

(A)



**Michael D Wilson**  
07/30/2008 07:42 AM  
EDT

To: Jack Howard/PHILADELPHIA/NPS@NPS  
cc:  
Subject: Re: Memo to Elisa Kunz

Thanks again Jack!

Michael

=====  
**Michael D. Wilson**  
Chief, State and Local Assistance Programs  
National Park Service (Org. Code 2225)  
Mailing Address: 1849 C Street, NW  
Washington, DC 20240  
Office Location: 1201 Eye St., NW, Rm 935  
Washington, DC 20005 (use for FedEx, etc.)  
(202) 354-6905, (202) 371-5179 (Fax)  
e-mail: michael\_d\_wilson@nps.gov  
http://www.nps.gov/twcf - http://www.nps.gov/flp  
=====

Jack Howard/PHILADELPHIA/NPS

**Jack**  
Howard/PHILADELPHIA/NP  
S  
07/30/2008 07:24 AM EDT

To: Michael D Wilson/WASO/NPS@NPS  
cc  
Subject: Memo to Elisa Kunz

Hi Michael,

Attached is the memo to Elisa Kunz in regard to the appraisal issue pertaining to Macombs Dam Park and Yankee Stadium. This memo and the enclosures were FedEx to Elisa yesterday for delivery this morning.

**Jack**  
=====

**Jack W. Howard, Manager**  
Recreation, Conservation & Grants Assistance  
National Park Service  
200 Chestnut St., 3rd Floor  
Philadelphia, PA 19106  
(215) 597-1565  
(215) 597-5747 (Fax)  
jack\_howard@nps.gov

[attachment "Kucinich Appraisal Documentation Page 1.png" deleted by Michael D Wilson/WASO/NPS]

[attachment "Kucinich Appraisal Documentation Page 2.png" deleted by Michael D Wilson/WASO/NPS]

**L23 (4507)**

**Memorandum**

**Date:** July 29, 2008  
**To:** Elisa Kunz  
**From:** Jack W. Howard, Manager  
Recreation, Conservation & Grants Assistance  
**Subject:** Request for Appraisal Documentation

As per your request on behalf of Congressman Dennis J. Kucinich, Chairman, Domestic Policy Subcommittee, we have completed a thorough review of our project files for the conversion of Macombs Dam Park, Land and Water Conservation Fund (LWCF) project #36-00776E. As you are aware, Macombs Dam Park was converted and the new Yankee Stadium is now being constructed at this site.

Mr. Kucinich's specific request was for information that pertained to the appraised value of Macombs Dam Park and the existing Yankee Stadium. We have enclosed for your review three documents that directly relate to the appraised values of these sites. These documents are:

- July 7, 2006, transmittal letter from the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP) requesting NPS approval of the conversion at Macombs Dam Park. The letter includes the State's certification, pursuant to LWCF program requirements, establishing the fair market value for all affected parcels for the conversion, and that the appraisals were reviewed by the State and found to be in accordance with the Uniform Appraisal Standards for Federal Land Acquisition (UASFLA).
- June 20, 2006, memorandum from the NYSOPRHP Director of Real Property stating the appraised value of Macombs Dam Park.
- June 20, 2006, memorandum from the NYSOPRHP Director of Real Property stating the appraised value of the existing Yankee Stadium site.

Please note further that States have the responsibility for providing guidance to appraisers on appraisal requirements for LWCF purposes, for ensuring appraisals are reviewed by State-certified review appraisers pursuant to the UASFLA, and for approving appraisals. States must certify to NPS that the appraisals meet the federal appraisal standards (see enclosures).

The LWCF Grants Manual sets forth the requirements for appraisal review and certification at Chapter 675.9(3)(B)(2), except the requirement that NPS must review any appraisal for conversions with a value finding of \$100,000 or more was eliminated per memorandum dated June 24, 1998, from the NPS Associate Director, Cultural Resource Stewardship and Partnerships, to NPS Regional Directors. That memorandum allows NPS Regions to accept a State's certification that appraisals: 1) regardless of value finding, of both the converted and replacement properties are acceptable; 2) have been conducted in accordance with federal appraisal standards; and 3) reveal that the replacement property is of at least equal fair market value as that of the property to be converted.

More detailed information pertaining to the actual appraisal reports and the methodologies used by the review appraiser are available from Mr. Kevin Burns, Chief of Grants, NYSOPRHP, Empire State Plaza, Agency Building #1, Albany, NY 12238. Mr. Burns can also be reached by telephone number at (518) 474-0427 and his e-mail address is [Kevin.Burns@oprhp.state.ny.us](mailto:Kevin.Burns@oprhp.state.ny.us).

If you have any questions in regard to the information that has been provided, please do not hesitate to contact me at (215) 597-1565 or at [jack\\_howard@nps.gov](mailto:jack_howard@nps.gov).

Jack W. Howard, Manager

Enclosures

cc: Michael D. Wilson, Chief, WASO

General, Reading

JWH/jwh: 7/29/08: MDPYS



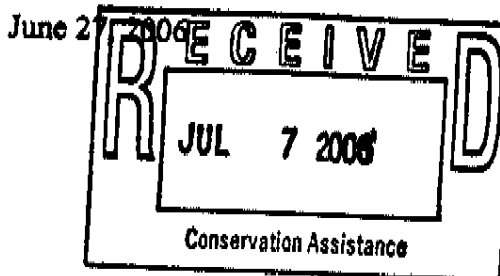
New York State Office of Parks, Recreation and Historic Preservation  
The Governor Nelson A. Rockefeller Empire State Plaza  
Agency Building 1, Albany, New York 12238

518-474-0456

Human Resources  
518-474-0453Fiscal Management  
518-474-0081

TDD: 518-486-1899

Ms. Jean Sokolowski  
NYS Project Manager  
National Park Service  
200 Chestnut Street  
Philadelphia, PA 19106



Re: LWCF #36-00776E  
Macombs Dam Park  
City of New York

Dear Ms. Sokolowski:

At this time, please be advised that the New York State Office of Parks, Recreation and Historic Preservation has completed a review of pertinent materials regarding the proposed conversion of the Land and Water Conservation Fund assisted site referenced above. As you know, this review has been undertaken in close coordination with your office. Based upon this comprehensive examination, we are requesting National Park Service approval of this conversion.

The project involves the conversion of a parcel of land at Macomb's Dam Park totaling 10.673 acres (the converted parcel) in exchange for parcels totaling 16.456 acres (the replacement parcels).

Our recommendation for approval is based upon the following considerations:

- A) All practical alternatives to the conversion have been evaluated and rejected on a sound basis. The Final Environmental Impact Statement (FEIS) prepared for this project and on file with your office contains, particularly in Chapter 22 (Alternatives), an analysis of alternatives.
- B) Fair Market Value for all affected parcels has been established. Appraisals have been reviewed and found to be in accordance with the Uniform Appraisal Standards for Federal Land Acquisition. The converted parcels have been appraised at \$21,000,000 and the replacement parcels at \$25,940,000 (see "Memoranda of Appraisal Review" prepared by this Agency - Sandra Burnell to James S. Sponable, dated June 20, 2006 (enclosed)).
- C) The property proposed for replacement is of reasonably equivalent usefulness and location as that being converted. Chapter 4 of the FEIS, in particular, provides an analysis of this item.

[www.nysparks.com](http://www.nysparks.com)

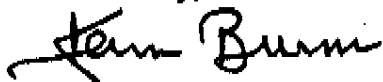
An Equal Opportunity/Affirmative Action Agency

♻️ printed on recycled paper

- D) The property proposed for replacement meets the eligibility requirements for LWCF assistance, and constitutes a viable recreation area.
- E) There are no wetlands impacted by this conversion.
- F) All necessary coordination with other Federal agencies has been satisfactorily accomplished.
- G) The required environmental review has been addressed through the comprehensive FEIS that was made available for public review and comment (note, in summary, the May 30, 2006 e-mail from Thomas Lyons to me, enclosed). The conversion does not arise from another federal action.
- H) The Intergovernmental Review System (EO12372) procedures are not applicable, as New York State no longer has a "state clearinghouse" agency. As noted, a comprehensive FEIS was made available for public review and comment.
- I) The proposed conversion and substitution are in accord with the SCORP.
- J) The State Historic Preservation Office (SHPO) has reviewed the project and has determined that it will have an "Adverse Effect". A Memorandum of Agreement is being submitted separately.
- K) An amendment is being submitted to adjust the involved acreage (enclosed).
- L) 6(f) maps of the replacement and converted parcels are being provided (enclosed).

In conclusion, we appreciate the considerable review and discussion with your office which has helped to facilitate the requisite evaluation of this proposed conversion. If you have any questions, or if we can provide further documentation or information to enhance a prompt and thorough review by the National Park Service, please do not hesitate to contact me.

Sincerely,



Kevin Burns  
Alternate State Liaison Officer

**Enclosures**


- 1) Memoranda of Appraisal Review
- 2) Environmental Review Materials
- 3) Signed and dated 6f boundary maps
- 4) Amendment to Project Agreement

## MEMORANDUM

### Of Appraisal Review

June 20, 2006


To: James S. Sponable  
From: Sandra Burnell  
Subject: Macombs Dam Park  
City of NY Parks & Recreation  
Proposed Yankee Stadium Site  
LWCF Conversion

 I have completed my review of the appraisal submitted by Patjo Appraisal Services, Inc. for the Macombs Dam Park property located in the Borough of the Bronx, City of New York, County of the Bronx and State of New York. According to the appraiser, this appraisal was prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions. The appraisal was also prepared in accordance with New York State Appraisal Standards.

The subject property is an irregularly shaped 10.673 acres or 464,916 square feet of land situated on the north side of East 161<sup>st</sup> Street between Macombs Lane and River Avenue in the Concourse Village section of the Bronx. The site is currently used as a public park and has no building improvements. It has level topography and street frontage on all sides. Land improvements consist of two baseball fields and one running track with a small spectator stand on the River Avenue boundary. All urban utilities are available to the site including main water, sanitary and storm sewer, electric power, main natural gas, telephone, garbage collection service, postal service, fire and police protection.

Zoning for the subject is R7-1: Residential District. R7 is a medium density apartment house district found in much of the Bronx. Density is between 208 and 226 dwelling units per acre; FAR ranges from 0.87 to 3.44. The higher FAR typically produces 14-story buildings with low lot coverage that are set back from the street. Parking is required for 60% of the new dwelling units in R7-1 districts and for 50% of the new units in R7-2 districts. The appraiser states that the subject site should accommodate a maximum building size of approximately 1,605,310 square feet.

The appraiser concludes that the highest and best use of the subject would be for high density residential or mixed-use development.

 The appraiser used the Sales Comparison Approach to estimate the fair market value of the subject. Five comparables were located with the following factors used for adjustment purposes: time, location, improvement, topography/shape, zoning and land size. After adjustments the range of value was \$38.27 - \$52.90/SF with a mean (average) of \$46.79/SF. The appraiser chose \$45.00/SF or \$21,000,000 as the fair market value of the subject property ( $\$45.00/\text{SF} \times 464,916 \text{ SF} = \$20,921,220$  rounded to \$21,000,000). The reviewer finds this estimate of value to be reasonable and acceptable.

Therefore, the appraiser's estimate of the fair market value of the subject property as \$21,000,000 is hereby approved.

Twenty One Million Dollars  
(\$21,000,000.00)

  
Sandra Burnell  
Real Estate Specialist I


I have read and concur.

  
James S. Sponable  
Director Real Property

## MEMORANDUM Of Appraisal Review

June 20, 2006

To: James S. Sponable  
From: Sandra Burnell  
Subject: Land Beneath Yankee Stadium  
City of NY Parks & Recreation  
Replacement Parcel  
LWCF Conversion/NYC Region


 I have completed my review of the appraisal submitted by Patjo Appraisal Services, Inc. for the above referenced property located in the Borough of the Bronx, City of New York, County of the Bronx and State of New York. Per the appraiser, this appraisal was prepared in accordance with the Uniform Appraisal Standards for Federal Land Acquisitions. The appraisal was also prepared in accordance with New York State Appraisal Standards.

The subject property is an irregularly shaped 10.029 acres or 436,863 square foot portion of a larger 10.78 acres or 486,850 square foot parcel. This parcel is situated on the south side of East 161<sup>st</sup> Street between Ruppert Place and River Avenue in the Concourse Village section of the Bronx. The subject portion of the property includes almost all of Lot 1 and all of the street bed of Ruppert Place. It has level topography with street frontage on all sides. The subject is improved with the six-story, 821,580 square feet Yankee Stadium. However, per the appraiser's client, the subject was valued as if vacant. All urban utilities are available to the site including main water, sanitary and storm sewer, electric power, main natural gas, telephone, garbage, collection service, postal service, fire and police protection.

Further clarification of the subject property is found under the Purpose & Function of the Appraisal section of the appraisal. Per the appraiser: The subject property is part of the Land Beneath Yankee Stadium including the street bed called Ruppert Place on the tax map and excluding part of Lot #1 (32,700 +/- square feet) adjacent to East 157<sup>th</sup> Street. The LARGER PARCEL in this appraisal is the entire Lot #1 in Block 2491 and the street bed of Ruppert Place, which has been an integral part of the current improvement on the subject site. The land to be acquired constitutes the larger part of Lot #1 (90%). The remainder will be a small area of Lot #1 with 345 feet of frontage on the north side of East 157<sup>th</sup> Street.


Zoning for the subject is C8-3: Commercial Zoning District. Automotive and other heavy commercial services are provided for in C8 districts. C8 districts form a bridge between commercial and manufacturing uses and are appropriate for heavy uses, which are land consuming but not labor intensive. Typical uses for this district include automobile showrooms, automotive service facilities and warehouses. Housing is not permitted. Per the appraiser, the subject site should accommodate a maximum buildable area of approximately 909,200 square feet (as if vacant).

Per the appraiser, the highest and best use of the subject as if vacant would be for retail or light manufacturing development. The highest and best use of the subject as improved would be its existing use as a baseball stadium.

 The appraiser performed a Before and After Analysis using the Sales Comparison Approach to estimate the fair market value of the subject. The first grid was used to estimate the market value of the larger parcel before the taking of the subject portion of the property. Five comparables were found and the following factors were used for adjustment purposes: time, location, improvement, topography/shape, zoning and land size. After adjustments the final range of value was \$38.27 - \$52.90/SF, with a mean (average) of \$46.79/SF. The appraiser chose \$45.00/SF or \$21,130,000 as the fair market value of the larger parcel



(\$45.00/SF x 469,563 SF = \$21,130,335 rounded to \$21,130,000). The reviewer finds this estimate of value to be reasonable and acceptable.

 The second sales comparison grid was used to value the remainder portion of the property after the taking of the subject property. Five comparables were found and the same factors were used for adjustment purposes. After adjustments the final range of value was \$64.31 - \$97.82/SF, with a mean (average) of \$77.97/SF. The appraiser chose \$75.00/SF or \$2,450,000 as the fair market value of the remainder parcel (\$75.00/SF x 32,700 SF = \$2,452,500 rounded to \$2,450,000). The reviewer finds this estimate of value to be reasonable and acceptable.

In order to determine the value of the subject portion of the property, the fair market value of the remainder parcel is subtracted from the fair market value of the larger parcel:

Value of Larger Parcel:	\$21,130,000
Value of Remainder Parcel:	<u>- 2,450,000</u>
Value of Subject Property:	\$18,680,000

The reviewer finds this estimation of the fair market value of the subject property to be reasonable and acceptable.

Therefore, the appraiser's estimate of the fair market value of the subject property as \$18,680,000 is hereby approved.

**Eighteen Million Six Hundred Eighty Thousand Dollars**  
**(\$18,680,000.00)**



Sandra Burnell  
 Real Estate Specialist-I

I have read and concur.

  
 James S. Sponable  
 Director Real Property