

ATLANTIC YARDS ARENA AND REDEVELOPMENT PROJECT— CONTRACT SCOPE FOR AN ENVIRONMENTAL IMPACT STATEMENT

INTRODUCTION

To assist the Empire State Development Corporation (ESDC) fulfill obligations as set forth in the State Environmental Quality Review Act (SEQRA), AKRF, Inc. will prepare environmental studies and documentation as required for the proposed Atlantic Yards Arena and Redevelopment Project (the proposed project). In addition, AKRF will prepare a blight study to assist ESDC in making a determination of blight on the project site in conformance with Section 10(c) of the New York State Urban Development Corporation Act.

The proposed Atlantic Yards Arena and Redevelopment Project entails the planning and redevelopment of an underutilized and underdeveloped area and the construction of an arena for use by the Nets professional basketball team, as well as residential, office, retail, hotel, publicly accessible open space, and parking uses. The proposed project development would occupy an approximately 22-acre area, roughly bounded by Flatbush and Fourth Avenues to the west, Vanderbilt Avenue to the east, Atlantic Avenue to the north, and Dean Street to the south (see Figure 1). The affected parcels include: Block 927: Lots 1,16; Block 1118: Lots 1, 5, 6, 21-25, 27; Block 1119: Lots 1, 7, 64; Block 1120: Lots 1, 19, 28, 35; Block 1121: Lots 1, 42, 47; Block 1127: Lots 1, 10-13, 18-22, 27, 29, 30, 33, 35, 43, 45-48, 50, 51, 54-56, 1001-1021, 1101-1131; Block 1128: Lots 1, 2, 4, 85-89; and Block 1129: Lots 1, 3-6, 13, 21, 25, 39, 43-46, 49, 50, 54, 62, 76, 81.

The following contract scope is divided into nine major sections, which correspond to key phases of work or work products. These sections include: Strategy Planning; Preparation of an Environmental Assessment Form (EAF); Scoping the EIS; Preparation of the Preliminary Draft EIS (PDEIS); Agency Review of the PDEIS/Notice of Completion for DEIS; Public review of the DEIS and Preparation of the Final Environmental Impact Statement (FEIS); Meetings and Coordination; Report Preparation; and Blight Study. For each of these nine topics, the document provides a brief discussion of issues involved and a description of the specifics of each work task. A breakdown of project costs and a project schedule showing major activities and milestones are provided at the end of the document.

A. STRATEGY PLANNING

AKRF has been collaborating with the project team to strategize the overall approach to the environmental review. In preparing the draft scope of work, AKRF has worked with the project team to articulate the overall objectives, purpose and need of the proposed project and to formulate a definition of the project and its actions that is sufficiently precise to allow preparation of an EIS. AKRF will continue to work with all involved agencies to facilitate agreement on key issues such as the list of required and involved agencies, future baseline conditions, and construction phasing.

While the project team will need to carefully strategize the approach to the environmental review, an array of involved and interested agencies will also provide input as the scope of work is prepared. This is particularly true with the Department of City Planning, which is likely to

agencies. AKRF will attend up to 30 meetings during the 6-month period. Meetings and coordination will include strategy planning sessions, regular status update meetings with ESDC, involved agencies, and the project sponsor, and meetings focused on particular technical analyses, as necessary.

H. REPORT PREPARATION

This task involves all the word processing, graphics, editing, and reproduction involved in the preparation of the EIS. Based on comments received from the project team, AKRF will revise the draft PDEIS and prepare copies of the PDEIS for submission to SEQR review. We will then produce copies of the DEIS and FEIS for public distribution.

I. BLIGHT STUDY

AKRF will prepare a blight study in support of the proposed project to assist ESDC in making a determination of blight on the project site. Section 10(c) of the New York State Urban Development Corporation Act requires that ESDC find, in the case of a land use improvement project, that “the area in which the Project is to be located is a substandard or insanitary area, or is in danger of becoming a substandard or insanitary area and tends to impair or arrest the sound growth and development of the municipality.”

The characteristics of blight can include, but are not limited to: physical deficiencies (insanitary/substandard building conditions, building/housing/fire code violations, site vacancy or underutilization), economic deficiencies (building vacancies, low rents, high rental turnovers) or other deficiencies (incompatible land uses, multiple ownerships that hamper assemblage of properties, traffic congestion, pollution). Taken together, these characteristics may demonstrate that the area under study is substandard, insanitary, or deteriorating.

Using currently available data and information from ESDC and DCP, and if necessary a supplemental survey, we will document and record patterns of ownership, utilization of the sites, land use, zoning, and physical conditions for the affected area. This work will also draw on information being gathered for the land use task being performed for the EIS effort, including maps and other graphical data.

More specifically, the blight study will include the following tasks:

- A. Determine the study area for analysis of blight conditions and prepare and draft criteria that will be used as the basis for the blight study area, in consultation with state and city agencies, including ESDC and DCP.
- B. Document blighted conditions, including the following:
 - Analyze residential and commercial rents on the project site and within the study area;
 - Analyze assessed value trends on the project site, and compare to sample blocks with comparable uses in the study area, such as the Atlantic Center;
 - Describe residential and commercial vacancy trends;
 - Compare current economic activity on the project site, such as direct and indirect employment, with relevant surrounding sites;

- Review New York City Police Department (NYPD) crime statistics for the affected area; and
 - Identify physical conditions, including New York City Department of Buildings (DOB) building code and other pertinent violations (e.g. New York City Fire Department, Department of Environmental Protection, etc.), and determine Certificate of Occupancy compliance on the project site.
- C. Identify/estimate the public benefit generated by the proposed project, including estimates of construction period and operating period, including direct and indirect employment, wages and salaries, and non-real estate taxes generated. This task assumes that an economic and fiscal impact analysis has been previously performed by AKRF for FCR Sports, LLC.
- D. We will issue a technical memorandum discussing the findings of the blight study, and will respond to comments on the study and revise as necessary, in consultation with the project team.