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October 16, 2009

Honorable Amanda Burden
City Planning Commission
22 Reade Street
New York, NY 10007

by fax: 212-720-3356

RE: Kingsbridge Armory, Reports No. 1-4, 10/19/09 CPC;
08DME004X - The Shops at the Armory, **Final Environmental
Impact Statement (FEIS)**

Dear Commissioner Burden:

The Bronx Council for Environmental Quality (BCEQ) is a non-profit 501(c)3 membership organization located in New York City's only mainland borough — The Bronx. This diverse collection of individuals seeks to leave their great grandchildren a future with better air, land, and water quality. Formed after the national grassroots demonstration on behalf of the environment in 1970, BCEQ was to do for the Bronx what Earth Day did for the country.

At the October 14, 2009 meeting of the Board of Directors of BCEQ, we voted to send this letter.

We understand the above mentioned ULURP matters are before the Planning Commission this Monday for a resolution. We also understand that on October 1, 2009, the Office of the Deputy Mayor for Economic Development issued the Notice of Completion for the Final Environmental Impact Statement (FEIS) for The Shops at the Armory project.

We support the Kingsbridge Armory Redevelopment Alliance (KARA)'s Community Benefit Principles to seek equitable development at the Kingsbridge Armory. We are encouraged by the statement of Bronx Borough President Ruben Diaz concerning inadequacies of the Environmental Impact Statement (EIS) process (including the response to the comments made by the Bronx Borough President). However, as the borough wide environmental organization, we have environmental concerns that have neither been raised nor resolved.

Information provided in the environmental review suggests permanent and irretrievable adverse impacts to the health and well being of the neighboring community, the Bronx and New York City. We believe that this fatal flaw requires said EIS be re-evaluated to mitigate and/or change said conditions heretofore overlooked.

Specifically, the FEIS references impacts to hazardous materials, brownfield cleanup and remediation; wastewater treatment plant discharge to Ward's Island, and the combined sewer overflow to the Harlem River. National and State Historic Preservation; Traffic and Noise. As this proposal is to be used as a model for adaptive reuse of these considerations should be the crux of the matter for review.

Hazardous materials, Brownfield cleanup and remediation: Where is the copy of the Phase I and II study so the public can review the study and recommendations? As you are proposing to change the zoning, what protection do the residential areas have concerning the cleanup? What does said cleanup look like in terms of its impact on the school children? What is the VOC and SVOC in the soil and groundwater as well as other substances of interest in the study? Which agency is overseeing the permit and the work involved?

Water -- Wastewater and CSO: Was there an attempt to handle the stormwater in situ? Is it all going into the combined system? Is there a stormwater management plan or SP4? How much increase in wastewater discharge is expected or projected? Are we saying that adoptive reuse is grandfathering waste water ?

National and State Historic Preservation: Where are the reports? What is proposed? How is it that this monumental project will serve as a model of “Adaptive Reuse of Historic Buildings” if we do not know what is being proposed? What is being done to honor the veterans at the historic site?

Traffic and Noise: Traffic study reviews areas as far away as Tiebout and the Major Deegan at Fordham Road, but overlooks not only the Van Cortlandt Park Major Deegan exits, but Bedford Park, 205th Street, Sedgwick, Goulden and Paul Avenues. Impacts at these areas need to be studied for both construction and non-construction.

Cumulative impacts from major construction projects at or around these areas also need to be included, such as the Lehman College Science Building (at Bedford Park and Goulden Avenue); Harris Park Reconstruction (at Bedford, Goulden, 205th Street, and Paul Avenue); Croton Water Treatment Plant Off site work at the Jerome Park Reservoir at Goulden and 205th Street).

Finally, in terms of the three R’s – reduce, reuse and recycle, what plans will the developer encourage? Are they using solar energy or renewable energy sources to power the building? What type of materials are they using? Are the materials environmentally friendly and recyclable? What efforts are being taken to recycle garbage at the facility?

Thank you for this opportunity to comment. Please respond to communications@bceq.org

Sincerely,

Ira Charles Levenberg-Engel

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