

February 7, 2024

### **MAS Comments on Green Fast Track for Housing**

If Green Fast Track ultimately cuts red tape and leads to more housing without burdening neighborhoods with undue impacts, it is a rule change MAS supports. However, a closer examination is needed to ensure its goals are met and unintended consequences avoided. From MAS' viewpoint as a leading CEQR reform advocate, we have the following recommendations and questions.

#### **Recommendations and Questions**

With the rule changes, projects will still require significant agency oversight. We request that the City pass the rule changes with a built-in pilot program so that after a determined time there would be a lookback to assess whether application review time is saved, and impacts are addressed.

Green Fast Track should exclude sites in the current and future flood plain (year 2100). By only restricting projects in the six designated Special Coastal Risk Districts, it does not go far enough to protect people and property from climate change risks.

Because Type II actions do not require further analysis, this may leave the public, community boards, and other interested parties with insufficient information. This is important because Type II projects would still need to go through ULURP. We recommend the City provide Type II memos that include the rationale supporting its determinations that no impacts would occur and correspondence from involved agencies tasked with providing written determinations about hazardous materials, air quality, noise, and historic resources.

Excluding projects that use fossil fuels supports the City's efforts to achieve carbon neutrality. However, the City should go further and require projects subject to CEQR, regardless of whether they are Type II actions, to demonstrate how they would comply with Local Law 97, and include a life-cycle energy analysis that considers comprehensive energy demand for demolition and material costs of construction. In doing so, the City would also be disclosing the environmental benefits of a project.

The City should not exempt projects in manufacturing districts. Manufacturing districts are vital to the City's economy and need to be protected. Between 2007 and 2015, the City lost over 4,000 acres of manufacturing zoned land due to rezonings.<sup>1</sup>

How would cumulative impacts of multiple projects occurring in the same area at the same relative time be evaluated if individually they would be listed as Type II actions under the new rules? This is particularly important when considering impacts on traffic, public school capacity, transit, and open space.

Green Fast Track could create opportunities for applicants who own large sites to deliberately keep multiple housing projects under the 250-unit threshold or phase them over a period of time to avoid or segment the CEQR process. Has the City identified mechanisms to prevent this from occurring?

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<sup>1</sup> <https://citylimits.org/2018/04/03/with-de-blasio-rezonings-citys-scarce-industrial-land-becomes-scarcer/>

One way to address cumulative impacts and prevent segmentation is to use Generic Environmental Impact Statements or programmatic environmental reviews, which are done at the federal level under the NEPA. These comprehensive reviews can address impacts of multiple ongoing, planned, or foreseeable projects occurring in the same area at the same relative time.

### **Conclusion**

Green Fast Track shows the City's commitment to closing the current housing gap. While it remains to be seen if review time is reduced and more housing produced, we hope our recommendations are given ample consideration and look forward to continuing the conversation on this important rule change.