ESTABLISHING THE ANALYSIS FRAMEWORK

CHAPTER 2

CEQR requires all city agencies to determine whether discretionary actions they directly approve, fund, or undertake may significantly and adversely affect the environment. An action (or set of actions) is the vehicle that, if approved by the involved agency, would allow a project to proceed. Establishing the appropriate framework for analysis of the project allows the lead agency to make reasonable conclusions with regard to the project's likely effects. To determine the framework, this chapter should be used in conjunction with the Environmental Assessment Statement (EAS) forms (either the Short EAS Form or Full EAS Form), which contain a series of questions that serve to define the project and provide to the lead agency the detail needed to assess it. As described in the SEQRA regulations, actions requiring environmental review are considered either to be Unlisted or Type I. If the action is Unlisted, use of the Short EAS Form is generally appropriate. If the action is considered to be Type I, use of the Full EAS Form is required. The information below may be used to define the project's characteristics for analysis and guide completion of either EAS form.

A. DEFINING THE ACTION FOR THE ENVIRONMENTAL ANALYSIS

100. CATEGORIES OF ACTIONS

There are two broad categories of actions—localized actions, which include site-specific actions and actions that apply to small areas, and generic actions that apply to entire neighborhoods or citywide. A Reasonable Worst Case Development Scenario (RWCDS) of the project is often defined for analysis. The methods for establishing the RWCDS depend on the type of action(s) being reviewed. Further information on establishing a RWCDS is explained throughout this chapter.

110. LOCALIZED ACTIONS

111. Site-Specific Actions

Site-specific projects are those proposed for a specific location, where approvals specific to the site are required to allow a particular project to proceed. Examples of site-specific projects include, among others, a proposed building that requires height and setback waivers, a change to the city map for a specific location (*e.g.*, the mapping of a street), a special permit for a public parking garage, approval of a solid waste transfer station, funding for a new cultural facility, the construction of police stations or firehouses, or the granting of a revocable consent. The physical characteristics of site-specific projects are usually well-defined, and the proposed project is itself generally considered to be the RWCDS, since in most cases no other potential development scenarios exist or any additional scenarios are extremely limited in nature. This is explained further in Section 211, below.

112. Actions that Apply to Small Areas

Projects that require a rezoning or other change in generic city controls for the area in which the site is located are not considered site-specific. A change in regulatory controls applying to a small area may allow a range of development scenarios to occur.

Examples that fall within this category include:

- Rezoning of a block or several blocks;
- Designation of an urban renewal area, or approval, alteration, or amendment of an urban renewal plan; or
- Zoning text amendment(s) or changes to Special Districts affecting a limited number of geographic areas.

These types of projects affect an area larger than an individual project site and have different environmental implications from site-specific projects. If approved, the change in regulations would allow development of a new type, use, form, or density on sites other than the project site, and future development on those sites would likely be able to proceed without need for further CEQR review.

Establishing the analysis framework for these types of projects involves developing a RWCDS that captures the upper range of development that would likely occur on both the project site and area affected by the project.

120. GENERIC ACTIONS

"Generic" actions are programs and plans that have wide application or affect the range of future alternative policies. Usually these actions affect the entire city or an area so large that site-specific description is not appropriate. Examples of generic actions undertaken in the city include:

- Zoning changes in one or more neighborhoods;
- Citywide programs or master plans, such as the Department of Sanitation's solid waste management plan (SWMP);
- Text changes to the Zoning Resolution that may affect a wide area; or
- Regulatory changes and local laws.

In the case of some generic actions, such as rezonings, future development allowed under the action may proceed as-of-right and without need for further CEQR review. Other generic actions, such as zoning text amendments that establish new special permit mechanisms, may require future discretionary actions as a condition of development that would be subject to further CEQR review. In either case, the generic environmental assessment is an important planning tool. It allows the agency to identify the range of impacts that may occur and to build into the plan or program the appropriate mitigation, thus ensuring that future actions arising from the plan or program do not have the potential for significant impact, whether or not they are subject to further CEQR review. As with actions that apply to small areas, generic actions require a RWCDS that captures the upper range of potential development.

200. IDENTIFYING PROJECT PURPOSE AND NEED

All proposed projects originate in a planning process of some sort, whether undertaken by a public agency or a private party that is seeking government approvals as an applicant, and are intended to fulfill certain goals, objectives, or mandates. Often, proposals are designed to meet public policies. Both the EAS and environmental impact statement (EIS) require a statement of the project's purpose and need—essentially, the planning impetus behind the proposal. Clear articulation of the project's objectives also allows definition of appropriate alternatives to the project.

210. PURPOSE AND NEED FOR PUBLICLY AND PRIVATELY SPONSORED ACTIONS

The purpose of and need for the project should be explained clearly at the beginning of the EAS or EIS, allowing the decision-makers to balance the goals of the project with environmental concerns, if any, in determining whether the project should be approved. For city-sponsored projects, this statement of objectives or purpose should be framed in terms of how the project meets public needs and responds to public policies, such as the provision of affordable housing, siting of a new school in an underserved area, promotion of environmental sus-

tainability, just several of many other city policies and goals. Proposals by private applicants should be framed in terms of how the project would address the applicant's goals for development.

220. PROJECT OBJECTIVES AND THEIR ROLES IN DEFINING ALTERNATIVES

Defining the project's objectives is also important because it may help define the range of alternatives analyzed in the EIS. The EIS considers a range of reasonable alternatives to the project that have the potential to reduce or eliminate a proposed project's impacts and that are feasible, considering the objectives and capabilities of the project sponsor. Reasonable and feasible alternatives should not automatically be excluded from consideration simply because the applicant has not proposed to pursue them. Choosing reasonable alternatives is discussed in detail in Chapter 23, "Alternatives."

300. IDENTIFYING THE PROJECT FOR ANALYSIS AND ANALYSIS CONDITIONS

310. DEFINING PROJECT CHARACTERISTICS

The first step in an environmental assessment is to define project characteristics. Without adequate definition of project characteristics, reasonable assessments cannot be made as to the project's likely effects. The amount of detail needed to make reasonable assessments depends on the type of action, whether it is localized or generic, and Type I or Unlisted. The project definition also serves to inform all interested and involved persons and agencies about the proposal and is typically contained in a "Project Description." Both the Short and Full EAS Forms provide the initial steps and questions for developing the project description.

320. ESTABLISHING A REASONABLE WORST CASE DEVELOPMENT SCENARIO FOR ANALYSIS

Discretionary actions sometimes permit a range of project characteristics, or development scenarios, to occur even though the action may be sought in order to facilitate a specific development. From the range of possible scenarios that are considered reasonable and likely, the scenario with the worst environmental consequences is chosen for analysis. This is considered to be the RWCDS, the use of which ensures that, regardless of which scenario actually occurs, its impacts would be no worse than those considered in the environmental review.

The environmental assessment examines the incremental differences between the RWCDS of the future without the project in place (No-Action condition) and the future with the project in operation (With-Action condition). The methods for determining the RWCDS for the No-Action condition are described below in Section 410; Section 420 describes the methods for determining the RWCDS for the With-Action condition.

B. DEFINING ANALYSIS CONDITIONS

Once the project has been defined, its effects on its environmental setting may be considered. Regardless of the documentation required (EAS or EIS), the technical area being assessed, or the complexity of the analysis, the assessment is conducted under a three-part framework, set forth below. It should be noted that if the initial analysis indicates there is no potential for significant adverse impacts in a particular technical area, then only documentation of that finding—and no further analysis--is required for that technical area. For each technical area in which the potential for significant adverse impacts exists, the assessment includes:

- A description of existing conditions;
- A prediction of the future without the project for the year that it would be completed and operational (No-Action condition); and
- A prediction of the future with the project for the year it would be completed and operational (With-Action condition).

Comparing the two future scenarios identifies the project's impacts on its environmental setting. For each technical area being assessed, this same framework is used.

100. CHOOSING THE ANALYSIS YEARS

CEQR requires analysis of the project's effects on its environmental setting. For those projects that would be implemented quickly following approval, the current environment would be the appropriate environmental setting. However, proposed projects typically are completed and become operational at a future date, and therefore, the environmental setting is the environment as it would exist at project completion and operation. Consequently, future conditions must be projected. This prediction is made for a particular year, generally known as the "build year." The build year is the year when the project would be substantially operational, since this is when the full effects of the project would occur.

For some generic actions or small area rezonings, where the build-out depends on market conditions and other variables, the build year cannot be determined with precision. A build year ten (10) years in the future is generally considered reasonable for these projects as it captures a typical cycle of market conditions and generally represents the outer timeframe within which predictions of future development may usually be made without speculation; however, generic actions that would facilitate large-scale development over a significant geographic area may sometimes warrant build years beyond a ten-year horizon.

For phased projects, interim build years are assessed in addition to the final build year when the entire project is scheduled to be completed. Interim build years are the first full year after each phase is completed. Large-scale projects that would be constructed over a long period, with the different elements becoming operational or occupied as they are completed, often assess interim build years as well. These interim build years are often assessed to ensure that impacts are identified at the earliest points in which they would occur in the course of development and that mitigations are implemented at that time, rather than at the complete build-out of the project, which may occur years later. Typically, one interim year is chosen, usually based on an estimate of the year when enough development to produce impacts requiring mitigation would have occurred.

200. DEFINING THE STUDY AREA

For each technical area in which an impact may occur, a study area must be defined for analysis. This is the geographic area likely to be affected by the proposed project for a given technical area, *i.e.*, the area in which impacts of that type could occur. Appropriate study areas differ depending on the technical area being analyzed. For urban design, for example, possible impacts generally do not extend beyond the area in which the project may be seen, while for traffic, worsened traffic conditions may occur at intersections some distance away. Often, it is appropriate to use primary and secondary study areas: the primary study area is closest to the project site and, therefore, most likely to be directly affected; the secondary study area is farther away and receives less detailed scrutiny, but could experience indirect effects, such as changes to area trends. Discussions of the methodology for choosing an appropriate study area are provided in each technical analysis chapter (Chapters 4 through 22). For a given technical area, the same study area is used for the assessment of existing, future No-Action, and future With-Action conditions.

300. EXISTING CONDITIONS

After the build year and study area have been established, the next step is to describe current conditions. This must be performed for each technical area that may be affected by the project. The assessment of existing conditions, which can be measured, observed, or otherwise be tested in the field, establishes a baseline from which future conditions may be projected.

Assessment of existing conditions may require data from other sources (such as the census), and, for some technical areas, use of mathematical computation or modeling. Timeliness of data is also important. If the review process becomes prolonged because of changes in the proposed project or other difficulties encountered during the approval process, changes in existing conditions may require further assessment.

When performing studies of existing conditions, the conditions relevant to a "reasonable worst case" analysis of the effects of the project are generally selected for examination. For example, for transportation, the peak periods when the greatest number of new vehicular, pedestrian, and transit trips to and from the site would occur are examined under current conditions. This could be on weekdays, 8:00 to 9:00 a.m. and 5:00 to 6:00 p.m., for a typical office building; or on a weekend, Saturday 1:00 to 2:00 p.m., for a shopping complex. Then, the project effects are assessed for those peak times to determine what might be the worst possible effects of the project that might reasonably occur. Detailed guidance for establishing the appropriate peak hours for analysis for a transportation analysis may be found in Chapter 16, "Transportation."

400. CONSTRUCTING A REASONABLE WORST CASE DEVELOPMENT SCENARIO

A Reasonable Worst Case Development Scenario is broadly defined as the potential development under both the future No-Action and With-Action conditions that is used to determine the change in permitted development created by a discretionary action. The first step in constructing a RWCDS is generally to estimate the projected development in the future without the project (sometimes also referred to as the No-Action condition) for the area directly affected by the proposed project as well as the study area as a whole. The RWCDS analysis takes the existing observed condition and adds to it known or expected changes in order to arrive at a reasonable estimate of future conditions. After the baseline condition is established in the future without the project, the RWCDS for the project is established and compared to the No-Action condition for the environmental assessment. Guidance on developing the RWCDS for the both the No-Action and With-Action condition is below. Additionally, the New York City Department of City Planning (DCP) may be used as a resource to help construct a RWCDS.

410. THE FUTURE WITHOUT THE ACTION (NO-ACTION CONDITION)

The existing environmental setting is used as the basis from which future conditions without the proposed project are then predicted. This prediction is made for the year the project would be completed, using the data about existing conditions together with information about expected future growth and development. The scenario of the future without the proposed project (No-Action condition) provides a baseline condition against which the incremental changes generated by the project may be evaluated. For a phased project, the No-Action conditions do not contain any part of the project, so that the accumulating increment of the project phases may be assessed and disclosed. For example, assume a two-phased project is proposed with build years 5 and 10 years hence. The future without the project/No-Action condition would present conditions 5 and 10 years into the future, in both cases without the project. That is, the No-Action condition for the second phase would not contain the project's first phase.

For environmental impact statements, the No-Action condition also appears in the examination of alternatives, since a No-Action option must always be available to the decision-maker. The No-Action alternative compares the impacts of the project to future conditions without the project.

A future No-Action condition is constructed for all projects, whether for site-specific actions, actions that apply to a small area, or generic actions. Although it may not be possible to present the future No-Action for a generic action at the same level of detail as for site-specific actions or actions that apply to a small area (*e.g.*, details of building design are typically unavailable when considering the future No-Action condition in a large rezoning area), it is generally possible in the case of generic actions to provide an estimate of the amount, type, approximate location, and overall massing/form of future development. The general framework of impact analysis—comparing the future without the project to the future with it—thus applies equally to both site-specific and generic assessments.

The information that may be factored into developing a RWCDS scenario for the No-Action condition includes expected development, growth factors, and other expected changes. Each is discussed in turn below.

KNOWN PROJECTS

These may include developments that are under construction, planned, or proposed, and are collectively termed No-Action projects. The following factors should be considered to determine whether a project should be included as a No-Action project:

APPROVAL PROCESS. Whether the project requires discretionary approvals and the status of that approval process should be considered in determining the appropriateness of including the project in the No-Action condition.

FINANCING AND TIMING OF PROJECT. If a project has been granted its required approvals or is an as-of-right project that has been publicly announced, but construction has not commenced according to schedule, market conditions have changed, *etc.*, the project may not be appropriate to include as a No-Action project if as a result it is unlikely to occur by the build year.

SOFT SITES OR NO-ACTION SITES

Sometimes, projections of development on "soft sites" are appropriate. Soft sites are sites where a specific development is not currently proposed or being planned, but may reasonably be expected to occur by the projected build year. In other words, it may be appropriate to project that development would occur on a site under existing zoning on an "as-of-right" basis in the future No-Action condition. An assumption that development would occur on an "as-of-right" basis in the future No-Action condition must be supported in the analysis based on consideration of relevant factors described below. The No-Action condition for a site is not automatically equivalent to its maximum development capacity under existing zoning, but is the future projected development that may reasonably be expected to occur on that site by the build year.

SOFT SITE CRITERIA. The following factors should be considered when evaluating whether some amount of development would likely be constructed by the build year. No one factor is determinative and these general indicators may be less applicable in some areas than others. Therefore, each factor below should be considered in both the context of the area and in terms of how it would affect the likelihood and amount of development on sites in the future:

- The uses and bulk allowed: Buildings built to substantially less than the maximum allowable floor area ratio (FAR) under the existing zoning are considered "soft" enough such that there would likely be sufficient incentive to develop in the future, depending on other factors specific to the area, listed below; and
- Size of the development site: Lots must be large enough to be considered "soft." Generally, lots with a small lot size are not considered likely to be redeveloped, even if currently built to substantially less than the maximum allowable FAR. A small lot is often defined for this purpose as 5,000 square feet or less, but the lot size criteria is dependent on neighborhood specific trends, and common development sizes in the study area should be examined prior to establishing this criteria.

If sites meet both of the criteria above, the likelihood that the site would be developed in the future without the project should be determined by considering the following:

- The amount and type of recent as-of-right development in the area;
- Recent real estate trends in the area;
- Recent and expected future changes in residential population and employment in the study area;
- Government policies or plans, such as a building on site being identified for a landmark designation, that may affect the development potential of a site or sites;
- Site specific conditions that make development difficult; and

- Issues relating to site control or site assemblage that may affect redevelopment potential.

CONVERSION SITES. Existing buildings that would require little or no reinvestment in order to convert to the use permitted under the action provide the greatest potential to be redeveloped and are often considered as part of the RWCDS.

EXCLUDED SITES. The following uses and types of buildings that meet the soft site criteria are typically excluded from development scenarios because they are unlikely to be redeveloped as a result of the proposed project:

- Full block and newly constructed buildings with utility uses, as these uses are often difficult to relocate;
- Long-standing institutional uses with no known development plans; or
- Residential buildings with six (6) or more units constructed before 1974. These buildings are likely to be rent-stabilized and difficult to legally demolish due to tenant re-location requirements.

GROWTH FACTORS

No-Action analyses of some technical areas, such as traffic, may employ a background growth factor to account for a general increase expected in the future. Such growth factors may be used in the absence of, or in addition to, the traffic attributable to known projects. More information on No-Action analyses for each technical area is found in each of the technical chapters of this Manual.

OTHER EXPECTED CHANGES

No-Action analyses should also consider any other future changes that would affect the environmental setting, such as changes in technology. For example, an expected increase in the proportion of vehicles with pollution controls affects carbon monoxide concentrations and is accounted for in the air quality analyses. Other examples of changes to be considered include roadway improvements, implementation of recycling, and changes to city policies.

SITE-SPECIFIC NO-ACTION SCENARIOS

Sometimes, private applicants state an intention to develop their property in the future, with or without approval of a proposed project. In these cases, the lead agency should consider the reasonableness of the applicant's No-Action development scenario by utilizing the relevant factors listed under "Soft Site Criteria." If the lead agency determines it is reasonable to assume that the applicant's stated No-Action scenario would occur in the future without the proposed project, the scenario would constitute the No-Action scenario for analysis purposes.

In rare circumstances, trends and the other factors noted above may indicate a strong possibility of more than one clearly distinct future No-Action scenario. In such circumstances, the No-Action assessment should present a range of possibilities, describe the likelihood of the occurrence of each, and identify a corresponding range of increments between the various No-Action and With-Action scenarios.

420. FUTURE WITH THE PROPOSED ACTION (WITH-ACTION CONDITION)

The future with the proposed project, also known as the With-Action condition, is assessed and compared with the No-Action scenario. This assessment is performed for the same technical areas, using the same study areas, as the existing and No-Action assessments, and the factors used to determine the RWCDS for the future with the project are described below for both localized and generic actions.

421. Localized Actions

421.1. Reasonable Worst Case Development Scenarios for Site-Specific Actions

Site-specific projects may be the simplest to define because the physical development or uses permitted by the action typically relate exclusively to the project being proposed (*i.e.*, a special permit for a particular site). The location and physical dimensions of the project must be presented, including the blocks and lots affected (or, if relevant, GIS shapefiles may also be provided). The project should be described in some detail, including proposed uses, site plan, design approach, and appearance of the proposed buildings, as appropriate. If a project is considered a Type I action, more detail may be required about certain aspects of the project to determine the appropriate framework for analysis.

In addition, certain aspects of the project may require more detailed information based upon the potential effects expected. For example, projects in historic districts or involving changes to historic buildings would require a more detailed explanation of the proposed architectural features because an important aspect of the analysis would assess any proposed changes to the existing architectural context. Timing and schedule of the project, including construction and operation phases, should also be described.

In some cases involving site-specific projects, the applicant's proposed use or design of the proposed development may only constitute one potential scenario of many that would be permitted by the action. For instance, a proposed zoning change applicable to the site only may allow for commercial and/or residential use, whereas the applicant's stated intention is to build a solely residential development. Alternatively, the applicant's proposed building design may be of a smaller size than what could be built pursuant to the proposed zoning. In these instances, a likely, reasonable scenario is chosen for analysis.

The following describes circumstances in such cases when the proposed project defines the Reasonable Worst Case Development Scenario:

THE PROJECT ITSELF DEFINES AN UPPER RANGE OF PERMITTED DEVELOPMENT FOR THE SPECIFIC PROJECT

As an example, if an applicant seeks a special permit that would allow up to fifty (50) parking spaces on a site because he/she plans to construct a 50-space parking lot, the proposed project and the RWCDS would be the same.

THE PROPOSED ACTIONS WOULD ALLOW FOR SCENARIOS WITH WORSE ENVIRONMENTAL EFFECTS THAN THE SPECIFIC PROJECT PROPOSED, BUT THOSE SCENARIOS ARE SHOWN TO BE UNLIKELY OR INFEASIBLE IN THE CIRCUMSTANCES

Some factors or circumstances that could make a development scenario unlikely or infeasible include site conditions such as:

- Constraints created by the configuration of the parcel, location of streets, or subsurface or topographical conditions;
- Market conditions;
- Adjacent uses and conditions, which could affect market perception and demand, particularly if they are incompatible with the proposal; or
- The type or density of development or activity that is typical in the particular area and borough.

Take as an example an application in Manhattan for a rezoning from M1-6 to C4-7 in order to develop a proposed mixed-use, primarily residential building. The rezoning is requested because residential use is not permitted in the existing M1-6 district and the owner proposes to build a residential building. Both the M1-6 and C4-7 districts permit office development at an FAR of 10, but the M1-6 dis-

trict also provides for an as-of-right plaza bonus to an FAR of 12. An office use usually represents the "worst case" scenario for traffic and mobile source air quality. However, the office option may be unlikely because, due to the relatively small size of the development site, typical office floor plate sizes could not be achieved. The proposed zoning change would, therefore, produce new development, but it would likely contain a substantial proportion of residential use. Therefore, the proposed residential project, perhaps with some office space, would form the reasonable worst case for the environmental assessment.

ADDITIONAL ACTIONS OR CONTROLS WOULD RESTRICT DEVELOPMENT TO THE SPECIFIC PROJECT

In certain cases, an applicant seeking a discretionary approval is required to build a project in accordance with detailed specifications set forth elsewhere, such as in a companion discretionary approval being requested at the same time, a restrictive declaration, a lease or other agreement between the project sponsor and the city, or design and use restrictions under urban renewal plans. For example, concurrent with a rezoning that permits a range of uses and building envelopes, an applicant may also seek a large-scale permit that would use less than the maximum floor area permitted by the proposed zoning, and the large-scale permit would specify the use, floor area, building footprint, bulk, height, and setbacks for each planned building, as well as the location and amount of open space and parking. In this case, the project is limited by the restrictions in the permit, and therefore, the project and the reasonable worst case may be the same, depending in part on the extent to which development without use of the large-scale permit is possible.

Sometimes, specific project components are proposed as part of the project from the initial stages or in the course of ongoing development of project features. These often include features that seek to reduce environmental effects. Such components may be assumed in the environmental analysis of the project, and reflected in the RWCDS and thus factor in the conclusions of the impact analyses, provided they are also incorporated into the project approvals with mechanisms for their implementation.

421.2. Reasonable Worst Case Development Scenarios for Actions that Apply to Small Areas

Projects are often proposed that would facilitate both a site-specific development and affect multiple blocks or portions of neighborhoods. For those lots where no site-specific development is proposed, the project would allow subsequent, undefined future projects to proceed, often without further CEQR review. Consequently, the environmental assessment for the regulatory change must consider the change in development potential for all the sites. Although the physical form of a future project may be unknown, its potential characteristics must be identified for the analysis. This is done by predicting likely, reasonable scenarios that could result if the project is approved and implemented. From this range of realistic, reasonable scenarios, the scenario with the worst environmental consequences should be chosen for analysis.

The reasonable worst-case scenario in such situations must have enough detail to allow for environmental analysis in each impact category. The description of the reasonable worst-case scenario should include the buildings that could be built on a site in terms of their square footage, use, height, and bulk, and, as above, provide more information if needed for a specific technical area. As an example, for a proposal where commercial use has been determined to be the reasonable worst case, it may be necessary to determine the type of commercial uses that would represent the worst case scenario, depending on the market trends that have been observed in the surrounding area. To illustrate, because the type of commercial use or mix of uses affects the trip generation in the transportation analysis, and thus, has the potential to affect the potential for traffic impacts, it should be considered whether the commercial use would consist exclusively of office use or whether the development would likely include a mix of office and some other type of commercial use, such as a hotel, "destination" retail, or other uses. It is also possible that the RWCDS may differ according to impact category: for example, in the case of a rezoning proposal that would allow either commercial or resi-

dential uses, commercial/office use would generate the highest number of transportation trips, but residential use would generate greater demands on local schools and publicly-accessible open space. In this case, two analysis scenarios would be appropriate if both residential and commercial development are reasonably likely to occur and both a predominantly residential and predominantly commercial scenario are possible.

For proposals where residential use has been determined to be the reasonable worst case, it is generally necessary to estimate the number of apartment units that would be built. For instance, trips are estimated on a per-unit basis when calculating the trips generated by the project in the transportation analysis. Consequently, the number of units assumed should be the greatest that can fit in the hypothetical building and conform to zoning regulations, *i.e.*, small units would be assumed for the analysis. However, if it is clear that small units are not the norm in the neighborhood and would not be likely to be marketable, fewer, larger units may be assumed.

For actions that apply to small areas, specific criteria are often used to define the location and density of development that is projected as a result of the proposed project. The type of development that is projected depends on the nature of the project that is being proposed (*e.g.*, whether it is a rezoning for residential, commercial or manufacturing uses), taking into account observed market trends and reasonable forecasting. These general criteria are described in the context of determining "soft sites," discussed above in Section 410, which may help to define the projected development as a result of the project. Sites that would meet the "Soft Site Criteria" above, as a result of the proposed project are often considered along with the site-specific project as part of the RWCDS for the With-Action condition.

422. Generic Actions

For generic actions, specific details about the kind of development that might reasonably be expected are often not available, or considering each particular site that could be affected would be redundant or impossible because of the scale of the project. However, the RWCDS must include sufficient detail regarding the overall amount, type and location of projected development to allow for impact analysis in density-related impact categories (*e.g.* traffic or schools). For other impact categories, the RWCDS may include, as appropriate:

- "Typical" cases, *i.e.*, several descriptions similar to those in a localized action for cases that may reasonably typify the conditions and impacts of the entire proposal; and/or
- A discussion of the range of conditions under which the action(s) may take place, so that the full range of impacts may be identified.

Specific criteria are often used to define the location and density of development that is projected as a result of the proposed project. The type of development that is projected depends on the nature of the project that is being proposed (*e.g.*, whether it is a rezoning for residential, commercial or manufacturing uses), taking into account observed market trends and reasonable forecasting. These criteria are described in detail in the context of determining "soft sites," discussed above in Section 410, which may help to define the projected development as a result of the project. Sites that would meet the "Soft Site Criteria" above, as a result of the proposed project are often considered the RWCDS for the With-Action condition.

423. Determining a Reasonable Amount of Future Development

For both actions that apply to a small area and generic actions, a number of sites in the area to be rezoned may meet the basic "soft site" criteria identified above (significantly underbuilt and of sufficient lot size to support development); however, it may be unlikely that all such sites would be developed as a result of the project because the overall market may not support that amount of new development. Consequently, it is often appropriate to categorize soft sites in the future With-Action as either "projected" or "potential" sites. Projected development sites are defined as those sites that are more likely to be developed as a result of the proposed project. The number of "projected" sites is determined by an evaluation of the likely reasonable

maximum amount of development that may be expected in the period between the adoption of the project and the build year. Potential sites are defined as sites that could be developed but have been determined to have less development potential than the projected development sites, based on observed historic and current market conditions, location, site configuration, proximity to transit, infrastructure and other facilities, and other factors that affect the likelihood that they would be developed under the proposed project. Based on the estimated likely reasonable maximum amount of development that may be expected by the build year, it is further assumed that if that development does not occur on all the projected development sites to the degree projected, the same overall amount of development would nonetheless occur, but with some of it occurring on a number of potential development sites instead.

Because development of potential sites is less likely to occur, it is therefore not included in the total amount of development predicted to occur as a result of the proposed project. Consequently, typical CEQR practice analyzes projected sites for both density-related and site-specific impacts, whereas potential sites are analyzed for potential site-specific impacts only. Density effects are those that occur as a result of an increase or decrease in the population living in or going to and from a specific site or area, due to a change in the amount or type of development in the area. Site-specific effects are attributable to a building's specific design and location.

500. DEFINING PROJECT INCREMENTS

For most technical areas, the projection of the With-Action condition involves a calculation of the numeric increment that the project would add to the No-Action condition under the RWCDS—the number of new residents, new vehicle trips, new students in the school system, or additional wastewater flows to a water pollution control plant, for example. The Project Description table in the Full EAS Form presents the No Build, Build and Increment information for a project. For other areas, where quantitative predictions are inappropriate—such as land use or neighborhood character—more qualitative assessments of the project's effects are made by comparing the With-Action condition to the No-Action condition. Methodologies for determining this information are set forth in the technical analysis chapters (Chapters 4 though 22).

600. DETERMINING IMPACT SIGNIFICANCE

The next step is to assess whether the project increment would result in significant adverse impacts. Significant adverse impacts are substantial changes in environmental conditions that are considered adverse under CEQR thresholds and assessments. The impacts discussion may also, but is not required to, focus on the beneficial as well as adverse impacts of the project; in either case, the No-Action condition is the basis for comparison. Where significant adverse impacts are identified, the lead agency must consider mitigation measures that would mitigate the impact to the greatest extent practicable.

Many technical areas provide quantitative thresholds for what constitutes a significant impact; others require a more judgmental and qualitative assessment. The qualitative and quantitative information is used, as applicable, to determine the likelihood that an impact would occur, the timeframe in which it would occur, and its significance.

CEQR requires that the potential for impact be given a "hard look"—that is, the environmental review cannot simply acknowledge that there might be an impact; it must consider the likelihood and significance of that impact. Similarly, the environmental review cannot simply dismiss the likelihood of expected impacts occurring without reasoned elaboration. On the other hand, the analysis should examine only those impacts deemed reasonably likely to occur, rather than assess a checklist of every conceivable impact.

The impact analysis must consider both direct and indirect environmental effects of a project. These are sometimes called "primary" and "secondary" effects. Direct impacts are those that occur as a direct result of a proposed project—for example, demolition of a historic building on the site or increased carbon monoxide levels because of project-generated traffic. Indirect impacts are generally wider-range consequences and include such effects as changes in land use patterns that may result from a new development. The analysis must also consider short-term, long-term, and cu-

mulative impacts of the project. Short-term impacts are those that happen for a short duration (generally due to construction) as a result of the project; long-term impacts are similar to indirect impacts—effects on the character of the community over the long-run, for example. Cumulative impacts are two or more individual effects on the environment that, when taken together, are significant or that compound or increase other environmental effects. Generally, they are the long-term impacts of either an individual action or a group of actions.