Pacific Park

development, llc

May 6th, 2020

To: Rachel Shatz

cc: Katiana Anglade-Ogwueleka; Annette Scotto

From: Scott Solish

Re: Pacific Park Brooklyn - Construction Activities and Environmental Commitments

The purpose of this memorandum is to update and outline the scope of construction work (the "Work") that has taken place and is expected to take place in connection with the Pacific Park Brooklyn project over the course of the next six-month period of June 1st, 2020 to December 31st, 2020 (the "Work Period") and the Project's compliance with the terms of the Second Amended Memorandum of Environmental Commitments dated June 2014 (the "Environmental Memo") prepared for the Project.

The scope of activities expected to occur within the **Work Period** are the following:

Platform (Block 1120)

Platform construction will commence during the reporting period. The construction activity will include:

- Fence installation
- Ramp access
- Foundation/excavation
- Parameter retaining wall extension
- Trailer office setup/Carlton Ave re-striping

Equipment will include excavators, back-hoes, front end loaders, dump trucks, etc.

Workforce on the platform during this reporting period is expected to be an average 50- 100 workers. Construction activities at these project sites will continue throughout this reporting period. Appropriate noise and dust mitigation measures will be in place for all activities.

Block 1129

B12&B13

Excavation and foundation work are expected to start in the second quarter of 2020. The site fence will be set up per approved DOB (pending) and DOT/MPT plans (previously approved). Fence work will include installation on Dean Street so that pedestrians can continue to walk along Dean Street with a minimum of 5'-0" clearance from curb to fence. Pacific Street Queuing Area and catch basins along Carlton Avenue will be maintained. Excavation / trucking operations will commence in conjunction with SOE work including piles (i.e. soldiers and lagging). Soil will be loaded into trucks for transportation to an approved soil disposal facility. Equipment will include excavators, back-hoes, front end loaders, dump trucks, and caisson driving rigs, tie back rigs, etc.

Workforce on the B12/ B13 site during this reporting period is expected to be an average of 25-50 workers. Construction activities at these project sites will continue throughout this reporting period. Appropriate noise and dust mitigation measures will be in place for all activities.

Block 1120
The B6 and B7 sites (formerly the Bump Buildings) will be used by LIRR and contractors for equipment and construction staging during this reporting period.

Block 1128,

B15 Project Site
Construction activities at this project site will be ongoing during this reporting period. The ongoing work for this reporting period will include the superstructure concrete, MEP work and facade installation and related operations. The site fence will be set up as per the DOT approved MPT plans. Labor force on site will ramp up as required from 50 to 200 over the reporting period based on construction progress and site safety protocols. Equipment will include concrete and material delivery trucks, concrete pumps, crane and hoist, lifts.

Block 1118

B4 Project Site
Construction activities at this project site will be ongoing during this reporting period. Work during this reporting period will include superstructure concrete, MEP work and curtain wall installation and related operations. The site fence will be set up as per the DOT approved MPT plans. Labor force on site will ramp up as required from 50 to 200 over the reporting period based on construction progress and site safety protocols. Equipment will include concrete and material delivery trucks, concrete pumps, crane and hoist, skid-steers, excavators, hoe-rams, and lifts.

In general, all work on the Pacific Park Brooklyn project site will be done during daytime hours pursuant to approved NYC DOB and DOT permits. If off hours work is required, proper permits will be obtained, and advance notification will be given to the community. Work will be performed in accordance with mitigation measures outlined in the Memorandum of Environmental Commitments, including the use of additional pathway noise controls for noisier pieces of equipment, where practicable and feasible.

Application of Environmental Commitments to the Work Environmental Measures set forth in the Second Amended Memorandum of Environmental Commitments addressed as follows:

a) Socioeconomics – Not Applicable to the Work.

b) Community Facilities
   - Police Parking – completed.
   - School – Under construction at the B15 site
   - Day Care – Not Applicable to Work.

c) Open Space and Recreational Facilities – Not Applicable to Work.

d) Shadows – Not Applicable to Work.

e) Hazardous Materials - All Hazardous Materials requirements, including compliance with the Remedial Action Plan and Construction Health and Safety Plan, are and will continue to be adhered to for work undertaken by GFCP or under the direction of GFCP.

f) Storm water and Sewage Minimization Plans – upon completion:

- The B2 Tower plans include holding tanks with the required capacity of approximately 10,700 gallons.
- The B11 Tower plans include holding tanks with a capacity of approximately 34,026 gallons.
- The B14 Tower plans include holding tanks with a capacity of approximately 37,899 gallons.
- The B12 and B13 have the following storm water detention tank capacities:
  - Approximately 32,077 gallons for B12
  - Approximately 20,968 gallons for B13
  - Approximately 34,860 gallons for the Plaza
  - Approximately 109,000 gallons for the future sites north of Pacific Street
- The B15 Tower plans include holding tanks with a capacity of approximately 15,823 gallons.
- The Barclay Arena Storm water Management system includes a storm water detention tank which has a total available capacity of 58,087 ft^3. The existing tank is designed to collect the runoff from the Barclays Arena property, the B3 Residential Building Property and the B4 Residential Building Property. The required total detention tank volume to accommodate these three buildings is 22,339 ft^3.

g) Sustainable Design and Minimization of Air Emissions:

- LEED criteria with respect to construction waste management and pollution prevention have been incorporated into construction contracts.
- GFCP and all project developers are pursuing local and regional procurement for construction materials where feasible.
- Remainder of commitments- Not applicable to Work.

h) Physical Roadway and Transit Improvements – Not applicable to Work.

i) Demand Management – Operational measure; not applicable to Work.

j) Pedestrian Improvements -- Not applicable to this work

k) Construction

1. Construction commitment requirements have been or will be included in the specifications for the platform, B4, B12, B13 and B15 building contracts let to date and will be included in future contracts.

2. Traffic

MPT plans covering the platform work will be reviewed by OCMC/NYCDOT and will be implemented in accordance with OCMC/NYCDOT approvals and requirements.

MPT plans covering the B15 Project have been reviewed by OCMC/NYDOT and will be implemented in accordance with the agency's approvals and requirements.

MPT plans covering the B4 Project have been reviewed by OCMC/NYDOT and will be implemented in accordance with the agency's approvals and requirements.

MPT plans covering the B12 Project will be reviewed by OCMC/NYDOT and will be implemented in accordance with the agency's approvals and requirements.

MPT plans covering the B13 Project will be reviewed by OCMC/NYDOT and will be implemented in accordance with the agency's approvals and requirements.

a) Some of the roadway modification, traffic installations and operational improvements detailed in pages 19-78 and 19-79 of the FEIS have been implemented. No additional improvements are required with the Work currently underway and remaining mitigation measures are not planned for implementation at this time.

b) The contractors for all active construction activities and work will provide flaggers as required (i.e. to ensure pedestrian safety when trucks enter and exit from the site). In addition, Security Guards may be provided at east and west entrances to the Pacific Street Queue. Site management requirements regarding curbside deliveries, staging areas, and scheduled truck deliveries will be complied with as part of site management activities.

   Staging for the B15 Tower work will take place behind the MPT installation along the site perimeter at the intersection of 6th Avenue and Dean Street, along the east side of 6th Avenue.

   Staging for the B4 Tower work will take place behind the MPT installation along the site perimeter at the intersection of 6th Avenue and Atlantic Avenue.

   Staging for the B12 Tower work will take place behind the MPT installation along the site perimeter.

   Staging for the B13 Tower work will take place behind the MPT installation along the site perimeter.

   All deliveries for B12 and B13 will take place from Pacific Street.

   To the extent feasible, Pacific Street (within B1129) will be used as a truck staging/queuing area.

c) Enough parking continues to be available at the Atlantic Center parking garage and B14 and B3 garages for construction workers.

d) The level of traffic associated with the Work will not require any additional changes to the roadway network beyond what has already been put in place as mandated by the FEIS.

3. Noise

a) The Work will comply with the measures set forth in Exhibit A as its construction noise mitigation plan.

b) The Work has the potential to result in long term increases in noise levels in the area, in proximity to receptors 1A,2A,3A,3B, 4B, 4C, 4A,5A,5C, 6B,6C,7B, 7C,

8B, 8D, 9B,9C,9D, 32D, 33A, 33B, 33C, 33D, 34A, , 35B, 38C, 38D, 38A, 49B, 48A, 48B, 39A, 40A, 41A,42A, 43A, 44C, 44D, 44A, 57A, 57B, 57C, 50C, 50B, 55D, 55C, 61B, 60A, 82D, 82C, 82B, 91B, 90C, 89A, 89C, 89B, 90A, 91A, 94C, 93C, 92A, 92C, 95C, 95B, and 95A, identified in the FSEIS. The mitigation requires the installation of double paned or storm windows and air conditioners in the areas identified in the FEIS as having the potential to experience long term construction-related noise impacts where permitted by the owners of the buildings. FCRC has implemented a program of mitigation measures and will continue to make available during the Work Period.

c) Temple of Restoration/Swedish Baptist Church accepted a monetary payment from FCRC to provide noise mitigation measures. The mitigation measures for the library are associated with the construction of Site 5 and are not applicable to the Work.

d) Construction of the comfort station at the Dean Street Playground has been completed and the control and operation of the comfort station have been transferred to the New York City Parks Department.

4. Air Quality

Required dust suppression requirements have been or will be included in the specifications/scope of work requirements for the platform, B4, B12, B13 and B15 Tower and demolition contracts let to date and will be included in future contracts. Provision of grid power is not required for the platform and West Portal work, and has been installed and is operational at the B2, B3, B14 and B11 Tower site.

a) The other air emission requirements set forth in Section N.9.f ((limitation of idling), N.9.g, (use of ultra-low sulfur diesel fuel), N.9.h-N.4.m (latest available tailpipe emission reduction technology), and N.4.n (location of stationary engines) are included in the contractor's contracts as scope of work requirements.

b) The CAQM Plan is required–when intensive construction work begins on the project. The CAQM Plan was initially accepted by ESD on December 16, 2008. An elaborated CAQM Plan responding to further discussions between ESDC and FCRC was accepted by ESD on April 9, 2010. The CAQM, dated November 2016, is the most recent version and is currently in place

5. Rodent Control – A rodent control program has been and continues to be implemented at the platform and the B15, B4, B12 and B13 sites.

On Site Environmental Monitor (OEM) Staffing

During the Work Period, OEM responsibilities and staffing will continue to be managed by Remedial Engineering ("Remedial"). The number of actual onsite staff will vary depending on how much work is occurring onsite. It is anticipated that there will be enough monitoring engineer onsite during the new construction activities in 2020 to cover the platform, B4, B12, B13 and B15.

The main duties of the onsite monitoring engineers include: daily walkthrough around the site making sure contractors are compliant with the MEC; document site observations by completing OEM-based checklists for

each project site; performing community air monitoring for any project that has the potential to generate dust; perform equipment inspections to confirm compliance with the MEC; perform weekly SWPPP inspections; ensure contractor compliance with project-specific rodent control requirements; and document, track and address incidences of non-compliance. The OEM holds bi-weekly calls with the construction team and ESD/HDR during which MEC compliance is discussed.

The level of staffing may increase from this initial level if such is warranted by the amount of construction activity taking place at the project Site. The Project Manager/ Project Principal (Omar Ramotar) ensures that the site mitigation engineers are performing their duties in strict compliance with the MEC; discuss contractor compliance with MEC; and maintain MEC project database. Mr. Ramotar is also responsible for the overall performance of the work in accordance with the MEC and conducts weekly OEM meetings.

Exhibit A

CONSTRUCTION NOISE MITIGATION PLAN

1. Use of equipment that meets the Noise Code sound level standards specified in the Noise Code.
2. Use of construction equipment that meets the noise emission levels specified in Table 17c-3 of the FEIS, "Construction Equipment Noise Emission Levels," where such levels are more stringent than those imposed by the Noise Code.
3. In accordance with the Noise Code or Table 3J-J of the FSEIS, compliance with the "Construction Equipment Noise Emission Measurement Protocol".
4. Scheduling work that would generate high noise levels during weekday daytime hours to extent feasible, rather than during weekday nighttime or weekend hours, unless required as a result of safety or another agency requirement.
5. To the extent feasible, scheduling equipment and material deliveries during weekday daytime hours, rather than during weekday nighttime or weekend hours.
6. Where practicable and feasible, configuring sites to minimize back –up alarm noise. Where partible and feasible, using sound-mitigated back up alarms such as backup alarms that lower back up alarm noise in response to more quiet ambient conditions or backup alarms that use white noise or other mitigating technologies for trucks and equipment expected to operate at or make deliveries to the Project site during any phase of extended night-time work or night time module deliveries (in the case of Tower B2);
7. As early as practicable in the construction period and wherever feasible, using electrical-powered equipment, rather than diesel-powered equipment for construction activities.
8. Situating noisier equipment, such as generators, cranes, tractor trailers, concrete pumps, concrete trucks and dump trucks at locations that are removed from sensitive receptor locations and are shielded from sensitive receptor locations wherever feasible.
9. A minimum 8-foot perimeter barrier (constructed of 3/4" thick plywood), with a 16-foot-high barrier (of ¾" tick plywood) adjacent to sensitive location where're practicable and feasible, and, where practicable, truck deliveries shall take place behind these barriers. Noisy delivery trucks, such as concrete trucks, are to be operated behind the barriers.
10. Where practicable, use of quiet construction procedures and equipment, including, where practicable, the use of a bed liner made of thick rubber, spray-on liner, plywood, sand or gravel on dump trucks to mitigate the noise of the first load being dropped in to a dump truck;
11. Requiring all contractors and subcontractors to properly maintain their equipment and have quality mufflers installed; and
12. Where practicable, noise curtains and equipment enclosures shall be utilized to provide shielding from significant noise-generating equipment to sensitive receptor locations.