to comply with industry health and safety

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<sup>1</sup> Lead Agency status has been delegated by the City Council and Office of the Mayor to DSNY.

## **NYC Commercial Waste Zone Program**

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standards and policies, as well as BIC's health and safety guidance documents. Compliance with requirements for safety equipment and training and necessary equipment maintenance would be documented and tracked under the CWZ program.

Existing regulations require commercial businesses to recycle metal, glass, plastic (MGP), paper, cardboard and, in some cases, food preparation waste (organics) and thereby divert such waste from landfills; however, enforcement and tracking compliance rates is difficult. The CWZ program would encourage carters to comply with existing recycling and source-separation regulations so they could compete for business within the CWZ. As part of the solicitation process, the CWZ program would require carters to develop "zero waste" plans and identify innovative practices to support waste reduction, reuse and recycling and provide for additional oversight and reporting requirements to ensure that these practices are being followed. With more recycling and organic materials being separated, less waste would be sent to landfills, saving resources and energy, consistent with the City's sustainability and recycling goals.

During the stakeholder outreach meetings, commercial businesses commented that there is a lack of transparency between carters and customers in the current system. The majority of contracts are oral in nature. There are no set guidelines on what a carter can charge a customer outside of a citywide rate cap and many of the payments are made in cash. Furthermore, for their part, carters pointed out that a customer can change carters with little advance notice. The CWZ program would also standardize the carting contract process by requiring written service agreements between carters and customers and making the pricing structure more transparent.

Additionally, in the current system, customers may select any carter licensed to collect commercial waste in the City. As such, carter routes are largely determined by customer need, resulting in route overlaps and inefficiency. On a single route, carters may collect waste from a few customers in several boroughs and in some parts of the City, more than 50 carters service a single community district, resulting in an individual commercial block seeing dozens of private waste collection trucks on a given night. These route inefficiencies contribute to environmental impacts such as truck traffic, air pollution, increases in GHG emissions, and increased noise levels. The CWZ program would create zones, assigning only a certain number of carters to each zone, thereby minimizing route inefficiencies and overlap, truck traffic, and overall environmental impacts from the industry.

As such, the CWZ program lays out a series of stakeholder-driven goals that the program aims to achieve. These goals include:

1. **Environmental Quality and Public Health:** Reduce truck traffic throughout the City to reduce air pollution and improve quality of life for New Yorkers.
2. **Zero Waste:** Reduce commercial waste disposal and incentivize recycling to conserve resources and reduce GHGs.
3. **Pricing:** Provide fair, transparent pricing with low prices for businesses large and small.
4. **Customer Service:** Strengthen customer service standards and establish accountability.
5. **Health and Safety:** Improve training and safety standards to make the industry safer for workers and the public.
6. **Labor and Worker Rights:** Improve industry labor standards and uphold worker rights.
7. **Infrastructure and Waste Management:** Prioritize investments in clean, modern fleets that make up a reliable, resilient and sustainable waste management system.
8. **Robust, competitive industry:** Create a system that works for carters of all sizes and prevents overreliance on any single company.

The goal of the CWZ program would be to reduce the existing overlap of commercial carting routes and enhance efficiency, worker and pedestrian safety, transparency in contracting, and customer service. It would also further the City's recycling and sustainability goals and reduce truck traffic and associated air, noise and GHG emissions.

The CWZ program would build on the current regulatory system, with a contract-based system where carters are subject to clear requirements stated in contracts. The contracts awarded to selected carters would be long-term; provide for transparent and fair pricing and customer service mechanisms; require improved environmental performance; and ensure compliance with and enforcement of existing and new requirements. Non-compliance could result in monetary penalties or loss of the contract. Overall, the CWZ program would provide stability to the commercial waste industry by providing carters with predictable business and promoting long-term investments in recycling services and cleaner trucks. \*

## NEW YORK CITY WATERFRONT REVITALIZATION PROGRAM Consistency Assessment Form

Proposed actions that are subject to CEQR, ULURP or other local, state or federal discretionary review procedures, and that are within New York City's Coastal Zone, must be reviewed and assessed for their consistency with the [New York City Waterfront Revitalization Program](#) (WRP) which has been approved as part of the State's Coastal Management Program.

This form is intended to assist an applicant in certifying that the proposed activity is consistent with the WRP. It should be completed when the local, state, or federal application is prepared. The completed form and accompanying information will be used by the New York State Department of State, the New York City Department of City Planning, or other city or state agencies in their review of the applicant's certification of consistency.

### A. APPLICANT INFORMATION

Name of Applicant: New York City Department of Sanitation

Name of Applicant Representative: Steven N. Brautigam, Assistant Commissioner, Legal Affairs

Address: 125 Worth Street, Room 706, New York, NY 10013

Telephone: 646-885-4685 Email: sbrautig@dsgny.nyc.gov

Project site owner (if different than above): Not Applicable

### B. PROPOSED ACTIVITY

*If more space is needed, include as an attachment.*

#### I. Brief description of activity

The City of New York is proposing to establish and implement a commercial waste zone (CWZ) program across the five boroughs of New York City (the Proposed Action). The CWZ program will convert the current open market to a zoned system for commercial waste collection.

#### 2. Purpose of activity

The CWZ program is intended to reduce the existing overlap of commercial carting routes and enhance efficiency, worker and pedestrian safety, transparency in contracting, and customer service. It will also further the City's recycling and sustainability goals and reduce truck traffic and associated air, noise and greenhouse gas emissions

**C. PROJECT LOCATION**

Borough: Citywide Tax Block/Lot(s): Not Applicable

Street Address: Not Applicable

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

**D. REQUIRED ACTIONS OR APPROVALS**

*Check all that apply.*

**City Actions/Approvals/Funding**

**City Planning Commission**

Yes  No

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> City Map Amendment               | <input type="checkbox"/> Zoning Certification        | <input type="checkbox"/> Concession        |
| <input type="checkbox"/> Zoning Map Amendment             | <input type="checkbox"/> Zoning Authorizations       | <input type="checkbox"/> UDAAP             |
| <input type="checkbox"/> Zoning Text Amendment            | <input type="checkbox"/> Acquisition – Real Property | <input type="checkbox"/> Revocable Consent |
| <input type="checkbox"/> Site Selection – Public Facility | <input type="checkbox"/> Disposition – Real Property | <input type="checkbox"/> Franchise         |
| <input type="checkbox"/> Housing Plan & Project           | <input type="checkbox"/> Other, explain: _____       |  |
| <input type="checkbox"/> Special Permit                   |  |  |
- (if appropriate, specify type:  Modification  Renewal  other) Expiration Date: \_\_\_\_\_

**Board of Standards and Appeals**

Yes  No

- Variance (use)
  - Variance (bulk)
  - Special Permit
- (if appropriate, specify type:  Modification  Renewal  other) Expiration Date: \_\_\_\_\_

**Other City Approvals**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Legislation  | <input type="checkbox"/> Funding for Construction, specify: _____ |
| <input checked="" type="checkbox"/> Rulemaking   | <input type="checkbox"/> Policy or Plan, specify: _____           |
| <input type="checkbox"/> Construction of Public Facilities   | <input type="checkbox"/> Funding of Program, specify: _____       |
| <input type="checkbox"/> 384 (b) (4) Approval  | <input type="checkbox"/> Permits, specify: _____                  |
| <input checked="" type="checkbox"/> Other, explain: <u>DSNY Approval of Commercial Waste Zone Master Contracts</u> |   |

**State Actions/Approvals/Funding**

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

**Federal Actions/Approvals/Funding**

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

Is this being reviewed in conjunction with a [Joint Application for Permits?](#)  Yes  No

## E. LOCATION QUESTIONS

1. Does the project require a waterfront site?  Yes  No
2. Would the action result in a physical alteration to a waterfront site, including land along the shoreline, land under water or coastal waters?  Yes  No
3. Is the project located on publicly owned land or receiving public assistance?  Yes  No
4. Is the project located within a FEMA 1% annual chance floodplain? (6.2)  Yes  No
5. Is the project located within a FEMA 0.2% annual chance floodplain? (6.2)  Yes  No
6. Is the project located adjacent to or within a special area designation? See [Maps – Part III](#) of the NYC WRP. If so, check appropriate boxes below and evaluate policies noted in parentheses as part of WRP Policy Assessment (Section F).
  - Significant Maritime and Industrial Area (SMIA) (2.1)
  - Special Natural Waterfront Area (SNWA) (4.1)
  - Priority Maritime Activity Zone (PMAZ) (3.5)
  - Recognized Ecological Complex (REC) (4.4)
  - West Shore Ecologically Sensitive Maritime and Industrial Area (ESMIA) (2.2, 4.2)

## F. WRP POLICY ASSESSMENT

Review the project or action for consistency with the WRP policies. For each policy, check Promote, Hinder or Not Applicable (N/A). For more information about consistency review process and determination, see **Part I** of the [NYC Waterfront Revitalization Program](#). When assessing each policy, review the full policy language, including all sub-policies, contained within **Part II** of the WRP. The relevance of each applicable policy may vary depending upon the project type and where it is located (i.e. if it is located within one of the special area designations).

For those policies checked Promote or Hinder, provide a written statement on a separate page that assesses the effects of the proposed activity on the relevant policies or standards. If the project or action promotes a policy, explain how the action would be consistent with the goals of the policy. If it hinders a policy, consideration should be given toward any practical means of altering or modifying the project to eliminate the hindrance. Policies that would be advanced by the project should be balanced against those that would be hindered by the project. If reasonable modifications to eliminate the hindrance are not possible, consideration should be given as to whether the hindrance is of such a degree as to be substantial, and if so, those adverse effects should be mitigated to the extent practicable.

		Promote	Hinder	N/A
<b>I</b>	<b>Support and facilitate commercial and residential redevelopment in areas well-suited to such development.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1.1	Encourage commercial and residential redevelopment in appropriate Coastal Zone areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1.2	Encourage non-industrial development with uses and design features that enliven the waterfront and attract the public.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1.3	Encourage redevelopment in the Coastal Zone where public facilities and infrastructure are adequate or will be developed.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1.4	In areas adjacent to SMIA's, ensure new residential development maximizes compatibility with existing adjacent maritime and industrial uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
1.5	Integrate consideration of climate change and sea level rise into the planning and design of waterfront residential and commercial development, pursuant to WRP Policy 6.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



		Promote	Hinder	N/A
<b>2</b>	<b>Support water-dependent and industrial uses in New York City coastal areas that are well-suited to their continued operation.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.1	Promote water-dependent and industrial uses in Significant Maritime and Industrial Areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.2	Encourage a compatible relationship between working waterfront uses, upland development and natural resources within the Ecologically Sensitive Maritime and Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.3	Encourage working waterfront uses at appropriate sites outside the Significant Maritime and Industrial Areas or Ecologically Sensitive Maritime Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.4	Provide infrastructure improvements necessary to support working waterfront uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2.5	Incorporate consideration of climate change and sea level rise into the planning and design of waterfront industrial development and infrastructure, pursuant to WRP Policy 6.2.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>3</b>	<b>Promote use of New York City's waterways for commercial and recreational boating and water-dependent transportation.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.1.	Support and encourage in-water recreational activities in suitable locations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.2	Support and encourage recreational, educational and commercial boating in New York City's maritime centers.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.3	Minimize conflicts between recreational boating and commercial ship operations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.4	Minimize impact of commercial and recreational boating activities on the aquatic environment and surrounding land and water uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3.5	In Priority Marine Activity Zones, support the ongoing maintenance of maritime infrastructure for water-dependent uses.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>4</b>	<b>Protect and restore the quality and function of ecological systems within the New York City coastal area.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.1	Protect and restore the ecological quality and component habitats and resources within the Special Natural Waterfront Areas.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.2	Protect and restore the ecological quality and component habitats and resources within the Ecologically Sensitive Maritime and Industrial Area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.3	Protect designated Significant Coastal Fish and Wildlife Habitats.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.4	Identify, remediate and restore ecological functions within Recognized Ecological Complexes.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.5	Protect and restore tidal and freshwater wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.6	In addition to wetlands, seek opportunities to create a mosaic of habitats with high ecological value and function that provide environmental and societal benefits. Restoration should strive to incorporate multiple habitat characteristics to achieve the greatest ecological benefit at a single location.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.7	Protect vulnerable plant, fish and wildlife species, and rare ecological communities. Design and develop land and water uses to maximize their integration or compatibility with the identified ecological community.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4.8	Maintain and protect living aquatic resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Promote	Hinder	N/A
<b>5</b>	<b>Protect and improve water quality in the New York City coastal area.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.1	Manage direct or indirect discharges to waterbodies.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.2	Protect the quality of New York City's waters by managing activities that generate nonpoint source pollution.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.3	Protect water quality when excavating or placing fill in navigable waters and in or near marshes, estuaries, tidal marshes, and wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.4	Protect the quality and quantity of groundwater, streams, and the sources of water for wetlands.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5.5	Protect and improve water quality through cost-effective grey-infrastructure and in-water ecological strategies.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>6</b>	<b>Minimize loss of life, structures, infrastructure, and natural resources caused by flooding and erosion, and increase resilience to future conditions created by climate change.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.1	Minimize losses from flooding and erosion by employing non-structural and structural management measures appropriate to the site, the use of the property to be protected, and the surrounding area.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.2	Integrate consideration of the latest New York City projections of climate change and sea level rise (as published in <i>New York City Panel on Climate Change 2015 Report, Chapter 2: Sea Level Rise and Coastal Storms</i> ) into the planning and design of projects in the city's Coastal Zone.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.3	Direct public funding for flood prevention or erosion control measures to those locations where the investment will yield significant public benefit.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6.4	Protect and preserve non-renewable sources of sand for beach nourishment.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>7</b>	<b>Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.</b>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7.1	Manage solid waste material, hazardous wastes, toxic pollutants, substances hazardous to the environment, and the unenclosed storage of industrial materials to protect public health, control pollution and prevent degradation of coastal ecosystems.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.2	Prevent and remediate discharge of petroleum products.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7.3	Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>8</b>	<b>Provide public access to, from, and along New York City's coastal waters.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.1	Preserve, protect, maintain, and enhance physical, visual and recreational access to the waterfront.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.2	Incorporate public access into new public and private development where compatible with proposed land use and coastal location.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.3	Provide visual access to the waterfront where physically practical.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.4	Preserve and develop waterfront open space and recreation on publicly owned land at suitable locations.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

		Promote	Hinder	N/A
8.5	Preserve the public interest in and use of lands and waters held in public trust by the State and City.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8.6	Design waterfront public spaces to encourage the waterfront's identity and encourage stewardship.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>9</b>	<b>Protect scenic resources that contribute to the visual quality of the New York City coastal area.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9.1	Protect and improve visual quality associated with New York City's urban context and the historic and working waterfront.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9.2	Protect and enhance scenic values associated with natural resources.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>10</b>	<b>Protect, preserve, and enhance resources significant to the historical, archaeological, architectural, and cultural legacy of the New York City coastal area.</b>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.1	Retain and preserve historic resources, and enhance resources significant to the coastal culture of New York City.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10.2	Protect and preserve archaeological resources and artifacts.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## G. CERTIFICATION

The applicant or agent must certify that the proposed activity is consistent with New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program. If this certification cannot be made, the proposed activity shall not be undertaken. If this certification can be made, complete this Section.

"The proposed activity complies with New York State's approved Coastal Management Program as expressed in New York City's approved Local Waterfront Revitalization Program, pursuant to New York State's Coastal Management Program, and will be conducted in a manner consistent with such program."

Applicant/Agent's Name: Department of Sanitation, Steven N. Brautigam

Address: 125 Worth Street, Room 706, New York, NY 10013

Telephone: 646-885-4685 Email: sbrautig@dsmn.nyc.gov

Applicant/Agent's Signature: Steven Brautigam

Date: 11/5/2018

## Submission Requirements

For all actions requiring City Planning Commission approval, materials should be submitted to the Department of City Planning.

For local actions not requiring City Planning Commission review, the applicant or agent shall submit materials to the Lead Agency responsible for environmental review. A copy should also be sent to the Department of City Planning.

For State actions or funding, the Lead Agency responsible for environmental review should transmit its WRP consistency assessment to the Department of City Planning.

For Federal direct actions, funding, or permits applications, including Joint Applicants for Permits, the applicant or agent shall also submit a copy of this completed form along with his/her application to the [NYS Department of State Office of Planning and Development](#) and other relevant state and federal agencies. A copy of the application should be provided to the NYC Department of City Planning.

The Department of City Planning is also available for consultation and advisement regarding WRP consistency procedural matters.

### **New York City Department of City Planning**

Waterfront and Open Space Division  
120 Broadway, 31<sup>st</sup> Floor  
New York, New York 10271  
212-720-3696  
[wrp@planning.nyc.gov](mailto:wrp@planning.nyc.gov)  
[www.nyc.gov/wrp](http://www.nyc.gov/wrp)

### **New York State Department of State**

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

## Applicant Checklist

- Copy of original signed NYC Consistency Assessment Form
- Attachment with consistency assessment statements for all relevant policies
- For Joint Applications for Permits, one (1) copy of the complete application package
- Environmental Review documents
- Drawings (plans, sections, elevations), surveys, photographs, maps, or other information or materials which would support the certification of consistency and are not included in other documents submitted. All drawings should be clearly labeled and at a scale that is legible.
- Policy 6.2 Flood Elevation worksheet, if applicable. For guidance on applicability, refer to the WRP Policy 6.2 Guidance document available at [www.nyc.gov/wrp](http://www.nyc.gov/wrp)

**A. INTRODUCTION**

The City of New York is proposing to establish and implement a commercial waste zone (CWZ) program across the five boroughs of the City consisting of 20 zones with 3 to 5 private carters operating per zone (the Proposed Action).

The Proposed Action would be implemented throughout the City, including in areas within the City's Coastal Zone Boundary and, therefore, the Proposed Action is subject to review for consistency with the policies of the Waterfront Revitalization Program (WRP). The WRP includes policies designed to maximize the benefits derived from economic development, environmental preservation, and public use of the waterfront, while minimizing the conflicts among those objectives. The WRP Consistency Assessment Form lists the WRP policies and indicates whether the Proposed Action would promote or hinder a particular policy, or if that policy would not be applicable. This section provides additional information for the policies that have been checked "promote" or "hinder" in the WRP Consistency Assessment Form.

**B. CONSISTENCY OF THE PROPOSED ACTION WITH WATERFRONT REVITALIZATION PROGRAM POLICIES**

*Policy 7: Minimize environmental degradation and negative impacts on public health from solid waste, toxic pollutants, hazardous materials, and industrial materials that may pose risks to the environment and public health and safety.*

*Policy 7.3: Transport solid waste and hazardous materials and site solid and hazardous waste facilities in a manner that minimizes potential degradation of coastal resources.*

DSNY is proposing to enact a CWZ program to convert the current open market to a zoned system for commercial waste collection. The CWZ program is intended to reduce the existing overlap of commercial carting routes and enhance efficiency, worker and pedestrian safety, transparency in contracting, and customer service. It will also further the City's recycling and sustainability goals and reduce truck traffic and associated air, noise and greenhouse gas emissions. Currently, New York City's commercial waste system is an open market, regulatory-based system in which private service providers, licensed and overseen by the Business Integrity Commission (BIC), collect waste and recyclables from commercial businesses and compete for contracts with each business. The Proposed Action would establish a CWZ program that would create geographic zones with a limited number of service providers licensed to operate within each zone. Environmental impacts from commercial waste carting will be reduced. Therefore, the Proposed Action would promote Policy 7.3. \*

# Jamaica Bay Watershed Protection Plan Project Tracking Form

The Jamaica Bay Watershed Protection Plan, developed pursuant to Local Law 71 of 2005, mandates that the New York City Department of Environmental Protection (DEP) work with the Mayor’s Office of Environmental Coordination (MOEC) to review and track proposed development projects in the Jamaica Bay Watershed ([http://www.nyc.gov/html/oec/downloads/pdf/ceqr/Jamaica\\_Bay\\_Watershed\\_Map.jpg](http://www.nyc.gov/html/oec/downloads/pdf/ceqr/Jamaica_Bay_Watershed_Map.jpg)) that are subject to CEQR in order to monitor growth and trends. If a project is located in the Jamaica Bay Watershed, (the applicant should complete this form and submit it to DEP and MOEC. This form must be updated with any project modifications and resubmitted to DEP and MOEC.

*The information below will be used for tracking purposes only. It is not intended to indicate whether further CEQR analysis is needed to substitute for the guidance offered in the relevant chapters of the CEQR Technical Manual.*

### A. GENERAL PROJECT INFORMATION

- 1. CEQR Number:  1a. Modification
- 2. Project Name:
- 3. Project Description:
- 4. Project Sponsor:
- 5. Required approvals:
- 6. Project schedule (build year and construction schedule):

### B. PROJECT LOCATION:

- 1. Street address:
- 2. Tax block(s):  Tax Lot(s):
- 3. Identify existing land use and zoning on the project site:
- 4. Identify proposed land use and zoning on the project site:
- 5. Identify land use of adjacent sites (include any open space):
- 6. Describe existing density on the project site and the proposed density:
 

<b>Existing Condition</b>	<b>Proposed Condition</b>
<input type="text" value="Not Applicable"/>	<input type="text" value="Not Applicable"/>
- 7. Is project within 100 or 500 year floodplain (specify)?  100 Year  500 Year  No

### C. GROUND AND GROUNDWATER

1. Total area of in-ground disturbance, if any (in square feet):
2. Will soil be removed (if so, what is the volume in cubic yards)?
3. Subsurface soil classification:  
(per the New York City Soil and Water Conservation Board):
4. If project would change site grade, provide land contours (**attach** map showing existing in 1' contours and proposed in 1' contours).
5. Will groundwater be used (list volumes/rates)?  Yes  No  
Volumes:  Rates:
6. Will project involve dewatering (list volumes/rates)?  Yes  No  
Volumes:  Rates:
7. Describe site elevation above seasonal high groundwater:

### D. HABITAT

1. Will vegetation be removed, particularly native vegetation?  Yes  No  
If YES,
  - **Attach** a detailed list (species, size and location on site) of vegetation to be removed (including trees >2" caliper, shrubs, understory planting and groundcover).
  - **List** species to remain on site.
  - **Provide** a detailed list (species and sizes) of proposed landscape restoration plan (including any wetland restoration plans).
2. Is the site used or inhabited by any rare, threatened or endangered species?  Yes  No
3. Will the project affect habitat characteristics?  Yes  No  
If YES, describe existing wildlife use and habitat classification using "Ecological Communities of New York State." at <http://www.dec.ny.gov/animals/29392.html>.
4. Will pesticides, rodenticides or herbicides be used during construction?  Yes  No  
If YES, estimate quantity, area and duration of application.
5. Will additional lighting be installed?  Yes  No  
If YES and near existing open space or natural areas, what measures would be taken to reduce light penetration into these areas?

## E. SURFACE COVERAGE AND CHARACTERISTICS

(describe the following for both the existing and proposed condition):

	Existing Condition	Proposed Condition
1. <b>Surface area:</b>		
Roof:	Not Applicable	Not Applicable
Pavement/walkway:	Not Applicable	Not Applicable
Grass/softscape:	Not Applicable	Not Applicable
Other (describe):	Not Applicable	Not Applicable
2. <b>Wetland</b> (regulated or non-regulated) area and classification:	Not Applicable	Not Applicable
3. <b>Water surface area:</b>	Not Applicable	Not Applicable
4. <b>Stormwater management</b> (describe):		
Existing – how is the site drained?	Not Applicable	
Proposed – describe, including any infrastructure improvements necessary off-site:	Not Applicable	