# LOWER CONCOURSE NORTH

# DRAFT <u>FINAL</u> SCOPE OF WORK FOR A GENERIC ENVIRONMENTAL IMPACT STATEMENT

CEQR NO. 16DME012X ULURP NOS. pending <u>170311 ZMX, N 170312 ZRX,</u> <u>170314 PPX, 170315 ZSX</u>

November 3, 2016

# March 15, 2017

#### A. INTRODUCTION

The New York City Economic Development Corporation (NYCEDC), on behalf of the City of New York, proposes proposing a series of land use actions to activate a key city-owned site along the Harlem River waterfront, referred to as the Lower Concourse North site or the "project site," with new affordable and market-rate housing, commercial and community facility uses, and public open space (the "proposed project"). The project site consists of Block 2356, Lots 2 and 72; Block 2539, Lot 1 and portions of Lots 2 and 3; and the demapped portion of the former East 150th Street between Exterior Street and the Harlem River. The project site is bounded by Mill Pond Park to the north, Exterior Street and the elevated Major Deegan Expressway to the east, East 149th Street to the south, and the Harlem River to the west (see Figures 1 through 5). The project site is entirely vacant and currently under the jurisdiction of the New York City Department of Parks and Recreation (DPR), but The majority of the project site is zoned M2-1; two very small portions of the project site are zoned C4-4. The rezoning area does not include the two C4-4 portions of the project site but is otherwise coterminous with it. The project site is entirely vacant; it is not mapped as or considered to be parkland.

As described in more detail below, the anticipated land use actions include:

- Zoning Map Amendment: to rezone<u>extend</u> the project site from<u>Special Harlem River Waterfront</u> <u>District ("SHRWD" also referred to as the "HRW") to include the rezoning area, and to change a</u> <u>portion of</u> an <u>existing</u> M2-1 manufacturing district and a C4-4 commercial<u>zoning</u> district to an R7-2-residential/C2-5(HRW) zoning district <u>coterminous</u> with a C2-5 commercial overlay<u>the rezoning</u> <u>boundary</u> (see Figure 6);5). The two small portions outside the M2-1 district would remain zoned</u> <u>C4-4 and would not be subject to the proposed zoning-related actions;</u>
- Zoning Text Amendments:
  - to extend the Special Harlem River Waterfront District (SHRWD) to include the project site and to establish<u>create</u> a new subdistrict, <u>"("North</u>Subdistrict-<u>A,"") of the SHRWD</u> coterminous with the rezoning area;



Project Site





#### Date: 9/30/2016



Lower Concourse North The Bronx, New York

# Figure

4



# CURRENT ZONING MAP



 C1-1
 C1-2
 C1-3
 C1-4
 C1-5
 C2-1
 C2-2
 C2-3
 C2-4
 C2-5

 VICTE:
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PROPOSED ZONING MAP Rezoning area is filled with dotted lines

Changing a M2-1 district to R7-2 with C2-5 overlay

Lower Concourse North

The Bronx, New York

Existing and Proposed Zoning

- Zoning Text Amendments: •
  - o—to extend the Special Harlem River Waterfront District (SHRWD) to include the project site and to establishcreate a new subdistrict, "("North Subdistrict A,"") of the SHRWD coterminous with the rezoning area;
  - and to extendupdate the Harlem River Waterfront Access Plan to include the project 0 sitesubdistrict;
  - <u>a text amendment to modify portions of the waterfront regulations for the North Subdistrict;</u> 0
  - to establish a Mandatory Inclusionary Housing (MIH) Area (MIHA) coterminous with the 0 North Subdistrict A.
- Disposition of Real Property: the disposition of the project site through sale or long-term ground lease for future development, in accordance with ULURPUniform Land Use Review Procedure (ULURP) under New York City Charter Section 197(c) and 384(b)(4); and
- Special Permit: a special permit from the City Planning Commission (CPC) pursuant to ZRZoning Resolution Section 74-533 (reduction of parking spaces to facilitate affordable housing) would waive the required accessory off-street parking spaces for dwelling units (for the proposed project (together hereafter referred to as the "Proposed Actions").proposed actions").

The NYCEDC, on behalf of the Office of the Deputy Mayor for Housing and Economic Development (ODMHED), will be the applicant for the zoning map amendment, zoning text amendment, and Special Permit actions. The Department of Citywide Administrative Services (DCAS) is the applicant only for the disposition action.

These discretionary land use actions are subject to review and approval by the CPC and subject to City Council review. All of these actions are subject to the City Environmental Quality Review (CEQR) process. The ODMHED is acting as the lead agency for the environmental review. A complete description of the proposed actions is provided below. The effects of the proposed actions are limited to the project site (which is coterminous with the proposed rezoning area)... In order to avoid the potential for significant adverse impacts in the areas of hazardous materials, air quality, and noise, an (E) designation (E-418) would be assigned to the project site in conjunction with the proposed discretionary actions.

In addition, the future site developer(s) may seek public financing by New York City Department of Housing Preservation and Development (HPD) or the New York City Housing Development Corporation (HDC) to facilitate the development of affordable housing. Subsequent to the environmental review of the proposed project, it is assumed the future developer or developers may also require additional nondiscretionary approvals from the CPC Chairperson, New York City Board of Standards and Appeals (BSA), New York-State Department of Environmental Conservation (NYSCDECNYSDEC), and the United States Army Corps of Engineers (ACOE). These approvals are described further below.

NYCEDC issued a Request for Expression of Interest (RFEI) on July 13, 2016 for a developer (or developers) Can We See to redevelop the project site for<u>with</u> a new mixed-use, mixed-income development which, as proposed, this? should would include new housing, ground-floor retail space, office space, and community facility space, and public open space. The public open space consistswould consist of an extension of Mill Pond Park<sup>2</sup>, waterfront open spaceshore public walkway along the Harlem River waterfront, and a new public plaza

we foil?

<sup>&</sup>lt;sup>2</sup>-The proposed extension would be contiguous with the existing Mill Pond Park but it would not be mapped parkland. It would be publically accessible open space that would be maintained by the future developer.

along Exterior Street.<sup>3</sup> While the proposed actions have been defined, the development program and some design specifics under those actions are dependent on the RFEI responses. In order to address the potential range of responses, the Environmental Impact Statement analyzes a generic Reasonable Worst-Case Development Scenario (RWCDS) that considers the worst-case development potential for environmental effects in each technical area. Thus, pursuant to-the CEQR, a Generic Environmental Impact Statement (GEIS) will be prepared that will consider the environmental impacts based on the RWCDS.

It is anticipated the proposed project would include up to 1,045 residential dwelling units comprising a total residential floor area of 835,937 (gsf); 50,000 gross square feet (gsf); 50,000 gsf of retail space; 25,000 gsf of food store space; 25,000 gsf of medical office space; and 50,000 gsf of office space.<sup>4</sup> The Lower Concourse North project will be is assumed to have a range of affordability from a minimum of Mandatory Inclusionary Housing (MIH) requirements, up to 100 percent affordable.<sup>5</sup> For the purposes of analysis, the DEIS\_DGEIS will assume that 50 percent of the units will\_would be affordable to incomes at or below 80 percent AMI and that the remainder 50 percent will\_would be affordable to incomes above 80 percent AMI. The final project will be subject to program requirements, funding availability, and market conditions. Retail would be located at the ground floor along Exterior Street<sup>7</sup> approximately 25,000 gsf would be local retail space and approximately 25,000 gsf would be destination retail space. Roughly three acres of open space comprising waterfront open space, an extension of Mill Pond Park, a shore public walkway along the Harlem River waterfront, and a new plaza fronting along Exterior Street would be created as part of the proposed project and completed by the end of the first phase. The build year for the proposed project is 2023, with estimated completion of the first phase/first building and open space in 2021.

This document provides a description of the proposed project and the required discretionary land use actions, and includes task categories for all technical areas to be analyzed in the GEIS

# B. REQUIRED APPROVALS AND REVIEW PROCEDURES

The proposed actions encompass discretionary actions that are subject to review under the Uniform Land Use Review Procedure (ULURP), ULURP, Section 200 of the City Charter, and the CEQR process. The discretionary actions include:

# Proposed Disposition of City-Owned Property

The City of New York would dispose of the project site to the <u>New York City Land Development</u> <u>Corporation, which would dispose of the site to NYCEDC for subsequent disposition to the future</u> developer or developers. The <del>disposition of the</del> project site <u>would be disposed</u> through sale or long-term ground lease by the City of New York for private development <del>would require</del><u>with</u> approval through ULURP under New York City Charter Section 197(c) and separate approval of the business terms of the sale or ground lease pursuant to Chapter 15, Section 384(b)(4) of the New York City Charter. -<u>The terms of</u>

<sup>&</sup>lt;u><sup>3</sup> The proposed extension would be contiguous with the existing Mill Pond Park but it would not be mapped parkland. It would be publically accessible open space that would be maintained by the future developer.</u>

<sup>&</sup>lt;sup>4</sup> The number of dwelling units is based on an assumption of 800 gsf per dwelling unit for the purposes of conservative analysis.

<sup>&</sup>lt;sup>5</sup> For <u>As part of</u> the purposes of analysis, the DEIS will assume that 50 percent of the units will be affordable to incomes below 80 percent AMI and that the remainder 50 percent will be affordable to incomes above 80 percent AMI. The final proposed project will be subject to program requirements, funding availability, and market conditions. At this time, it has not been determined which of the <u>either</u> MIH options<u>option 1 and/or MIH option 2</u> would be applicable to the project site. The <u>final option will be</u> determined through the public review process. For the purposes of a conservative environmental analysis the most conservative assumption will be used in each respective technical area.

the disposition would restrict the developer to a maximum development size that is consistent with the RWCDS as analyzed in the environmental review.

Given that the project site is part of a waterfront block, the proposed project would include waterfront open space along the Harlem River. The design requirements for this new open space would be memorialized within an extension of the Harlem River Waterfront Access Plan. It is expected that the open space would be designed and constructed by the City of New York; the developer would be responsible for funding maintenance and the City would retain ownership of the waterfront open space.

# Proposed Zoning Map Amendment

A zoning map amendment would change the zoning on the Lower Concourse North site from an M2-1 manufacturing district and a C4-4 commercial district to an R7-2-residential district with a <u>/</u>C2-5-commercial overlay(<u>HRW</u>) district. The R7-2 and C2-5 zoning controls would be amended by the proposed extension of the Special Harlem River Waterfront District- and the establishment of the new subsdistrict would apply special use, bulk, parking and loading, streetscape, open space and waterfront regulations.

# Proposed Zoning Text Amendments

A zoning text amendment to Article VIII, Chapter 7 of the Zoning Resolution, "Special Harlem River Waterfront District," would extend the SHRWD to cover the project site and establish a new SHRWD subdistrict, <u>"the North Subdistrict A," coterminous with the rezoning area.</u> The proposed subdistrict would outline specific bulk, density, and usemodify portions of the waterfront regulations and for this <u>subdistrict. Modifications to the regulations would apply special use, bulk, parking requirements necessary, streetscape, open space, and waterfront regulations to enable the proposed project. Asubdistrict. The zoning text amendment would extendalso include updating the Harlem River Waterfront Access Plan to include the project site.<u>rezoning area.</u> The subdistrict text would also provide site-specific provisions that would supplement the Harlem River Waterfront Access Plan and incorporate public access requirements necessary for the waterfront certification.</u>

A zoning text amendment to Appendix F of the Zoning Resolution, "Mandatory Inclusionary Housing Areas," would establish an <u>MIHAMIH Area</u> that is coterminous with the <u>subdistrictNorth Subdistrict</u> (and the rezoning area). <u>As part of the proposed project, both Option 1 and Option 2 are proposed to apply to the project site. The City Planning Commission and the City Council would ultimately determine whether one or both options would be selected.</u>

# **Special Permit**

A special permit from the CPC pursuant to ZR Section 74-533 (reduction of parking spaces to facilitate affordable housing) would waive the required off-street accessory parking spaces for dwelling units. The CPC may permit a waiver of, or a reduction in, the number of required accessory off-street parking space for dwelling units in a development with at least 20 percent of all dwelling units reserved as affordable housing in a transit zone provided that the waiver or reduction.

# **Other Approvals**

Subsequent to the environmental review of the proposed project, it is anticipated that the future developer or developers would also require additional non-discretionary approvals. Developments on waterfront

zoning lots are required to provide and maintain public open space at the water's edge with pedestrian links to upland communities. For the proposed project, it is assumed that the <u>The</u> City of New York would design and construct the required waterfront open space at a future date per a design that would be completed in coordination with a specific development plan for the site. As such, <u>Before construction on</u> the <u>open space could begin, approval from the New York City Public Design Commission (PDC)</u> would be required and the Chairperson of the CPC would certify at a later date that the proposed project and the waterfront <u>future</u> design complies with requirements for public access and visual corridors, in this case, as modified by the Harlem River-meets the regulations within the proposed extension of the Waterfront Access Plan. The City would retain ownership of the waterfront open space. <u>Once certified, a maintenance and operation agreement with the NYC Parks must be filed and recorded before a building permit can be issued by the Department of Buildings (DOB). The proposed project would be subject to design approval from the PDC for both the open space and building design.</u>

The proposed project would also require waterfront approvals from the NYSDEC and the ACOE for removal and replacement of the existing riprap shoreline and relieving platform that runs the length of the western side of the project site. Additionally, the NYSDEC <u>willwould</u> review the proposed project for compliance with state water quality standards<u>- (per Article 15 Protection of Waters Program of the New York State Environmental Conservation Law, Article 25 Tidal Wetlands, and Section 401 Water Quality Certification). In addition, the future site developer may seek public financing by HPD or HDC to facilitate the development of affordable housing.</u>

# City Environmental Quality Review (CEQR) and Scoping

The proposed actions are classified as Type 1, as defined under 6 NYCRR 617.4 and 43 RCNY 6-15, subject to environmental review in accordance with CEQR guidelines. An Environmental Assessment Statement (EAS) was completed on November 3, 2016. The New York City Office of the Deputy Mayor for Housing and Economic Development (ODMHED), as lead agency, has-issued Aa Positive Declaration, on November 3, 2016, which established that the proposed project may have a significant adverse impact on the environment, thus warranting the preparation of an GEIS.

The CEQR scoping process is intended to focus the GEIS on those issues that are most pertinent to the proposed project. The process allows other agencies and the public a voice in framing the scope of work for the GEIS. The scoping document sets forth the analyses and methodologies that will be utilized to prepare the GEIS. During the period for scoping, those interested in reviewing the Draft Scope of Work (Draft Scope) may do sowere given the opportunity to review the document and give their comments to the lead agency. The public, interested agencies, Community Boards, and elected officials, arewere invited to comment on the Draft Scope, either in writing or orally, at a public scoping meeting to be held on December 7, 2016, at Hostos Community College, the Bronx, New York, 11354, starting at 6:30pm. Comments received during the Draft Scope's public meeting and written comments received until 5:00 pm on Monday, December 19, 2016, will behave been considered and incorporated as appropriate into thethis Final Scope of Work (Final Scope). The This Final Scope will incorporate all relevant comments made on the Draft Scope and revisehas revised the extent or methodologies of the studies, as appropriate, in response to comments made during scoping. Appendix B to this Final Scope identifies the comments made during the public review period and provides responses. The Draft GEIS (DGEIS) will be prepared in accordance with the Final Scope.

Once the DGEIS is complete, the document will be made available for public review and comment. A public hearing will be held on the DGEIS in conjunction with the CPC hearing on the land use applications to afford all interested parties the opportunity to submit oral and written comments. The record will remain open for ten days after the public hearing to allow additional written comments on the DGEIS. At the close

of the public review period, a Final GEIS (FGEIS) will be prepared that will respond to all substantive comments made on the DGEIS. The FGEIS will then be used by the decision makers to evaluate CEQR findings, which address project impacts and proposed mitigation measures, in deciding whether to approve the requested discretionary actions, with or without modifications.

# C. BACKGROUND

## Project Site and Study Area History

The Lower Concourse neighborhood is built with industrial buildings that date back to the nineteenth century, when various industrial businesses, such as garment and piano factories, were attracted to the area for its excellent port facilities and convenient location. The earliest records (1891) of the project site indicated that it was improved with three slips along the Harlem River and that a portion of the former East 150th Street ran through the northern portion of the project site. Industrial buildings were located to the northeast and east of the project site. By 1908, the project site was constructed with a lumber yard; timber stacks; and a series of buildings used for wood planing, as a sawmill, as an office, and as a lumber shed. The property to the north was occupied by the Barber Asphalt Paving company and was improved with a coal yard associated with facilities on the project site; to the south was the Lehigh Valley Rail Road Freight Station, and to the northeast was L.H. Mage and Co. Toy and Refrigerator Factory.

The construction of the subway in the early twentieth century brought a number of multi-story industrial loft buildings and an influx of businesses to the area. By 1928, the project site had been redeveloped as part of the Erie Rail Road Freight Station; by 1935, many of the surrounding properties to the northeast were redeveloped as commercial buildings utilized as the Bronx Terminal Market.

During the latter half of the twentieth century, manufacturing firms and jobs in the area began to relocate due to a declining economy and the desire for larger and more modern industrial space. The Major William F. Deegan Expressway was completed in 1977, isolating waterfront parcels, including the project site, from upland neighborhoods; further, the Oak Point Rail-Link was built along the Harlem River in the 1990s in order to divert freight traffic away from busy commuter rail lines. The waterborne route cut off access to waterfront lots in this area and precluded water-dependent uses, though the area still contains concentrations of industry and light manufacturing.

Current zoning at the project site is outmoded and limits the reasonable expansion of this strategically located site due to use and density controls. Over the past two decades the South Bronx has experienced a substantial amount of new housing construction, rebounding from substantial disinvestment and population loss experienced during the 1970s and 1980s. With the population of New York City expected to increase by a million people and the population of the Bronx to increase by more than 120,000 by the year 2030, new areas are needed to accommodate this growth.

Few new buildings have been constructed within the Lower Concourse area since the manufacturing zoning went into effect in 1961. The development that occurred consisted primarily of automotive service and personal self-storage facilities. The lots to the north and northeast of the project site, comprising the Bronx Terminal Market, were rezoned in 2006 from M2-1 to C4-4 (C 050529 ZMX) and developed with a shopping mall; Mill Pond Park was created later that year from the lots immediately to the north of the project site, as part of the Yankee Stadium Area Redevelopment Project (C 060057 MMX).

In 2009, the Lower Concourse Rezoning (C 090303 ZMX) mapped large swaths of the South Bronx with new residential and mixed-use districts. The rezoning creates new mixed use and special use districts, mapped a new Inclusionary Housing Area and new waterfront parkland, established the Harlem River Waterfront Access Plan<sub>7</sub> (BX-1), and instituted related actions in order to create new investment

opportunities and open space in the underutilized but transit-rich Lower Concourse area (see Figure 7<u>6</u>). The proposed project would extend and make applicable to the <u>project siterezoning area</u> many of the provisions established by the original Lower Concourse Rezoning to the <u>project siterezoning area</u> and would create a new SHRWD subdistrict, the North Subdistrct.

A number of projects have been completed, are under construction, or are planned on sites that were subject to the original Lower Concourse Rezoning of 2009 (see Figure <u>87</u>). At 530 Exterior Street a new 13-story residential building is being developed with 157 apartments and an enclosed parking lot. At 491 Gerard Avenue a new residential building is being developed with <u>136153</u> affordable rental units. At 110 East 149th Street a 10-story Hampton Inn with 152 rooms and ground floor retail is being constructed. At 500 Exterior Street an eleven-story hotel with 85 rooms is being constructed and at 477 Gerard Avenue a 13-story apartment building with 66 apartments is being developed. A new nine-story hotel with 75 rooms is being developed at 335 Grand Concourse. The former P.S. 31 building at 425 Grand Concourse is being redeveloped into a new mixed use building with 273 affordable units, a charter school, a medical facility, a supermarket, a social services facility, and a cultural space. and a new mixed use building is planned at 425 Grand Concourse. Just outside the Lower Concourse Rezoning area, the largely vacant, landmarked, Bronx General Post Office (with partial interior designation), several blocks east of the project site, at 558 Grand Concourse, is being redeveloped with retail and commercial space and will reopen in 2017.

In 2016, Mayor de Blasio, as part of his State of the City address, committed approximately \$200 million in capital investment to the Lower Concourse neighborhood. The investment will capitalize on the Lower Concourse's assets and to strengthen the infrastructure that will create jobs and provide affordable housing. The Economic Development Corporation worked with city agency partners to create a plan for how to most effectively spend the money to create jobs, build housing, and promote connections within the neighborhood. The final recommendations as part of the planning phase were finalized in early 2016. As a first step, Exterior Street would be redesigned and reconstructed to improve pedestrian and vehicular conditions. At the same time, the utilities underneath the street would be improved to support existing and future development. The City would also <u>investmentinvest</u> a portion of the money into high-speed broadband infrastructure in order to facilitate a better business environment for local businesses, support new business development in the area, and help sustain job growth in the neighborhood. Finally, the funding will be used to <u>acquire</u>, design and construct the parkland that was anticipated as part of the Lower Concourse Rezoning.

# D. EXISTING CONDITIONS

The project site is a large irregularly-shaped parcel located at 65 East 149th Street (Block 2356, Lots 2 and 72; Block 2539, Lot 1 and portions of Lots 2 and 3; and the demapped portion of the former East 150th Street between Exterior Street and the Harlem River) in the Lower Concourse neighborhood in the South Bronx (Community District 4). The project site is bounded by the Harlem River to the west, East 149th Street to the south, Exterior Street and the elevated Major Deegan Expressway to the east, and Mill Pond Park to the north. The project site (approximately 208,000 square feet) is completely vacant, although it is used periodically by a circus under a license from DPR, but is not mapped as or considered parkland<u>NYC Parks</u>. Former uses on the site include a lumber operation, a coal yard, and a freight station.

The project site is currently located within an M2-1 manufacturing district which allows a maximum floor area ratio (FAR) of 2.0 exclusively for manufacturing and commercial uses. Residential uses are not permitted. Additionally, two very small portions of the project site (a sliver of the southeast corner and a sliver of the northern border) are located within a C4-4 commercial district (an R7 residential equivalent) which allows a maximum commercial FAR of 3.4, a maximum residential FAR between 0.87-3.44, and permits all residential and some commercial uses (see Figure 5). <u>These areas would be included in the</u>



Source: New York City Zoning Resolution, Article 8 - Chapter 7, Appendix: Map 2.

Lower Concourse North The Bronx, New York SHRWD Waterfront Acces Plan: Public Access Elements



Lower Concourse North The Bronx, New York **Recent Developments** 

Figure 7 <u>proposed disposition action but would not be subject to the proposed zoning-related actions.</u> The project site is subject to New York City's waterfront zoning regulations, as it is part of a waterfront block, and is within New York City's Coastal Zone Boundary.

# Surrounding Area and Context

The surrounding area is generally characterized by a long history of manufacturing uses and the presence of several large institutions. The East 149th Street corridor provides access to Hostos Community College, Lincoln Hospital, and the Bronx Hub. The Bronx Terminal Market shopping center, which is developed with more than one million square feet of retail space, features national big box retailers, and contains 2,800 parking spaces, is located to the northeast of the project site, across Exterior Street. Immediately north of the project site is Mill Pond Park, a waterfront open space. As described above, the area-immediately to the south of the project site was rezoned in 2009 to allow for commercial and residential development as part of the Lower Concourse Rezoning- (CEQR No. 08DCP071X / ULURP No. C090303 ZMX). Overall, the Lower Concourse Rezoning was intended to provide opportunities for new mixed-use development, while preserving light-industrial uses, encouraging greater access and new waterfront development along the Harlem River, and establishing the Lower Concourse as a new gateway to the Bronx and the northern Grand Concourse. The purpose of the SHRWD was to modify the bulk regulations to ensure that development creates an attractive and inviting waterfront while also maintaining and reestablishing physical and visual public access to<sub>7</sub> and along<sub>7</sub> the waterfront. Other recent Recent and on-going developments in the surrounding area includes several hotels, new residential and mixed-use buildings, and the conversion of the Bronx General Post Office to an office building as described above.

The project site is proximate to the 2, 4, and 5 subway lines at 149th Street and Grand Concourse and the 3 line across the 145th Street Bridge at Malcolm X Boulevard in Manhattan. Major bus access includes the Bx13, running north-south from 149th Street to the George Washington Bridge, and Bx19, which runs from the New York Botanical Garden to Riverbank Park. The Major Deegan Expressway provides access to the regional interstate highway system.

# Waterfront Zoning

In 1993, to support the Comprehensive Waterfront Plan and the Waterfront Revitalization Program (WRP), the City adopted the Waterfront Zoning Regulations (NYC Zoning Resolution, Article VI, Chapter 2), which were amended in 2016. The Regulations have the following stated purposes:

- To maintain and reestablish physical and visual public access to and along the waterfront;
- To promote a greater mix of uses in waterfront developments in order to attract the public and enliven the waterfront;
- To encourage water-dependent uses along the City's waterfront;
- To create a desirable relationship between waterfront development and the water's edge, public access areas and adjoining upland communities;
- To preserve historic resources along the City's waterfront; and
- To protect natural resources in environmentally sensitive areas along the shore.

The waterfront zoning regulations apply to properties within waterfront blocks, which are blocks adjacent to or intersected by the shoreline. All residential and commercial developments are required to provide a

waterfront yard that is 30 to 40 feet wide, depending on the district, along the entire shoreline of the zoning lot. For the project site, the waterfront yard depth requirement is 40 feet.

In all districts, with few exceptions, residential, commercial, and community facility developments on waterfront zoning lots are required to provide and maintain public open space at the water's edge with pedestrian links to upland communities. In districts allowing a FAR of 4.0 or less where development would require public access, a minimum of 15 percent of the lot area must be improved or maintained for this purpose; a minimum of 20 percent is required in districts permitting an FAR greater than 4.0. Waterfront public access includes shore public walkways, upland connections, and supplemental public access areas, as needed to fulfill the minimum square footage requirement for public access. The waterfront zoning regulations stipulate certain design requirements related to seating, planting, signage and other design elements. Waterfront zoning also requires visual corridors, which are open areas that provide an unobstructed view from upland streets through a waterfront zoning lot to the shoreline.

Waterfront zoning bulk regulations apply to developments within waterfront blocks in all zoning districts. In low-density residence districts and medium and high-density contextual districts, waterfront development generally follows the same bulk rules as upland development with slight modifications that tailor the regulations to waterfront sites. For instance, to maintain an open area along the shoreline, waterfront yards substitute for rear yards.

In non-contextual medium- and high-density districts, taller buildings are permitted, but a sense of openness at the water's edge is ensured by rules controlling height, the length of buildings parallel to the shoreline and the footprint of towers. To create a varied skyline at the water's edge, additional floors are allowed if the building top is set back along all sides of the building. To prevent excessive density and bulk generated by portions of land under water on a waterfront zoning lot, lot area seaward of the bulkhead line may not be used to generate floor area. Piers and platforms, however, may transfer floor area to the landward portion of the zoning lot.

For most developments on waterfront blocks, the Chairperson of the CPC must certify that the proposed project complies with requirements for public access and visual corridors. Once certified, a maintenance and operation agreement with <u>the DPRNYC Parks</u> must be filed and recorded before a building permit can be issued by the Department of Buildings (DOB). The review procedure helps the city enforce maintenance obligations and the public's right of access to these areas during required hours of operation and, for planning purposes, track the progress of waterfront development throughout the city.

# Harlem River Waterfront Access Plan

A Waterfront Access Plan modifies the public access requirements specified in the waterfront zoning regulations-described above, in response to unique local conditions. In connection with the 2009 Lower Concourse rezoning, the New York City Department of City Planning (DCP) established a Waterfront Access Plan (WAP) BX-1 on properties adjacent to and east of the Harlem River between Park Avenue and East 149th Street Bridge in the Bronx. The WAP was intended to facilitate a coordinated public open space network along the waterfront and stipulated that any future residential, commercial, or mixed-use development must provide portions of a shared publicly accessible waterfront open space, upland connections to the open space, and visual corridors in in specific locations. The WAP also reduced the width of the required shore public walkway to 20 feet in certain places.at designated locations. The WAP established specific locations for public access areas including the shore public walkway and supplemental public access area, view corridors and upland connections in strategic locations that would connect surrounding neighborhoodsprovide the community access to the waterfront.

# Special Harlem River Waterfront District Southern Extension

The New York City Department of City Planning is proposing a zoning map amendment and zoning text amendments to the NYC Zoning Resolution to (1) expand the existing Special Harlem River Waterfront District and to extend the Harlem River Waterfront Access Plan (BX-1) to encompass two waterfront blocks to the south and (2) update the existing special district regulations to address flood resiliency needs, account for easements and other restrictions, ensure adequate circulation, and provide flexible building forms to encourage the development of affordable housing and open space on the Harlem River waterfront in the Bronx. The zoning text amendments propose modifications to Article VIII, Chapter VII of the NYC Zoning Resolution (ZR). The Department of City Planning's actions are independent of the proposed actions and have independent utility. The Build Year for their actions is 2026.

The proposed amendments would allow more flexibility under the current SHRWD regulations in order to increase opportunities for new residential and commercial development and encourage development of affordable housing reflective of the zoning text amendments approved in 2016, known as Zoning for Quality and Affordability.

The area of the proposed expansion of the special district (proposed South Subdistrict includes Blocks 2316 and 2319, the blocks between Lincoln Avenues and Park Avenues along the Harlem River waterfront in the Bronx) was rezoned as part of the Bruckner Boulevard Rezoning in 2005. The proposed expansion area suffers from the same access restrictions of the existing SHRWD formed by the Major Deegan Expressway and Oak Point Link. The proposed expansion of the special district and waterfront access plan would ensure adequate pedestrian, visual, and vehicular access to the waterfront, and ensure the waterfront development maintains an inviting public look and feel.

# E. PURPOSE AND NEED FOR THE PROPOSED ACTIONS

During the 2015 State of the City address, Mayor de Blasio announced an approximately \$200 million city capital allocation for new infrastructure in the Lower Concourse neighborhood of the Bronx. The investment strategy was intended to enhance local infrastructure in order to support the development of a dynamic, mixed-use neighborhood with housing, job-dense commercial uses, and new open space.

Following the State of the City address, the NYCEDC began the Lower Concourse Infrastructure Investment Strategy to develop a comprehensive investment plan ("the Plan"), which included a list of recommended infrastructure investments that would most effectively use the City's capital allocation, including funding to redevelop streets, create new open spaces, upgrade broadband connections, and improve waterfront access. The Plan also included additional strategies to support key policy goals such as affordable housing and increasing public open space through redeveloping city-owned sites. The project site was one of the sites identified as a strategic opportunity for investment, particularly given its size and proximity to transit and open space.

The Plan outlines several constraints on the project site which limit its development potential. The most significant of these is the waterfront access requirement that includes a 40–foot wide shore public walkway, supplemental public access areas, and a visual corridor at the extension of East 150th Street. There is a permanent easement of the Major Deegan Expressway on the eastern portion of the project site. Additionally, there is a relieving platform on the waterfront which would most likely need to be removed and replaced by revetment (likely to result in some loss of buildable area). Together, these constraints limit the developable land area to approximately two-thirds of the total parcel area. In addition, existing soil conditions and a high water table at the project site would increase the cost of development on at the project site.

The proposed actions would enable the scale and type of development that may overcome these site constraints and remain financially feasible, capitalizing on the full value and opportunity of the project site. The proposed project, enabled by the proposed actions, would also help advance the Plan by facilitating the construction of a mixed-use development with significant affordable housing, bringing a mix of new uses, open space, economic opportunity, and quality of life improvements to the Harlem River Waterfront and surrounding neighborhood. The inclusion of community and commercial facility uses will<u>would</u> provide much needed services and amenities to the existing and future residents of the area.

# F. DESCRIPTION OF THE PROPOSED ACTIONS

The NYCEDC is proposing a series of land use actions to support the Lower Concourse Infrastructure Investment Strategy by facilitating the development of a strategic site along the Harlem River Waterfront with a new mixed-use development which would include affordable housing, community facility space, office space, retail space, and public open space.

As discussed in detail below, the proposed actions consist of: a) the disposition of the project site by the City of New York for private development through sale or long term ground lease; b) a zoning text amendment<u>The anticipated discretionary approvals include:</u>

- <u>Zoning Map Amendment</u>: to extend the <u>Special Harlem River Waterfront District ("</u>SHRWD-and to create the new subdistrict within the SHRWD; c) a zoning text amendment" also referred to as the "HRW") to -extendinclude the rezoning area, and to change a portion of an existing M2-1 zoning district to an R7-2/C2-5(HRW) zoning district coterminous with the rezoning boundary. The two small portions outside the M2-1 district would remain zoned C4-4 and would not be subject to the proposed zoning-related actions;
- Zoning Text Amendments:
  - o to create a new subdistrict ("HRW North Subdistrict") of the SHRWD coterminous with the rezoning area and to update the Harlem River Waterfront Access Plan to include the project area; d) a zoning text amendment to amend Appendix F of the Zoning Resolution subdistrict;
  - o to modify portions of the waterfront regulations for the HRW North Subdistrict;
  - o to establish a <u>Mandatory Inclusionary Housing Area (MIHA)</u> coterminous with the <u>HRW</u> <u>North Subdistrict;</u>
- Disposition of Real Property: the disposition of the project site; e) a zoning map amendments changing the M2 1 and C4 4 districts to an R7 2 district through sale or long-term ground lease for future development, in accordance with C2 5 commercial overlay; and f) a Uniform Land Use Review Procedure (ULURP) under New York City Charter Section 197(c) and 384(b)(4);
- Special Permit: a special permit from the <u>City Planning Commission (CPC-to-reduce the amount of)</u> pursuant to Zoning Resolution Section 74-533 (reduction of parking spaces to facilitate <u>affordable housing</u>) would waive the required residential<u>accessory</u> off-street parking <u>spaces for dwelling units for the proposed project;</u>

Lastly, to avoid the potential for significant adverse impacts in the areas of hazardous materials, air quality, and noise, an (E) designation (E-418) will be assigned to the project site in conjunction with the proposed discretionary actions.

# Proposed Disposition of City-Owned Property

The project site (comprising approximately 208,000 sf i.e. the entirety of Block 2356, Lots 2 and 72; Block 2539, Lot 1 and portions of Lots 2 and 3; and the remaining portions of the demapped East 150th Street) is under the jurisdiction of the DPR but is not mapped as or considered to be parkland. The City of New York would dispose of the project site to the New York City Land Development Corporation, which would dispose of the site to NYCEDC for subsequent disposition to the future developer or developers. The project site would be disposed through sale or long-term ground lease by the City of New York for private development, with approval through ULURP under New York City Charter Section 197(c) and separate approval of the business terms of the sale or ground lease pursuant to Chapter 15, Section 384(b)(4) of the New York City Charter. The terms of the disposition would restrict the developer to a maximum development size that is consistent with the RWCDS as analyzed in the environmental review.

Given that the project site is part of a waterfront block, the proposed project would include waterfront open space along the Harlem River. The design requirements for this new open space would be memorialized within an extension of the Harlem River Waterfront Access Plan. It is expected that the open space would be <u>designed and constructed</u> by the City of New York-and maintained by; the future-developer <u>would be</u> responsible for funding maintenance and that the City would-continue to retain ownership of the waterfront open space.

# **Proposed Zoning Text Amendment**

A zoning text amendment to Article VIII, Chapter 7 of the Zoning Resolution, "Special Harlem River Waterfront District," would extend the <u>establish a new</u> SHRWD to cover the project sitesubdistrict, North <u>Subdistrict</u> (see FiguresFigure 5-and 6). The project site would be defined as a specific subdistrict within the SHRWD and the proposed subdistrict would outlinemodify portions of the specific bulk and <u>densitywaterfront</u> regulations and for this subdistrict. Modifications to the regulations would apply special <u>use</u>, bulk, parking requirements, streetscape, open space, and waterfront regulations to enable—the proposed project. <u>subdistrict</u>.

The zoning text amendment would also include updating the Harlem River Waterfront Access Plan to include the project site. The subdistrict text would provide site-specific provisions that would supplement the Harlem River Waterfront Access Plan and would incorporate public access requirements necessary for the waterfront certification.

#### Special Harlem River Waterfront District (SHRWD)

The zoning text amendment would extend the SHRWD to include the project site and establish a new subdistrict, <u>North</u> Subdistrict—A, which would modify the underlying zoning regulations and establish additional requirements for future development. <u>The North</u> Subdistrict—A would include requirements to promote active ground floors, such as active frontages at corners facing Exterior Street and Mill Pond Park; parking and service access would not be permitted off of Exterior Street or the shore public walkway; and where permitted, exposed parking and service areas would be limited to 40 feet of ground floor frontage without screening. Modifications to the building envelope would promote design flexibility, including flexibility on base height and adjustments to setback regulations to allow for a building form that does not

overwhelm the public space. Up to three towers would be allowed on the site with the maximum height of the tallest tower reaching 400 feet, in line with SHRWD regulations to the south. A second tower would have a maximum height of 260 feet. The maximum allowable floor area would also be increased to 4.6 FAR.

City-wide ground floor design standards would apply to the proposed project which requires screening and limited allowances for entrances. Where permitted, all parking and service areas shall be screened, except for entrance areas not wider than 40 feet. Active uses would be required on the ground floor at the two prominent corners facing Exterior Street; the active uses would only be required for 30 percent of the building frontage. The minimum transparency for that active frontage would be 50 percent. A curb cut is permitted near the location of the former 150th Street. Surface parking would not be allowed between Exterior Street and the building facade, or along the Shore Public Walkway.

The commercial use location restrictions for C2 districts would be modified to accommodate permitted use groups above the ground floor, including a movie theater, medical office, and associated ancillary spaces. These commercial uses are anticipated to be located both in the base of the building and, where above the base, adjacent to the Major Deegan Expressway. That maximum base height would be 85 feet, and no portion of the building above the base height could be located within 10 feet of wide street lines or 15 feet of narrow streets; the same restrictions apply to upland connections and visual corridors per existing waterfront regulations. The initial setback requirement along the Shore Public Walkway (62-341(1)(2)) would continue to be 30 feet. The maximum height of the buildings within 30 feet of the public walkway could not exceed 65 feet, except that 80 percent of the street wall of the building could rise to a maximum height of 85 feet.

Two towers are contemplated on the project site with Tower 1 having a maximum height of 400 feet and located within 100 feet of the property line along East 149th Street. Should the tower height of Tower 1 exceed 260 feet, tower top articulation would be required consistent with those MX districts regulations. Specifically, for towers less than 300 feet in height, the uppermost three stories could have a lot coverage not exceeding 90 percent of the lot coverage of the floor immediately below and if the tower exceeded 300 feet the uppermost four stories could have a lot coverage not exceeding 90 percent of the lot coverage of the floor immediately below and if the tower exceeded 300 feet the uppermost four stories could have a lot coverage not exceeding 90 percent of the lot coverage of the floor immediately below. Tower 2 would have a maximum height of 260 feet. For any tower that exceeds a height of 200 feet, the uppermost three stories or as many stories as are located entirely above 200, whichever is less, could have a lot coverage not exceeding 80 percent of the lot coverage of the floor immediately below. The aggregate width of towers facing the shoreline and located within 100 feet of the public walkway could not exceed 185 feet. The aggregate width of street walls of towers located along the southern boundary of the visual corridor could not exceed 150 feet. Additionally, the aggregate width of the Tower 2 could not exceed 130 feet while the aggregate width of any floor facing the shoreline within Tower 1 shall not exceed 100 feet. The maximum allowable floor area would also be increased to 4.6 FAR. Extend

#### <u>Update</u> Harlem River Waterfront Access Plan

Waterfront Access Plan BX-1 would be extended to include the project site and provisions of the proposed project. The proposed project would include a new waterfront open space, an extension of Mill Pond Park, and a new plaza along Exterior Street. In accordance with waterfront zoning, clear visual and pedestrian access to the public open space and waterfront shore public walkway must be provided through the project site. Additionally, the waterfront zoning requires upland connections between the public right-of-way and the shore public walkway. The design for the proposed waterfront open space has not been completed. As such<sub>*i*</sub> the GEIS assumes that the former East 150th street right-of-way would be available for use<u>utilized</u> as <u>a</u> visual corridors and <del>as</del>-upland <del>connections if designed accordingly including accessible routes to the shore public walkway<u>connection</u>. As described above, the City would continue to own the future waterfront open space with the future developer responsible for its maintenance.</del>

#### Establish a Mandatory Inclusionary Housing Area

A zoning text amendment to Appendix F of the Zoning Resolution, "Mandatory Inclusionary Housing Areas," would establish a Mandatory Inclusionary Housing Area that is coterminous with the <u>SHRWDHRW North</u> subdistrict area. The MIH program includes two primary options for set-aside percentages with different affordability levels. One option would require 25 percent of residential floor area to be for affordable housing units for residents with incomes averaging 60 percent of the area median income (AMI) (with 10 percent of the floor area affordable at 40 percent AMI), and the second would require 30 percent of residential floor area to be for affordable housing units for area to be for affordable housing units for area affordable housing units for residents with incomes averaging 80 percent of AMI.

In combination with these options, two other options may be utilized. A "Deep Affordability <u>The proposed</u> <u>project would apply MIH</u> Option" may be utilized under which 20 percent of residential floor area must be affordable housing units affordable to households with income at a weighted average of 40 percent of AMI. Also, a "Workforce <u>1 and/or</u> Option" may also be utilized providing 30 percent of residential floor area must be affordable housing units affordable to households with income at a weighted average of 115 percent, with 5 percent of residential floor area must be affordable housing units affordable to households with income at a weighted average of 115 percent, with 5 percent of residential floor area must be affordable housing units affordable to households with income at an income band of 70 percent of AMI and another 5 percent of residential floor area must be affordable housing units affordable to households with income at an income band of 90 percent of AMI. No public funding may be used for MIH development utilizing <u>2 to</u> the Deep Affordability Option or the Workforce Option. Theproject site. However, the CPC and ultimately the City Council determine requirements applicable to each MIH designated area during the ULURP. At this point, the specific option for the proposed project has not been determined.

<u>However, as As</u> described earlier, for the purpose of <u>conservative</u> analysis, the <u>proposed project will be</u> assumed to have a range of affordability from a minimum of MIH requirements, up to 100 percent affordable. The DGEIS will analyze the portion of this range that is the most conservative for each of the respective impact areas. Additionally, the analysis assumes that 50 percent of the units would be affordable to incomes <u>underat or below</u> 80 percent of AMI and 50 percent <u>would be</u> affordable to incomes above 80 percent AMI.

# Proposed Zoning Map Amendment

A zoning map amendment would change the zoning on the <u>M2-1 manufacturing district portion of the</u> Lower Concourse North site from an M2-1 <u>manufacturing district and a C4-4 commercial</u>-district to an R7-2 <u>residential/C2-5(HRW)</u> zoning district <u>coterminous</u> with <u>a C2-5</u> commercial overlay<u>the rezoning area</u> <u>boundary</u> (see <u>FiguresFigure</u> 5-and-6). Typically, the R7-2 zoning district is subject to the height factor regulations per Zoning Resolution Section 23-151, with an option to adhere to the Quality Housing regulations. The Quality Housing regulations set forth a maximum base FAR of 4.0, or 4.6 with an inclusionary housing bonus, with community facility uses not to exceed an FAR of 6.5. The C2-5 commercial overlay allows for a maximum combined commercial and community facility FAR of 6.5, with the commercial FAR not to exceed 2.0. Parking is not required for community facility and commercial uses within C2-5 districts. As described below, the underlying R7-2 and C2-5 zoning controls would be amended by the proposed extension of the SHRWD and the establishment of the new subdistrict. The floor area ratio, setbacks, and lot coverage would be dictated by the SHRWD apply special use, bulk, parking and loading, streetscape, open space and the proposed SHRWD subdistrict<u>waterfront</u> regulations. The

<sup>6</sup> The current program, does not preclude more than 50 percent of units, being designated affordable, nor does it preclude units targeted to households at lower income levels (i.e., deeper affordability)

subdistrict<u>regulations</u> would<u>also</u> increase the maximum allowable FAR to 4.6 from 3.44. The R7-2 district with a C2-5 overlay would permit Use Groups 1-9 and 14.

## **Special Permit**

A special permit from the CPC pursuant to ZR Section 74-533 (reduction of parking spaces to facilitate affordable housing) would waive the required off-street accessory parking spaces for dwelling units. The CPC may permit a waiver of, or a reduction in, the number of required accessory off-street parking space for dwelling units in a development with at least 20 percent of all dwelling units reserved as affordable housing in a transit zone provided that the waiver or reduction: (1) would facilitate such development; (2) would not cause traffic congestion; and (3) would not have undue adverse effects on residents, business or community facilities in the surrounding area, as applicable, including the availability of parking spaces for such uses. The project site is located in a transit zone and the waiver would ensure the financial feasibility of the proposed project without causing traffic congestion or affecting the availability of parking in the area.

# **Other Approvals**

Subsequent to the environmental review of the proposed project, it is anticipated that the future developer or developers would also require additional non-discretionary approvals. For developments on waterfront blocks, the Chairperson of the CPC must certify that the proposed project complies with requirements for public access and visual corridors. In this case, these requirements would be modified by the proposed extension of the Harlem River Waterfront Access Plan described above. The City of New York would construct the required waterfront open space at a future date per a design that would be completed in coordination with a specific development plan for the project site. Before construction on the open space could begin, <u>approval from the New York City Public Design Commission would be required and the Chairperson of the CPC would certify that the future design meets the regulations within the proposed extension of the Waterfront Access Plan. Once certified, a maintenance and operation agreement with the <del>DPRNYC Parks</del> must be filed and recorded before a building permit can be issued by the Department of Buildings (DOB). The proposed project would be subject to design approval from PDC for both the open space and building design.</u>

It is also anticipated that the proposed project would require waterfront approvals from the NYSDEC and the ACOE for removal and replacement of the existing riprap shoreline and relieving platform that runs the length of the western side of the project site. Additionally, the NYSDEC willwould review the proposed project for compliance with state water quality standards (per Article 15 Protection of Waters Program of the New York State Environmental Conservation Law, Article 25 Tidal Wetlands, and SectionSections 401 [Water Quality Certification]-] and 404 of the Clean Water Act). Lastly, although unknown at this time, it is also possible that the future site developer(s) may seek public financing from HPD or the HDC to facilitate the development of affordable housing.

# G. PROJECT DESCRIPTION

The proposed actions project would facilitate the redevelopment of the project site with a mixed-use, mixed-income development.

Specifications for the proposed development in the GEIS would allow flexibility in developer responses to NYCEDC's RFEI. Therefore, a conservatively large building envelope and development program are

assumed for the environmental analyses in order to account for the various development plans that could be submitted under the proposed actions. Generally, the proposed project <u>willwould</u> include a mix of residential, commercial, and community facility uses, with commercial and community facility uses at the base of the building and <u>at leastup to</u> two<del>, and potentially three</del> residential towers or building components above the base structure (see Figures <u>98</u> through <u>1110</u>). The shortest tower would <u>be up to 26 stories athave</u> a height of approximately 260 feet. The tallest tower would <u>be up to 40 stories withhave</u> an approximate maximum height of 400 feet. The proposed development's building footprint would be located along the southern edge of the zoning lot to leave room for waterfront public access along the Harlem River, an extension of Mill Pond Park to the north of the proposed building, and a new plaza along Exterior Street. As mentioned, it is assumed that no parking would be provided on the Lower Concourse North site-<u>, given</u> <u>the project site's location in a transit rich neighborhood</u>. While the proposed project is envisioned as such in order to allow flexibility in the developer proposal design, the RWCDS has been established to provide a conservative analysis that allows for flexibility in developer selection.

For the purposes of this analysis, the following general programming is included in the proposed development, as outlined in Table 1 below: 1,045 residential dwelling units, comprising a total residential floor area of 835,937 gross square feet (gsf); 50,000 gross square feet gsf of retail space; 25,000 gsf of food store space; 25,000 gsf of medical office space; and 50,000 gsf of office space.<sup>7</sup> Retail would be located at the ground floor along Exterior Street, approximately 25,000 gsf would be local retail space and approximately 25,000 gsf would be destination retail space. Approximately three acres of open space, comprising waterfront open space, an extension of Mill Pond Park, a shore public walkway along the Harlem River waterfront, and a public plaza along Exterior Street is proposed for the project site as well. The general programming (RWCDS) used for the environmental review is for analysis purposes only. The RWCDS was designed to provide maximum flexibility for developer responses to the RFEI and provide conservative analyses. The final development program would be determined through negotiations between the City and a future developer (and any development beyond the RWCDS would be analyzed as a separate technical memorandum or as part of a separate environmental review). However, the open space is required for all development proposals.

In order to allow for flexibility in building design, the proposed development, given its proximity to public transportation, numerous nearby parking facilities, and the provision of affordable housing units, would contain no parking space requirement for residential, retail, or community facility uses.

# H. ANALYSIS FRAMEWORK

# Reasonable Worst-Case Development Scenario (RWCDS)

As described above, NYCEDC released an RFEI for a developer (or developers) to redevelop the project site on July 13, 2016. During the fall of 2016, review of the development <u>proposals would occuroccurred</u> in parallel with the preparation of the land use application. Following <u>thesethe issuance of the DGEIS and the project</u> approvals, it is anticipated that a developer would be selected. After a pre-development period, it is anticipated that construction would begin in 2019. It is assumed that development across the site would occur in phases and based on a feasible development timeline, the full build out on the project site would be completed by the end of 2023. As such, the environmental analysis will use a 2023 analysis year. As development facilitated by the proposed project would be operational in 2023, its environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and

<sup>&</sup>lt;sup>7</sup> For the purposes of a conservative environmental analysis the most conservative assumption will be used in each respective technical area.



Source: Beyer Blinder Belle

# Lower Concourse North

The Bronx, New York

With-Action RWCDS: Illustrative Site Plan

Figure 8



For Illustrative Purposes Only

Lower Concourse North The Bronx, New York With-Action RWCDS: Illustrative Building Envelope



For Illustrative Purposes Only

Lower Concourse North The Bronx, New York With-Action RWCDS: Illustrative Building Massing consideration of alternatives will assess current conditions and forecast these conditions to the analysis year of 2023 for the purposes of determining potential impacts.

In order to assess the possible effects of the proposed project, a reasonable worst case development scenario was developed for both the future No-Action <u>Conditioncondition</u> (future without the proposed project) and future With-Action <u>Conditioncondition</u> (future with the proposed project) for the 2023 analysis year. The incremental difference between the No-Action and With-Action <u>Conditionsconditions</u> will serve as the basis for the impact analyses of the environmental review.

#### **Development Sites**

The proposed project is associated with a defined project site (Block 2356, Lots 2 and 72; Block 2539, Lot 1 and portions of Lots 2 and 3; and the remaining portion of the demapped East 150th Street); therefore, the project site is the sole development site as described above.

#### Future without the Proposed ActionsProject (No-Action Condition)

Absent the proposed <u>actionsproject</u>, it is assumed that the project site would remain vacant. Under this scenario, the project site would remain zoned as M2-1 and <del>C4 4 and</del> the current land use provisions would still apply. As such, the City would be unable to facilitate the development of the desired mixed-use, mixed-income building.

Although the current manufacturing zoning would allow for a 2.0 FAR manufacturing or commercial use development, it is not anticipated that the City would dispose of the property without the proposed <u>actionsproject</u>. Therefore, the No-Action Scenario considers the project site in the 2023 build year in its current condition, vacant and undeveloped with the existing zoning remaining in place.

#### Future with the Proposed Actions<a>Project</a> (With-Action Condition)

The proposed actions<u>project</u> would set the parameters of the proposed development. The RWCDS program, is as follows: 1,045 residential dwelling units (the CPC and ultimately the City Council determine requirements applicable to each MIH designated area during the ULURP process), comprising a total residential floor area of 835,937 gross square feet (\_gsf); 50,000 gross square feet (gsf) of retail space (approximately 25,000 gsf of local retail space and 25,000 gsf of destination retail space); 25,000 gsf of food store; 25,000 gsf of medical office space; and 50,000 gsf of office space.<sup>8</sup> This program is intended for analysis purposes and is not a specific development program for the project site. As there is not yet a specific developer for the site, the RWCDS is intended to provide a conservative assessment that would result in the greatest project-related impacts. To the extent that actual development proposals exceed the RWCDS program, they would be subject to additional environmental review, as appropriate.

The overall development program under the With-Action Condition and the increment for analysis is shown in Table 1.

<sup>&</sup>lt;sup>8</sup> For analysis purposes, an average unit-size of 800 square feet is assumed.

	RW0		
Land Use	No-Action Condition (gsf)	With-Action Condition (gsf)	Increment ( <u>qsf)</u>
	Res	sidential	
Total Residential	0 DU	835,937 <del>sf</del> (1,045 DU)	+ 835,937 <del>sf</del> (1,045 DU)
	Cor	nmercial	
Retail	0 <del>.sf</del>	50,000 <del>sf</del>	+ 50,000 <del>sf</del>
Food Stores	0 <del>sf</del>	25,000 <del>sf</del>	+ 25,000 <del>sf</del>
Office	0 <del>sf</del>	50,000 <del>sf</del>	+ 50,000 <del>sf</del>
Total Commercial	0 <del>sf</del>	125,000 <del>sf</del>	+ 125,000 <del>sf</del>
	Commu	unity Facility	
Medical Office	0 <del>sf</del>	25,000 <del>sf</del>	+ 25,000 <del>sf</del>
Total Community Facility	0 <del>sf</del>	25,000 <del>sf</del>	+ 25,000 <del>sf</del>
	Oth	ner Uses	
Open Space	0 acres	2.96 acres	+ 2.96 acres
Vacant	4.7 acres	0 acres	0 acres
	P	arking	
Parking Spaces	0 spaces	0 spaces	0 spaces
	Po	pulation	
Residents	0	3,051	+ 3,051
Workers	0	542	+ 542
Notes: <sup>1</sup> Assumes 2.92 persons per E and SF1 Files (NYC Departr analysis. Estimates of worker per 250 sf of office, three em per 25 DU, and one employe	Dwelling Unit (DU) for residential uni ment of City Planning, July 2011). Ar rs based on standard rates used in th ployees per 1,000 sf of retail/superr se per 50 parking spaces.	ts in Bronx Community District 4 based n average unit size of 800 sf is assumed le <i>East New York FEIS</i> . Employee rates i narket/restaurant/community facility use	on U.S. Census Bureau, 2010 PL d for the purposes of conservative used are as follows: one employee s (except schools), one employee

#### TABLE 1: RWCDS Table

As described above, the RWCDS building envelope will include a base and at least two, and potentially three residential towers or building components above the base structure (see Figures <u>98</u> through <u>1110</u>). The shortest tower would <u>be up to 26 stories athave</u> a height of approximately 260 feet. The tallest tower would <u>be up to 40 stories withhave</u> an approximate maximum height of 400 feet. The proposed development's building footprint would be located along the southern edge of the zoning lot to leave room for <u>waterfrontthe shore</u> public <u>access alongwalkway</u> the Harlem River and an extension of Mill Pond Park to the north of the proposed building. The RWCDS building is envisioned as such in order to allow flexibility in the developer proposal design.

The GEIS <u>will analyzeanalyzes</u> the projected <u>developmentsdevelopment</u> for all technical areas of concern. In order to assess the possible effects of the proposed <u>actionsproject</u>, the reasonable worst-case development scenario (represented in Table 1) <u>will beis</u> used to determine the potential for environmental impacts from the proposed project, as it represents the worst case for density-related and height-related impact categories.

# I. PROPOSED SCOPE OF WORK FOR THE GEIS

The New York City Office of the Deputy Mayor for Housing and Economic Development ("ODMHED"), as lead agency for the environmental review, determined that the proposed project has the potential to result in significant environmental impacts and, therefore, pursuant to CEQR procedures, issued a positive declaration requiring that a GEIS be prepared for the proposed project that analyze all technical areas of concern. The GEIS will be prepared in conformance with all applicable laws and regulations, including the State Environmental Quality Review Act (SEQRA) (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules and Procedure for CEQR, found at Title 62, Chapter 5 of the Rules of the City of New York.

As described previously, the environmental review provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to evaluate reasonable alternatives, and to identify, and mitigate where practicable, any significant adverse environmental impacts.

The GEIS, following the guidance of the 2014 CEQR Technical Manual, will contain:

- A description of the proposed actions, the proposed project, and its environmental setting;
- A statement of the potential significant adverse environmental impacts of the proposed project, including their short- and long-term effects, typical associated environmental effects, and cumulative effects when considered with other planned developments in the area;
- A description of mitigation measures proposed to eliminate or minimize adverse environmental impacts;
- An identification of any adverse environmental effects that cannot be avoided if the proposed project is implemented;
- A discussion of reasonable alternatives to the proposed project; and
- A discussion of any irreversible and irretrievable commitments of resources to develop the project.

As noted above, the GEIS will analyze the proposed project for all technical areas of concern. The analyses in the GEIS will examine the RWCDS with the greater potential environmental impact for each impact area. The specific technical areas to be included in the GEIS, as well as their respective tasks and methodologies, are described below.

The first step in preparing the GEIS is the public scoping process. Scoping is the process of focusing the environmental impact analysis on the key issues that are to be studied in the GEIS. The proposed scope of work for each technical area to be analyzed in the GEIS follows. The Environmental Assessment Statement (EAS) that has been prepared for the proposed project identified two technical areas (Historic and Cultural Resources and Solid Waste and Sanitation Services) in which the proposed project would not have the potential to result in significant adverse impacts and therefore does not require further analysis in the GEIS. The scope of work and the proposed impact assessment criteria below are based on the methodologies and guidance set forth in the 2014-CEQR Technical Manual.

# Task 1. Project Description

As the first chapter of the GEIS, the Project Description introduces the reader to the proposed project and sets the context in which to assess impacts. This chapter contains a description of the proposed project: its

location; the background and/or history of the project; a statement of the purpose and need; key planning considerations that have shaped the current proposal; a detailed description of the proposed actions; and discussion of the approvals required, procedures to be followed, and the role of the GEIS in the process. This chapter is the key to understanding the proposed project and its impact and gives the public and decision makers a base from which to evaluate the proposed project.

In addition, the project description chapter will present the planning background and rationale for the actions being proposed and summarize the RWCDS for analysis in the GEIS. The section on approval procedure will explain the ULURP, zoning text amendment, and zoning map amendment processes, their timing, and hearings before the Community Board, the Borough President's Office, the CPC, and the New York City Council. The role of the GEIS as a full disclosure document to aid in decision-making will be identified and its relationship to the discretionary approvals and the public hearings described.

# Task 2. Land Use, Zoning, and Public Policy

A land use analysis characterizes the uses and development trends in the area that may be affected by the proposed project, describes the public policies that guide development, and determines whether a proposed project is either compatible with those conditions and policies or whether it may affect them. Similarly, the analysis considers the action's compliance with, and effect on, the area's zoning and other applicable public policies. This chapter will analyze the potential impacts of the proposed project on land use, zoning, and public policy, pursuant to the methodologies presented in the *2014–CEQR Technical Manual*. Additionally, this chapter will also provide a baseline for other analyses.

The primary land use study area will consist of the project site, where the potential effects of the proposed project would be directly experienced. The secondary land use study area will include neighboring areas within a 0.25-mile distance from the primary study area (see Figure 4), which could experience indirect impacts. The analysis will include the following subtasks:

• Provide a brief development history of the primary (i.e. the project site) and secondary study area.

- Provide a description of land use, zoning, and public policy in the study areas discussed above (a more detailed analysis will be conducted for the project site). Recent trends in the study areas will be noted. Other public policies that apply to the study areas will also be described.
- Based on field surveys and prior studies, identify, describe, and graphically portray predominant land use patterns for the balance of the study areas. Describe recent land use trends in the study areas and identify major factors influencing land use trends.
- Describe and map existing zoning and recent zoning actions in the study areas.
- Prepare a list of future development projects in the study areas that are expected to be constructed by the 2023 analysis year and may influence future land use trends. Also, identify pending zoning actions or other public policy actions that could affect land use patterns and trends in the study areas. Based on these planned projects and initiatives, assess future land use and zoning conditions without the proposed <u>actionsproject</u> (No-Action condition).
- Describe proposed zoning changes and land use changes based on the RWCDS (With-Action condition).
- Discuss the potential effects of the proposed project related to issues of compatibility with surrounding land use, the consistency with zoning and other public policies, and the effect of the proposed project on ongoing development trends and conditions in the study areas.

- Assess the proposed project's conformity to city goals, including consistency with the Waterfront Revitalization Plan (WRP) as revised by the City in 2016 and Vision 2020, and with the City's sustainability goals (PlaNYC/OneNYC). The GEIS will also discuss all relevant area planning documents and their implications for existing land use and future development.
- If necessary, mitigation measures to avoid or reduce potential significant adverse land use, zoning, and/or public policy impacts will be identified.

### Task 3. Socioeconomic Conditions

The socioeconomic character of an area includes its population, housing, and economic activity. Socioeconomic changes may occur when a project directly or indirectly changes any of these elements. Although socioeconomic changes may not result in impacts under CEQR, they are disclosed if they would affect land use patterns, low-income populations, the availability of goods and services, or economic investment in a way that changes the socioeconomic character of the area.

According to the <u>2014</u> CEQR Technical Manual, the six principal issues of concern with respect to socioeconomic conditions are whether a proposed project would result in significant impacts due to: (1) direct residential displacement; (2) direct business displacement; (3) indirect residential displacement; (4) indirect business displacement due to increased rents; (5) indirect business displacement due to retail market saturation; and (6) adverse effects on a specific industry.

Since the project site is currently vacant, the proposed project would not result in any direct displacement – residential or business. Additionally, the proposed project is not anticipated to exceed the threshold at which an indirect business displacement analysis (more than 200,000 sf of commercial space) would be triggered. However, the proposed project would exceed the 2014-CEQR Technical Manual threshold of 200 residential units for conducting a preliminary indirect residential displacement assessment. In addition, since the ¼-mile study area contains few existing residential units, the proposed project would trigger the threshold (result in a population increase above 5 percent of the existing population) for a detailed assessment of indirect residential displacement.

#### Indirect Residential Displacement

The concern with respect to indirect residential displacement is whether the proposed project - by introducing a substantial new development that is markedly different from existing uses, development, and activities within the neighborhood - could lead to increases in property values, and thus rents, making it more difficult for some residents to afford their homes. The objective of the indirect residential displacement assessment is to determine whether the proposed project would either introduce a trend or accelerate a trend of change in socioeconomic conditions that may potentially displace a vulnerable population to the extent that the socioeconomic character of the neighborhood would change.

The indirect residential displacement analysis will use the most recent available U.S. Census data, New York City Department of Finance's Real Property Assessment Data (RPAD) database, as well as current real estate market data, to present demographic and residential market trends and conditions for the study area. The presentation of study area characteristics will include population estimates, housing tenure and vacancy status, median value and rent, estimates of the number of housing units not subject to rent protection, and median household income. This chapter will assess the potential effects of the proposed project on the socioeconomic character of the study area, within a ½-mile study area (see Figure <u>4211</u>). The Harlem River will demarcate a border of the ½-mile study area as the proposed project is not anticipated to impact the socioeconomic character of neighborhoods outside of the Bronx (in Manhattan). The preliminary assessment will carry out the following the step-by-step evaluation:



Sources: 1. New York City Dept of City Planning. the Bronx MapPLUTO (Edition 16r/). LION (Edition 16B). Open Space. Building Footprints. Hydrology

Project Site

100

Study Area Census Tracts (w/ I.D. Label)

Half-mile Radius

Quarter-mile Radius

Lower Concourse North The Bronx, New York Socioeconomic Conditions Study Area

- Step 1: Determine if the proposed project would add substantial new population with different income as compared with the income of the study area population. If the expected average incomes of the new population would be similar to the average incomes of the study area populations, no further analysis is necessary. If the expected average incomes of the new population would exceed the average incomes of the study area populations, then Step 2 of the analysis will be conducted.
- Step 2: Determine if the population create by the proposed project is large enough to affect real estate market conditions in the study area. If the population increase is greater than 5 percent in the study area as a whole, then Step 3 will be conducted. If the population increase is greater than 10 percent in the study area as a whole, then a detailed analysis is required. If the population increase may potentially affect real estate market conditions, then Step 3 will be conducted.
- Step 3: Determine whether the study area has already experienced a readily observable trend toward increasing rents and the likely effect of the project on such trends and whether the study area potentially contains a population at risk of indirect displacement resulting from rent increases due to changes in the real estate market caused by the new population.
- If the vast majority of the study area has already experienced a readily observable trend toward increasing rents and new market development, further analysis is not necessary. However, if such trends could be considered inconsistent and not sustained, a detailed analysis may be warranted.
- If no such trend exists either within or near the study area, the action could be expected to have a stabilizing effect on the housing market within the study area by allowing limited new housing opportunities and investment, and no further analysis is necessary.
- If those trends do exist near to or within smaller portions of the study area, the project could have the potential to accelerate an existing trend. In this circumstance, a detailed analysis will be conducted.

A detailed analysis of indirect residential displacement is warranted for the proposed project. The analysis will utilize more in depth demographic analysis and potentially field surveys to characterize existing conditions of residents and housing, identify populations at risk of displacement, assess current and future socioeconomic trends that may affect these populations, and examine the effects of the proposed project on prevailing socioeconomic trends and, thus, impacts on the identified populations at risk.

The detailed analysis would determine whether the proposed project may introduce a trend or accelerate a trend of changing socioeconomic conditions that may displace renters not protected by rent stabilization or rent control or other government restrictions and determine whether this population is at risk of indirect displacement. This analysis is likely to require data collection at the census tract, borough and citywide level. Information to be collected and analyzed includes: housing units (by tenure, occupancy, size, etc.), age, economic status, income of renter occupied units, information regarding group quarters, hotels and Single Room Occupancy hotel (SRO), and recent investments in market rate and affordable housing. This analysis would reflect the City's requirement for Mandatory Inclusionary Housing, which could help to offset effects on vulnerable populations. The detailed assessment will be framed in the context of existing conditions and evaluations of the No Action and With Action Condition in 2023, including any population changes anticipated to take place by the analysis year of the proposed project.

# Task 4. Community Facilities and Services

The demand for community facilities and services is directly related to the type and size of the new population generated by the development resulting from the proposed project. New workers tend to create limited demands for community facilities and services, while new residents create more substantial and

permanent demands. The 2014 CEQR Technical Manual recommends a detailed analysis of indirect impacts on police, fire, and healthcare services in cases where a proposed project would create a sizeable new neighborhood where none existed before. The project site is located in a developed area that is served by existing police, fire, and healthcare services. Therefore, the proposed project would not create a neighborhood where none existed before, and a detailed analysis of indirect effects on these community facilities is not warranted.

The project would not have a direct effect on any community facilities but could potentially have an indirect effect on public schools, child care, and libraries. The proposed project would exceed the following *CEQR* thresholds for new residential construction in the Bronx, and therefore require detailed analyses:

- Libraries 680 Residential Units
- Schools (Elementary/Intermediate) 90 Residential Units
- Schools (High School) 787 Residential Units
- Child Care 141 Affordable units

#### Public Schools

The proposed project would exceed the thresholds for analyses of elementary/intermediate schools and high schools. Accordingly, detailed analyses of elementary/intermediate schools and high schools will be included in the GEIS. These analyses will include the following:

- The primary study area for the analysis of elementary and intermediate schools should be the community school district sub-district in which the project is located. The project site is located within Community School District (CSD) 7, Sub-district 3 (see Figure <u>1312</u>). CSD 7 is a "Choice District" for elementary and intermediate schools and has no zoned schools. While CSD 7 and its sub-districts do not have zoned schools, the schools within Sub-district 3 will be evaluated for capacity purposes. If the proposed project would result in a significant adverse impact on elementary and intermediate schools at the sub-district level, then an analysis would be performed at the district level.
- The primary study area for the analysis of high schools should be the borough in which the project is located. In addition, the location of the high school(s) near the area in which the project is located (within approximately a mile) should also be shown. While the project site is located in a Citywide High School Choice District, the schools in the Bronx will be evaluated for capacity purposes.
- Public elementary and intermediate schools serving CSD 7, Sub-district 3 (and, if necessary, all of CSD 7) and high schools serving the Bronx, will be identified and located. Existing capacity, enrollment, and utilization data for all public elementary and intermediate schools within the affected sub-district (and if necessary, the whole community school district) and separately high schools within the Bronx will be provided for the current (or most recent) school year, noting any specific shortages of school capacity using information from the New York City Department of Education (DOE).
- Conditions that would exist in the No-Action condition for the sub-district and the borough will
  be identified, taking into consideration projected changes in future enrollments, including those
  associated with other developments in the affected sub-district, using the NYC School
  Construction Authority's (SCA) *Projected New Housing Starts*. Plans to alter school capacity either
  through administrative actions on the part of the DOE or as a result of the construction of new
  school space prior to the 2023 analysis year will also be identified and incorporated into the



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analyses. Planned new capacity projects from the DOE's 2015-2019 Five Year Capital Plan will not be included in the quantitative analysis unless the projects have commenced site preparation and/or construction. They may, however, be included in a qualitative discussion.

- With-Action conditions will be analyzed, adding students likely to be generated under the RWCDS to the projections for the No-Action condition. Impacts will be assessed based on the difference between the With-Action projections and the No-Action projections (at the sub-district level for elementary and intermediate schools and the borough level for high schools) for enrollment, capacity, and utilization in 2023; if an impact is found at the sub-district level for elementary and intermediate schools then an analysis will be performed at the district level.
- A determination of whether the proposed project would result in significant adverse impacts to public schools will be made. If the proposed project would result in significant adverse impacts to elementary and/or intermediate schools at the sub-district level, then an analysis of elementary and intermediate schools at the district level would be performed. A significant adverse impact may result, warranting consideration of mitigation, if the proposed project would result in: (1) a collective utilization rate of the elementary and/or intermediate schools in the sub-district study area or the district study area, and of the high schools in the borough, that is equal to or greater than 100 percent in the With-Action condition; and (2) an increase of five percent or more in the collective utilization rate between the No-Action and With-Action conditions.

#### Libraries

The proposed project would exceed the thresholds for the analysis of public libraries. Accordingly, a detailed analysis of public libraries will be included in the GEIS. The analysis will include the following:

- The local public library branch(es) serving the area within approximately <sup>3</sup>/<sub>4</sub>-mile of the project site, which is the distance that one might be expected to travel for such services, will be identified and presented on a map. If the study area includes more than one branch, all branches of approximately equal distance should be considered.
- Existing libraries within the study area and their respective information services and user populations will be described. Information regarding services provided by branch(es) within the study area will include holdings and other relevant existing conditions. Details on library operations will be based on publicly available information and/or consultation with the New York Public Library officials. If applicable, holdings per resident may be estimated to provide a quantitative gauge of available resources in the applicable branch libraries in order to form a baseline for the analysis.
- For the No-Action condition, projections of population change in the area and information on any planned changes in library services or facilities will be described, and the effects of these changes on library services will be assessed. Using the information gathered for existing conditions, holdings per resident in the No-Action condition will be estimated.
- The effects of the addition of the population resulting from the proposed project on the library's ability to provide information services to its users will be assessed. Holdings per resident in the With-Action condition will be estimated and compared to the No-Action holdings estimate.
- If the proposed project would increase a branch library's <sup>3</sup>/<sub>4</sub>-mile study area population by five percent or more over No-Action levels, and it is determined, in consultation with the New York Public Library, that this increase would impair the delivery of library services in the study area, a significant adverse impact may occur, warranting consideration of mitigation.
#### **Child Care Centers**

The proposed project would exceed the thresholds for the analysis of publicly funded child care centers. Accordingly, a detailed analysis of publicly funded child care centers will be included in the GEIS. The analysis will include the following:

- Existing publicly funded child care centers within approximately 1.5 miles of the project site will be identified. Each facility will be described in terms of its location, number of slots (capacity), enrollment, and utilization in consultation with the Administration of Children's Services (ACS) Division of Early Childhood Education (ECE).
- For No-Action conditions, information will be obtained for any changes planned for child care programs or facilities in the area, including the closing or expansion of existing facilities and the establishment of new facilities. Any expected increase in the population of children under age 6 within the eligibility income limitations, under the No-Action condition, will be discussed as potential additional demand, and the potential effect of any population increases on demand for child care services in the study area will be assessed. The available capacity or resulting deficiency in slots and the utilization rate for the study area will be calculated for the No-Action condition.
- The potential effects of the additional eligible children resulting from the proposed project will be assessed by comparing the estimated <u>net-demand-over-capacityutilization in the With-Action</u> <u>condition</u> to <u>a net-demand-over-capacitythe utilization</u> in the No-Action <u>analysis</u><u>condition</u>.
- A determination of whether the proposed project would result in significant adverse impacts to child care centers will be made. A significant adverse impact may result, warranting consideration of mitigation, if the proposed project would result in both of the following: (1) a collective utilization rate of the group child care centers in the study area that is greater than 100 percent in the With-Action condition; and (2) an increase of five percent or more in the collective utilization rate of child care centers in the study area between the No-Action and With-Action conditions.

# Task 5. Open Space

The 2014 CEQR Technical Manual recommends the performance of an open space assessment if a project would have a direct effect (the elimination or alteration of open space) or an indirect effect on open space through population size (overtaxing existing open space through an increase in population). The proposed project would not encroach on or cause the loss of open space, and therefore would not result in a direct effect on open space.

For projects not located within an underserved or well-served area, an assessment of indirect effects on open space is conducted if the proposed project would generate more than 200 residents or 500 workers. It is expected that the proposed project will exceed these residential and worker analysis thresholds. Therefore, an assessment of both residential and nonresidential open space is warranted and will be provided in the GEIS.

The open space analysis will consider both passive and active open space resources. Passive open space ratios will be assessed within a nonresidential study area (¼-mile radius) and a residential study area (½-mile radius). Active open space ratios will be assessed for the ½-mile residential study area. Due to the size of Bronx County, Census Tract 63 the ¼-mile study area will comprise those census block groups (rather than census tracts) that have 50 percent or more of their area located within the ¼-mile radius. The ½-mile study area would generally comprise those census tracts that have 50 percent or more of their area located within the interval o

within the <sup>1</sup>/<sub>4</sub> mile radius and <sup>1</sup>/<sub>2</sub>-mile radius of the project site, as recommended in the <del>2014</del>-CEQR Technical Manual (see Figure 14<u>13</u>).<sup>9</sup>

If the results of the preliminary open space assessment indicate the need for further analysis, a detailed analysis will be conducted. The detailed open space analysis in the GEIS would include the following subtasks:

- Characteristics of the two open space user groups (residents and workers/daytime users) will be determined. To determine the number of residents in the study areas and their age composition, 2010 Census data will be compiled for census tracts (or block groups) comprising the residential open space study area. As the study areas may include a workforce and daytime population that may also use open spaces, the number of employees and daytime workers in the study areas will also be calculated, based on reverse journey-to-work census data.
- Existing active and passive open spaces within the ¼-mile and ½-mile open space study areas will be inventoried and mapped. The condition and usage of existing facilities will be described based on the inventory and field visits. Field visits will be conducted during peak hours of use and in good weather. Passively programmed open spaces will be visited during peak weekday midday hours and actively programmed open spaces (or actively programmed portions of open spaces that have both active and passive open space resources) will be visited during both weekday midday and peak weekend hours. Acreages of these facilities will be determined and the total study area acreages will be calculated. The percentage of active and passive open space will also be calculated.
- Based on the inventory of facilities and study area populations, total, active, and passive open space ratios will be calculated for the residential and worker populations and compared to City guidelines to assess adequacy. Open space ratios are expressed as the amount of open space acreage (total, passive, and active) per 1,000 user population.
- Expected changes in future levels of open space supply and demand in the 2023 analysis year will be assessed, based on other planned development projects within the open space study areas. Any new open space or recreational facilities that are anticipated to be operational by the analysis year will also be accounted for. Open space ratios will be calculated for No-Action conditions and compared with exiting ratios to determine changes in future levels of adequacy.
- Effects on open space supply and demand resulting from increased residential populations added under the RWCDS associated with the proposed actionsproject will be assessed. The assessment of the proposed project's impacts will be based on a comparison of open space ratios for the No-Action versus With-Action conditions. New public open space created as part of the proposed project will be described and considered in the analysis. In addition to the quantitative analysis, a qualitative analysis will be performed to determine if the changes resulting from the proposed project constitute a substantial change (positive or negative) or an adverse effect to open space conditions. The qualitative analysis will assess whether or not the study areas are sufficiently served by open space, given the type (active vs. passive), capacity, condition, and distribution of open space, and the profile of the study area populations.

<sup>&</sup>lt;sup>9</sup> ¼-mile and ½-mile radius adjusted to be coterminous with the boundaries of census tracts (or block groups) with existing populations that have 50 percent of their area within the radii; the radii were not adjusted to be coterminous with census tracts without existing populations (e.g., census tracts entirely comprised of open space).





# Task 6. Shadows

A shadows analysis assesses whether new structures resulting from the proposed project would cast shadows on sunlight sensitive publicly accessible resources or other resources of concern, such as natural resources, and to assess the significance of their impact. This chapter will examine the potential for significant and adverse shadow impacts as a result of the proposed project. Generally, the potential for shadow impacts exists if a project would result in new structures or additions to buildings resulting in structures over 50 feet in height that could cast shadows on important natural features, publicly accessible open space, or on historic features that are dependent on sunlight. New construction or building additions resulting in incremental height changes of less than 50 feet can also potentially result in shadow impacts if they are located adjacent to, or across the street from, a sunlight-sensitive resource.

The proposed project would result in a structure greater than 50 feet in height and therefore has the potential to result in shadow impacts. The development site is located adjacent to Mill Pond Park, a publicly-accessible open space. In addition, the Harlem River is considered a sunlight-sensitive natural feature. Given that the design for the future building(s) on the project site have not been determined yet, the GEIS will use an illustrative, worst-case massing to assess the RWCDS for potential shadowing effects of the proposed project on sunlight-sensitive uses and disclose the range of shadow impacts, if any, which are likely to result from the proposed project (see Figure 11). 10). The shadows analysis will include a Tier 1 through Tier 3 screening assessment to identify whether shadows cast by the proposed project could reach sunlight-sensitive resources.

- A preliminary shadows screening assessment will be prepared to ascertain whether the proposed project's shadows may potentially reach any sunlight-sensitive resources at any time of year.
- A Tier 1 Screening Assessment will be conducted to determine the longest shadow study area for the RWCDS, which is defined as 4.3 times the height of a structure (the longest shadow that would occur on December 21, the winter solstice). A base map that illustrates the location of the project site in relation to the sunlight-sensitive resources will be developed.
- A Tier 2 Screening Assessment will be conducted if any portion of a sunlight-sensitive resource lies within the longest shadow study area. The Tier 2 assessment will determine the triangular area that cannot be shaded by the projected and potential developments, which in New York City is the area that lies between -108 and +108 degrees from true north.
- If any portion of a sunlight-sensitive resource is within the area that could be potentially shaded by the RWCDS, a Tier 3 Screening Assessment will be conducted. The Tier 3 Screening Assessment will determine if shadows resulting from the RWCDS can reach a sunlight-sensitive resource through the use of three-dimensional computer modeling software with the capacity to accurately calculate shadow patterns. The model will include a three-dimensional representation of the sunlight-sensitive resource(s), a three-dimensional representation of the RWCDS, and a three-dimensional representation of the topographical information within the area to determine the extent and duration of new shadows that would be cast on sunlight-sensitive resources as a result of the proposed project.

Given the proximity to Mill Pond Park – a sunlight-sensitive resource – it is likely a detailed shadows analysis will be required. The shadows analysis in the GEIS will include the following subtasks:

• A detailed analysis of potential shadow impacts on publicly-accessible open spaces or sunlightsensitive historic resources resulting from development in the RWCDS will be provided in the GEIS. The detailed shadow analysis will establish a baseline condition (No-Action Condition), which will be compared to the future condition resulting from the proposed project (With-Action condition) to illustrate the shadows cast by existing or future buildings and distinguish the additional (incremental) shadow cast by the RWCDS. The detailed analysis will include the following tasks:

- The analysis will be documented with graphics comparing shadows resulting from the No-Action condition with shadows resulting from the proposed project, with incremental shadow highlighted in a contrasting color. A summary table listing the entry and exit times and total duration of incremental shadow on each applicable representative day for each affected resource will be provided.
- The significance of any shadow impacts on sunlight-sensitive resources will be assessed. If any significant adverse shadow impacts are identified, mitigation strategies will be identified and assessed.

# Task 7. Urban Design and Visual Resources

Urban design is the totality of components that may affect a pedestrian's experience of public space. An assessment of urban design and visual resources is appropriate when there is the potential for a pedestrian to observe, from the street level, a physical alteration beyond that allowed by existing zoning. When an action would potentially obstruct view corridors, compete with icons in the skyline, or would result in substantial alterations to the streetscape of the neighborhood by noticeably changing the scale of buildings, a more detailed analysis of urban design and visual resources would be appropriate. As described in the *CEQR Technical Manual*, examples of projects that may require a detailed analysis are those that would make substantial alterations to the streetscape of a neighborhood by noticeably changing the scale of buildings, potentially obstruct view corridors, or compete with icons in the skyline.

As the proposed project would result in a physical change to the streetscape that changes the experience of the pedestrian, a preliminary assessment of urban design and visual resources will be provided in the GEIS.

The urban design study area will be the same as that used for the land use analysis; delineated by a 0.25mile radius from the project site. For visual resources, the view corridors within the study area from which such resources are publicly viewable will be identified. The preliminary assessment will consist of the following:

- Based on field visits, the urban design and visual resources of the directly affected area and adjacent study area will be described using text, photographs, and other graphic material, as necessary, to identify critical features, use, bulk, form, and scale.
- In coordination with Task 2, Land Use, the changes expected in the urban design and visual character of the study area due to known development projects in the future No-Action condition will be described.
- Potential changes that could occur in the urban design character of the study area as a result of the proposed project will be described. The analysis will focus on general building types, as well as elements such as street wall height, setback, and building envelope. Photographs and/or other graphic material will be utilized, where applicable, to assess the potential effects on urban design and visual resources, including view of/to resources of visual or historic significance.

The preliminary assessment will determine whether the proposed project, in comparison to the No-Action condition would create a change to the pedestrian experience that is sufficiently significant to require greater explanation and further study. A detailed analysis is required when substantial alterations to the streetscape of a neighborhood by noticeably changing the scale of buildings, potentially obstructing view corridors, or competing with icons in the skyline occurs. A detailed analysis will be prepared if warranted

based on the preliminary assessment. If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

# Task 8. Natural Resources

A natural resource is defined as the City's biodiversity (plants, wildlife and other organisms); any aquatic or terrestrial areas capable of providing suitable habitat to sustain the life processes of plants, wildlife, and other organisms; and any areas capable of functioning in support of the ecological systems that maintain the City's environmental stability. Such resources include ground water, soils and geologic features; numerous types of natural and human-created aquatic and terrestrial habitats (including wetlands, dunes, beaches, grasslands, woodlands, landscaped areas, gardens, parks, and built structures); as well as any areas used by wildlife.

The proposed project would allow for the development of the project site, which is situated along the Harlem River waterfront and is located entirely within the Coastal Zone Boundary. The majority of the project site is comprised of predominantly un-vegetated, impervious surfaces, with vegetated surfaces restricted to perimeter areas, including the rubble shoreline of the Harlem River. This shoreline community, as well as the adjacent intertidal and subtidal communities and their resident flora/fauna are defined as natural resources pursuant to the 2014-CEQR Technical Manual. Therefore, the proposed project has the potential to create a significant adverse impact on natural resources, and further analysis is warranted. Accordingly, an analysis of natural resources will be provided in the GEIS following CEQR guidance, as described below.

The existing ecological conditions of the aforementioned communities and their resident species will be evaluated according to the following procedures:

- Ecological communities will be identified and assessed in the field, pursuant to the New York Natural Heritage Program (NYNHP) publication Ecological Communities of New York State (Edinger et. al., 2014).
- The tidal wetland habitats of the Harlem River located within and adjacent to the affected area will be identified and assessed through field observations and review of published data.
- Inventories of observed and expected flora and fauna species will be compiled based upon field
  observations and review of government agency and non-government (NGO) databases, including
  those of the New York State Breeding Bird Atlas, the New York State Amphibian and Reptile Atlas
  Project, <u>DPRNYC Parks</u>, New York City Audubon, and New York Flora Atlas, as relevant.
- With respect to the aquatic habitats and organisms in particular, existing data and studies of the Harlem River and surrounding marine waters will be reviewed and summarized, including United States Army Corps of Engineers (USACE) Aquatic Biological Survey, Migratory Finfish and Benthic Survey reports, National Marine Fisheries Service (NMFS) Essential Fish Habitat data, and for the Harlem River, biological surveys of benthic and water column habitats within the Harlem <u>River, NYSDEC</u> Lower Hudson Reach Significant Coastal Fish and Wildlife Habitat data, as relevantAssessment and USGS water quality data.
- In order to determine if records exist for rare/protected species or communities at and in the vicinity of the study area, correspondence would be submitted to the NYNHP and a Unites States Fish and Wildlife Service (USFWS) Trust ResourcesInformation for Planning and Conservation (IPaC) Report would be generated. In addition, the New York State Department of Environmental Conservation (NYSDEC) Environmental Resource Mapper and New York Nature Explorer databases would be reviewed.

The impact assessment would include an analysis of the direct and indirect effects of the proposed project on the ecological communities, flora, and fauna identified during the existing ecological conditions assessment described above. Pursuant to the *2014 CEQR Technical Manual*, potentially relevant direct effects on natural resources include, but are not limited to:

- Removal of vegetation
- Changing one habitat type to create another.
- Development of roadways, parking lots, buildings and other paved surfaces on previously vegetated or unpaved surfaces.
- Construction or removal of marine structures, such as bulkheads, piers, piles, groins, jetties, etc. that disturb existing habitat, change water flow patterns and/or change sediment transport patterns, etc.
- Stream channel changes, such as bank stabilization.
- Installation of drainage systems, including sewers and culverts.

Pursuant to the 2014 CEQR Technical Manual, potentially relevant indirect effects on natural resources include, but are not limited to:

- A change, such as loss and/or change in the health of vegetation, dewatering, soil compaction, site clearance, excavation, introduction of impervious surfaces, or any other change in drainage patterns that would alter the way in which surface or ground water flows from the project rea to a nearby natural resource or vice versa.
- A change in on-site activities that would either increase the number of people, number of domestic animals, or noise level, thereby increasing disturbance to on-site or nearby natural re-sources.
- An activity or a change in conditions that would introduce or facilitate colonization by new (particularly non-native) plant or animal species that could overtake existing (particularly native) species either on-site or in nearby resources.

Anticipated direct and indirect impacts to the identified natural resources would be examined and discussed in the GEIS. Potentially relevant direct effects under the No-Action condition will be described in the GEIS as the baseline condition. The potential effects of the proposed project on natural resources, in comparison to the No-Action condition, will be assessed. The short-term and long-term impacts of the proposed project on the environment will be discussed, as well as concepts for the potential mitigation of identified significant impacts to natural resources.

# Task 9. Hazardous Materials

A hazardous materials assessment determines whether the proposed project may increase the exposure of people or the environment to hazardous materials, and, if so, whether this increased exposure would result in potential significant public health or environmental impacts. The potential for significant impacts related to hazardous materials can occur when: (a) elevated levels of hazardous materials exist on a site and the project would increase pathways to human or environmental exposures; (b) a project would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increased; or (c) the project would introduce a population to potential human or environmental exposure from off-site sources.

The hazardous materials section will examine the potential for significant hazardous materials impacts from the proposed project. The GEIS will include a discussion of the project site's history and current environmental conditions. A Phase I Environmental Site Assessment (ESA) was prepared for the project site in October 2015. Based upon the results of the Phase I ESA, the need for a subsurface investigation was identified. The subsurface investigation will be performed under the direction of the New York City Mayor's Office of Environmental Remediation (NYCOER) in order to satisfy hazardous materials (E) Designation requirements, as well as <u>preliminary</u> requirements for potential enrollment in the New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program (BCP).- The results of the Phase I ESA and subsurface investigation will be summarized in the hazardous materials chapter. The chapter will include a discussion of the proposed project's potential to result in significant adverse hazardous materials impacts and, if necessary, will include a description of any additional further testing, remediation, or other measures that would be necessary to avoid impacts.

# Task 10. Water and Sewer Infrastructure

According to the *CEQR Technical Manual*, a water and sewer infrastructure assessment analyzes whether a proposed project may adversely affect New York City's water distribution or sewer system and, if so, assess the effects of such projects to determine whether their impact is significant, and present potential mitigation strategies and alternatives.

A preliminary water analysis is not required since the projected water demand for the future With-Action condition does not exceed one million gallons per day (gdp). Additionally, based on preliminary discussions with the NYCDEP (in October 2015) the 20-inch water main serving the project site, would be sufficient to satisfy both the fire and domestic water supply. As such, while the proposed project would represent an increase in demand on the New York City water supply system, it does not exceed the 2014 CEQR Technical Manual threshold for water pressure and water demand. Therefore, an analysis of water supply is not warranted since it is expected that there would be adequate water service to meet the incremental water demand and that there would be no significant adverse impacts on the City's water supply.

Because the proposed project would introduce an incremental increase above the future No-Action condition of more than 400 residential units and is located in a combined sewer area within the Bronx, an analysis of sewer infrastructure is warranted. This analysis will consist of the following:

- A description of the existing stormwater drainage system and surfaces (pervious or impervious) on the project site and of the existing sewer system that serves the project site based on records obtained from the New York City Department of Environmental Protection (DEP).
- A description of any changes to the project site's stormwater drainage system, the project site's surface area, and the area's sewer system that are expected in the No-Action condition.
- An analysis of potential project impacts that will consist of the identification and assessment of the effects of the incremental With-Action sanitary and stormwater flows on the capacity of the sewer infrastructure. The DEP volume calculation worksheet will be prepared and sanitary sewage generation for the project will be estimated. The effects of the incremental demand on the system will be assessed to determine if there will be any impact on operations of the Wastewater Treatment Plant (WWTP). Based on the assessment of future stormwater and wastewater generation, the change in flows and volumes to the sewer system and/or waterbodies due to the proposed project will be determined. Any capital improvements to the sanitary and stormwater conveyance system that may be necessary to support the proposed project will be identified in coordination with DEP

and described in the EIS. Any best management practices to be included as part of the proposed project will be described.

# Task 11. Energy

According to the *CEQR Technical Manual*, because new structures requiring heating and cooling are subject to the New York State Energy Conservation Code (which reflects State and City energy policy), projects resulting in new construction typically do not create significant energy impacts, and as such would not require a detailed energy assessment. For CEQR purposes, energy impact analyses <u>focusesfocus</u> on the project's consumption of energy. A qualitative assessment will be provided in the **G**EIS, as appropriate, including an estimate of the additional energy consumption associated with the proposed project.

# Task 12. Transportation

This section of the GEIS will evaluate whether the proposed project would create significant impacts on vehicular traffic, parking, transit services, pedestrian circulation, or traffic safety. Should significant impacts be identified per-2014 CEQR Technical Manual criteria, the GEIS will then further evaluate the ability of transportation system improvements to mitigate those impacts. The transportation analysis will include the subtasks outlined below.

#### Travel Demand Analysis

Trip generation projections will be developed by travel mode for each of the land uses comprising the proposed project, using trip generation rates, temporal distributions, modal splits, average vehicle occupancies, and in/out splits that are published in the 2014–CEQR Technical Manual or in previously-conducted EISs or EASs. This will be performed for the weekday AM, midday, and PM peak periods, and for the Saturday peak period.

This process begins with a Level 1 screening analysis to determine whether vehicle, transit, and/or pedestrian trip thresholds outlined in the 2014-CEQR Technical Manual are exceeded, thus indicating the need for additional detailed analyses. The Level 1 screening analysis will produce peak hour person trip projections and vehicle trip projections for the four traffic and transportation analysis periods.

The second part of the travel demand analysis is a Level 2 screening for vehicular, transit, and pedestrian trips – the distribution and assignment of trips through the study area's roadway network, subway and bus services, and pedestrian network, and the identification of the specific intersections and subway and bus lines requiring counts and detailed quantitative analyses.

A Travel Demand Analysis (TDA) Technical Memorandum has been prepared that documents the assumptions and analysis findings and is attached as Appendix A.

#### Traffic

The traffic study for this project will analyze intersections within the street network near the project site that would be used by vehicular traffic approaching and leaving the project site.

- Define a traffic study area consisting of the following intersections (see Figure <u>1514</u>):
  - o East 149th Street and Exterior Street/River Avenue
  - East 149th Street and Gerard Avenue



Lower Concourse North The Bronx, New York

# Transportation Analysis Locations

# Figure 14

- East 149th Street and Walton Avenue
- East 149th Street and Grand Concourse
- East 150th Street and Exterior Street
- East 150th Street and River Avenue
- East 150th Street and Grand Concourse
- East 144th Street and Exterior Street
- Conduct a traffic count program consisting of 24-hour Automatic Traffic Recorder (ATR) machine counts and manual intersection counts for the weekday AM, midday, PM, and Saturday peak hours. The 24-hour Automatic Traffic Recorder (ATR) counts will be conducted for two full weeks at 10 locations to provide complete coverage for the study area. ATR counts will cover one weeknight-and<sub>e</sub> one Saturday afternoon Yankee game, and one Saturday non-Yankee game stadium afternoon event. Intersection counts will be conducted using MioVision cameras for one midweek day and one Saturday and adjusted for traffic variations indicated in the ATR data. Weekday AM, midday, PM, and Saturday peak hours will be selected using a combination of existing counts and projected trip generation for the project.
- Tabulate traffic count data, establish the specific peak traffic hours, and create balanced traffic volume maps for the traffic study area for each peak traffic analysis hour.
- Obtain physical inventories needed for intersection capacity and level of service analyses, signal phasing and timing plans, locations of bus stops, and other data needed for the traffic analyses. Traffic observations will be conducted while the traffic count program is underway in order to correlate field-observed conditions with the level of service analyses.
- Determine intersection capacity and level of service for the existing conditions using 2000 Highway Capacity Manual procedures, resulting in volume-to-capacity (v/c) ratios, average vehicle delays, and level of service by lane group and the overall intersection.
- Develop future No-Action traffic volumes for the project's opening year using the annual background traffic growth rate cited in the *2014-CEQR Technical Manual* plus traffic expected to be generated by significant development projects (which may include as-of-right and non-as-of-right development) near the project site in consultation with the DCP's Bronx Borough Office.
- Determine future No-Action intersection capacity and levels of service based on the future No-Action traffic volumes and incorporate traffic improvements, if any, identified by NYC Department of Transportation (DOT) to be implemented by the project's analysis year.
- Combine the traffic assignment of the With-Action increments for the peak analysis hours, and produce With-Action traffic volumes
- Identify proposed changes to the street network expected to occur in conjunction with the proposed project, if any, and incorporate changed capacity or operational conditions in the With-Action conditions analysis.
- Determine future With-Action conditions intersection capacity and levels of service, and determine whether the proposed development would produce significant traffic impacts.
- Conduct travel time and delay runs along <u>East</u> 149th Street and along Exterior Street for existing conditions during the four traffic analysis periods, and develop projected future speeds under No Action and With-Action conditions for use in the air quality analysis.

#### Parking Analysis

- Inventory the amount of parking existing within public parking lots and garages within a onequarter mile of the overall project site. This will include the location, capacity, and utilization of such lots and garages on weekdays and Saturdays.
- Conduct a "windshield survey" of the general on-street parking regulations in the area, and the approximate number of spaces legally available and unoccupied that could also be used by project-generated trips. This will be done for the same parking study area described above.
- Determine future No-Action parking utilization on weekdays and Saturdays using the background growth rates, along with major proposed developments and any significant parking changes in place.
- Determine the amount of parking expected to be generated by the proposed project on a typical weekday and Saturday and determine whether parking to be provided as part of the project would be sufficient to accommodate<u>e</u> the demand or, if not, whether available on- and off-street parking spaces in the area would be sufficient to supplement<u>accommodate</u> the proposed <u>project's</u> parking <u>demand</u>.

#### Transit

# Subway

- Identify and describe the subway routes and station serving the project site, station access facilities, hours of operation, and frequency of service.
- Conduct pedestrian counts for the 149th Street/Grand Concourse station north stairwell at the southwest corner of <u>East</u> 149th Street and the Grand Concourse during weekday AM and PM peak hour conditions. Evaluate existing conditions at this stairwell.
- Determine future No-Action station volumes and utilization characteristics.
- Assign project-generated subway trips to the stairwell being analyzed, and combine projectgenerated subway trips with No-Action volumes to establish With-Action volumes. Evaluate levels of service on the stairwell and identify significant impacts, if any.
- Assess if project-generated subway trips would require an analysis of the subway line-haul utilization.

#### Bus

- Identify and describe the bus routes and bus stops serving the project site, and their hours of operation and frequency of service.
- Identify the volume of patrons using study area bus routes based on information to be obtained from Metropolitan Transit Authority (MTA)/New York City Transit, for peak bus route load points and, if available from MTA/New York City Transit, for local check points.
- Assess if project-generated bus trips would require an analysis of the bus load levels.

#### Pedestrians

- Conduct pedestrian counts at intersections along key walking routes to the project site. These counts will be conducted at select intersection crosswalks, sidewalks, and corner reservoirs at the locations listed below for the four analysis periods (see Figure <u>1514</u>).
  - o East 149th Street and Exterior Street/River Avenue
  - East 149th Street and Gerard Avenue
  - East 149th Street and Walton Avenue
  - East 149th Street and Grand Concourse
  - o East 150th Street and Exterior Street

#### East 150th Street and River Avenue

- Tabulate the pedestrian count data and establish the specific peak pedestrian hours to be analyzed for weekday AM, midday and PM, and Saturday peak hours. Develop pedestrian volume maps for each analyzed location.
- Determine existing pedestrian conditions for the intersections being analyzed using *Highway Capacity Manual (HCM)* procedures and in accordance with 2014-CEQR Technical Manual protocols.
- Develop future No-Action pedestrian volumes using the annual background traffic growth rate cited in the 2014-CEQR Technical Manual plus pedestrian traffic expected to be generated by the major developments identified above under "Traffic" in the immediate study area.
- Identify proposed changes to the roadway network expected to occur under No-Action conditions by the analysis year, if any, and incorporate changed capacity or operational conditions attributable to those changes on pedestrian conditions.
- Develop future With-Action pedestrian volumes by adding project-generated pedestrian assignments to the future No-Action pedestrian volumes.
- Identify proposed changes to the roadway network expected to occur in conjunction with the proposed project, if any, and incorporate changed capacity or operational conditions into the future With-Action pedestrian analyses.
- Identify significant pedestrian impacts, if any, using criteria stipulated in the 2014-CEQR Technical Manual.

#### Vehicular and Pedestrian Safety

Review vehicular and pedestrian crash data for the most recent three-year period for which such data is available, and summarize the number and severity of crashes by year for each of the traffic study area intersections; review Vision Zero Corridors and Priority Intersections. Determine whether any of the intersections being analyzed are considered high accident locations based on 2014-CEQR Technical Manual criteria, and whether traffic generated by the proposed project would contribute materially at such locations; determine potential improvements if necessary.

# Task 13. Air Quality

Ambient air quality may be affected by air pollutants produced by motor vehicles, referred to as "mobile sources," by fixed facilities, usually referenced as "stationary sources," or by a combination of both. An air quality assessment determines both a proposed action'sproject's effects on ambient air quality as well as the effects of ambient air quality on the proposed project itself. The key air quality issues include: the potential for changes in vehicular travel associated with the proposed project to result in significant mobile source (vehicle-related) air quality impacts; the potential for vehicular emissions from the elevated Major Deegan Expressway to impact air quality levels at windows or air intakes at the proposed residential development; the potential for emissions from the heating, ventilation, and air conditioning (HVAC) systems of the proposed building's to significantly impact each other and on existing or future land uses; The potential impacts from the HVAC systems of existing or future "major" emission sources or any "large" combustion sources (e.g., power plants) on the proposed residential sites<u>project</u>; and the potential impacts on the proposed residential sites<u>project</u> from air toxic emissions generated by nearby existing industrial/commercialmanufacturing sources.

#### **Mobile Source Analysis**

Emissions generated by the project-generated traffic at congested intersections have the potential to significantly increase air quality levels at nearby sensitive land uses. The primary air quality issue related to the proposed project is whether the traffic generated during peak traffic periods would cause or exacerbate a violation of the 1-hour or 8-hour ambient air quality standardNational Ambient Air Quality Standards (NAAQS) for carbon monoxide (CO) or exceed the DEP *de minimis* criteria near any of these locations. Additionally, the air quality analysis will determine whether project-generated vehicular trips have the potential to exceed the <u>NAAQS for 24-hour PM<sub>10</sub>-air quality standard</u> and the DEP *de minimis* criteria for 24-hour and annual PM<sub>2.5</sub>. The specific work program for the mobile source air quality study will include the following tasks:

- ScreeningIntersection Analysis. If the number of project-generated vehicle trips (passenger car and truck) exceeds the 2014 CEQR Technical Manual screening thresholds, detailed analyses of mobile source emissions of CO and particulate matter (PM2.5 and PM10) on ambient pollutant levels in the study area will be performed. It is anticipated that based on preliminary trip generation estimates that project generated vehicular traffic would likely exceed CEQR thresholds and detailed CO, PM10 or PM2.5 analyses will likely be warranted. <u>A Tier 1 peak hour analysis using the CAL3QHC and CAL3QHCR models will initially be conducted. Resulting CO, PM10 and PM2.5 concentrations will be compared to the NAAQS and DEP de minimis criteria to determine the potential for a significant adverse impact.
  </u>
- Emissions from Elevated Major Deegan Expressway and Freight Rail Line. The proposed project will introduce new sensitive receptors adjacent to an elevated sourcesources of vehicular emissions <u>– the Major Deegan Expressway and the Oak Point freight rail line</u>. Detailed CO, PM<sub>10</sub>, and PM<sub>25</sub> analyses will be conducted for up to two time periods. These time periods will be selected based on the highest hourly volumes and percentage of heavy duty diesel vehicles on the Major Deegan Expressway. A Tier 1 peak hour analysis using the CAL3QHC and CAL3QHCR models will initially be conducted. Resulting CO, PM<sub>10</sub> and PM<sub>25</sub> concentrations will be compared to the national air quality standards (NAAQS) and DEP *de minimis* criteria to determine the potential for a significant adverse impact. If exceedancesThe Oak Point freight rail spur is along the riverfront and western side of the project site. A preliminary investigation found that there are predicted, mitigation measures will be identified and appliedapproximately four freight trains operating daily and each train consists of one diesel-electric locomotive. It is anticipated that the freight rail

line is unlikely to have significant adverse air quality impacts on the new introduced sensitive receptors with such limited frequency of operation and diesel emissions. Therefore, a detailed analysis is not warranted.

There is currently a limited number of weekly trains on the freight rail spur along the riverfront and western side of the project site. An evaluation will be conducted to see whether potential diesel rail emissions will have the ability to impact nearby sensitive receptors. Based on the type of locomotives and frequency of operation, emissions factors will be obtained from EPA's AP 42 manual and using EPA's AERMOD dispersion model, concentrations of PM<sub>10</sub>, PM<sub>25</sub>, NO<sub>2</sub> and SO<sub>2</sub> will be estimated and compared to the NAAQS and DEP *de minimis* criteria to determine whether a significant ambient air quality impact would be expected.

- PM25 Tier 2 Intersection Analysis. In the event that the PM25 DEP *de minimis* thresholds under the Tier 1 peak hour analysis are exceeded, then a Tier 2 analysis will be required. The Tier 2 analysis will be supported by a detailed traffic analysis for the Existing. No Action, and With Action Conditions. The traffic data collection and analysis would provide the input requirements to EPA's MOVES emission model in order to generate hour by hour PM25 emissions. Three off peak hours including a weekday off peak hour, a weeknight off peak hour, and a weekend off peak hour would be analyzed in addition to the three typical peak hours analyzed for the Tier 1 analysis. Traffic volumes, speed runs, and levels of service analyses would be needed for the three additional off peak hours. Twenty four hour traffic data on the Major Deegan Expressway will be obtained from New York State Department of Transportation.
- If needed, PM25 emissions would be generated for up to six time periods including three weekday peak hours, two weekday off peak hours and one weekend peak hour. The CAL3QHCR model will be used to estimate PM25 concentrations using the hour by hour traffic and emission data together with the latest five years of meteorological data from LaGuardia Airport for future No-Action, With Action, and Mitigated conditions. and New York Metropolitan Transportation Council. Resulting 24-hour and annual PM25 incremental concentrations will be compared to the DEP *de minimis* criteria and a determination of significance will be made. If exceedances are predicted, then further mitigation measures or more refined Tier 2 analysis may be required (seasonal adjustments).
- **SIP Consistency.** The consistency of the proposed project with the strategies contained in the State Implementation Plan (SIP) for the area will be determined. At any receptor sites where violations of standards occur, analyses would be performed to determine what mitigation measures would be required to attain standards.

# **Stationary Source Analysis**

The proposed project building(s) have the potential to result in ambient air quality impacts on sensitive receptor locations surrounding the project site. The specific work program for the stationary source air quality study will include the following tasks:

• HVAC Screening Analysis. Emissions from the HVAC systems of the proposed project may affect air quality levels at nearby existing or No-Build land uses as well as components of the proposed project itself. The impacts of these emissions would be a function of fuel type, stack height, building size (gross floor area), and location of each emission source relative to a nearby sensitive receptor site. The *2014 CEQR Technical Manual* includes a screening methodology to estimate the potential impacts of HVAC system emissions from a single building that is at least 30 feet from the nearest building of similar or greater height.

The proposed project would include two-or three residential towers with different heights, and it is assumed there would be separate ventilation stacks for each tower. As a result, the screening analysis will consider the potential for the emissions from the stack on the lower tower to impact the residential units in the higher tower (project-on-project impacts). If the initial screening assessment exceeds the stationary source screening criteria, a detailed air quality impact analysis, using the latest version of the EPA's AERMOD model will be required.

- Mitigation Assessment. In the event that the detailed analysis fails for the stationary sources, an
   (E)-Designation will be developed for the project site. The minimum distance criteria
   characterizing the (E)-Designation measures will be determined <u>usingbased on</u> the CEQR
   nomographdetailed AERMOD modeling analysis performed for the project site towers-<u>(project-on-project impacts)</u>.
- Identification of Major Emission or Large Combustion Sources. Following-2014 CEQR Technical Manual guidelines, a review of New York State Department of Environmental Conservation (NYSDEC) Title V and State Facility Permit database and a survey of land uses and building heights will be conducted to determine whether there are any existing "major" sources of boiler emissions or "large" combustion emission source within the limits of the proposed project, identified in the 2014-CEQR Technical Manual. It is not anticipated that any large combustion sources are within 1,000 feet of the proposed project.
- Industrial Source (Air Toxics) Analysis. A survey of existing commercial, manufacturing/industrial and transportation/utility operations within a 400-foot radius of the project site will be conducted to determine the potential for impacts from industrial/ manufacturing emissions. It is assumed that up to two permitted facilities will be examined and an air quality analysis will be conducted using the 2014\_CEQR Technical Manual screening methodology.

# Task 14. Greenhouse Gas Emissions and Climate Change

Increased greenhouse gas (GHG) emissions are changing the global climate, which is predicted to lead to wide-ranging effects on the environment, including rising sea levels, increases in temperature, and changes in precipitation levels. Although this is occurring on a global scale, the environmental effects of climate change are also likely to be felt at the local level. Since the proposed project would exceed the 350,000 sf development threshold, and in accordance with the 2014–CEQR Technical Manual, GHG emissions generated by the proposed project will be quantified and an assessment of consistency with the City's established GHG reduction goal will be performed as part of the GEIS.

- Sources of GHG from the proposed project will be identified. The pollutants for analysis will be discussed, as well as various City, State, and Federal goals, policies, regulations, standards, and benchmarks for GHG emissions.
- Fuel consumption will be estimated for the projected developments based on the calculations of energy use estimated as part of Task 11, Energy.
- GHG emissions associated with the action-related traffic will be estimated for the proposed project using data from Task 12, Transportation. A calculation of vehicle miles traveled (VMT) will be prepared.
- The types of construction materials and equipment proposed will be discussed along with opportunities for alternative approaches that may serve to reduce GHG emissions associated with construction.

 A qualitative discussion of stationary and mobile sources of GHG emissions will be provided in conjunction with a discussion of goals for reducing GHG emissions to determine if the proposed project areis consistent with GHG reduction goals, including building efficient buildings, using clean power, transit-oriented development and sustainable transportation, reducing construction operations emissions, and using building materials with low carbon intensity.

As stated above, the project site is located within the Coastal Zone. The project site is also located within FEMA's mapped 100-year and 500 year-flood zones<u>zone</u>, and as such is subject to coastal flooding, storm surge and possible future impacts from projected sea level rise. The Climate Change assessment to be provided in this chapter of the GEIS, and performed in accordance with the *CEQR Technical Manual*, should include:

- a qualitative discussion of potential effects of climate change and potential design measures that could be incorporated into new development projected to occur in the project site.
- An analysis of consistency with Policy 6.2 of the WRP, which integrates consideration of the latest New York City projections of climate change and sea level rise into the planning and design of projects in the city's Coastal Zone, in addition to other relevant WRP policies.
- Any city, state, or federal initiatives to improve coastal resilience<del>, such as those set forth in the Special Initiative for Rebuilding and Resiliency (SIRR) Report, "A Stronger, More Resilient New York,"</del> that may have the potential to affect the project site.

# Task 15. Noise

The proposed project will be evaluated for potential noise effects at nearby sensitive receptor locations and new receptors that would be introduced as part of the proposed project. Existing noise conditions in the neighborhood will be determined through a noise monitoring program and No-Action and With-Action noise conditions will be assessed including mobile sources, stationary sources and construction-period activities.

Up to four (4) appropriate measurement locations will be determined to conduct sound level monitoring. The site selection will undergo an approval process prior to initiating the monitoring program. A draft memorandum describing the proposed measurement locations will be submitted to DEP. Upon receiving one round of comments from DEP, the memo will be revised and a final memorandum documenting the approved measurement site locations will be submitted.

The-2014 CEQR Technical Manual recommends conducting 20-minute measurements during weekday AM peak-hour, midday, and PM peak-hour periods and during the Saturday peak period unless the project is near rail facilities where 1-hour measurements are recommended. There is currently a limited number of weekly trains on the freight rail spur along the riverfront and western side of the project site. Therefore, the ambient sound level environment is expected to be primarily dominated by vehicular traffic on the nearby roadways and measurements will be conducted for 20-minute durations. Sound generated by train activity will be evaluated separate from the measurement program and will be based on general freight train sound emission information available from the Federal Transit Administration (FTA).

The sound monitor will meet Type 1 ANSI standards and will measure the following sound levels: L<sub>max</sub>, L<sub>min</sub>, L<sub>1</sub>, L<sub>10</sub>, L<sub>50</sub>, L<sub>90</sub>, L<sub>eq</sub>. A complete record of the measurement will be documented including specific measurement locations, time of measurements, meteorological conditions, equipment used and significant noise sources. Spot traffic counts will be conducted during the sound measurements to support sound level predictions for the No-Action and With-Action traffic conditions. The eastern and southern portions of the project site are exposed to noise from several roadway sources including the Major Deegan Expressway,

145th Street Bridge and Exterior Street. It is important to understand the relative contribution of noise from these sources when measuring existing conditions and predicting No-Action and With-Action noise levels in the study area. Therefore, the noise measurement conducted along the eastern and southern sides of the project site will include traffic counts from all three roadways.

A noise impact assessment will be performed for the proposed project to determine if there is the potential for a significant noise impact associated with project-generated vehicular traffic. Since the proposed project has the potential to generate vehicle trips that would require a Level 2 transportation assessment, a traffic noise assessment is needed.

In conjunction with the transportation analysis, the noise passenger car equivalent (PCE) values will be calculated for the Existing, No-Action and With-Action conditions, in accordance with the procedures outlined in the 2014-CEQR Technical Manual. If the Noise PCE values would be increased by 100 percent or more from the No-Action levels to the With-Action levels a more detailed analysis may be needed. To predict the potential increase in mobile source noise along the eastern and southern portions of the project site which are exposed to noise from the Major Deegan Expressway, 145th Street Bridge and Exterior Street, it is necessary to quantify the relative contribution of noise from these sources. Noise from each roadway will be modeled using the Federal Highway Administration Traffic Noise Model and the results will be compared to the overall noise measurements and associated traffic counts. Through this process, the contribution of noise from each roadway will be determined and the potential increase in overall noise from increases in traffic due to the proposed project (i.e., on Exterior Street) will be evaluated.

The study area also includes sound contributions from freight trains on the rail spur along the waterfront and western end of the project site. Because the study area is in close proximity to this rail activity, sound from the freight train operations will be calculated using the methodology outlined in the FTA guidance manual.

For new receptors that would be introduced as part of the proposed project, potential noise impact and the need for mitigation is assessed according to the With-Action L<sub>10</sub> sound level results. With-Action L<sub>10</sub> sound levels will be predicted for new receptors introduced as part of the proposed project based on the ambient sound monitoring results, the freight train noise modeling and the PCE analysis. As needed, noise mitigation will be analyzed to reduce potential significant noise impact. For new receptors that would be introduced by the project and when vehicular noise is the source of potential impact and noise barriers are not feasible, the most common approach to mitigating potential impact is to specify that adequate window/wall attenuation is incorporated into the design of the building so that interior noise levels conform to the Noise Exposure Guidelines.

At existing receptors, sound level model results from train operations, based on the FTA methodology, as well as from vehicles, based on the measurements and PCE analysis, will be combined to assess the overall change in ambient sound levels between the No-Action and With-Action conditions. If With-Action noise levels are increased by 3 dBA or more over No-Action levels and would exceed 65 dBA (Leq) at existing adjacent noise-sensitive receptors, there would be a significant adverse noise impact and a need to evaluate mitigation. Conversely, if the With-Action noise levels would not increase by 3 dBA over No-Action levels, the proposed project would not cause a significant adverse vehicular noise impact and no further assessment is needed for roadway mobile sources. It is assumed that a detailed roadway noise model of the entire study area is not warranted. If a detailed noise assessment using the Traffic Noise Model (TNM) is required, it will be addressed in the Final Scope.

The proposed project may introduce stationary source noise generators, such as unenclosed cooling or ventilation equipment (other than single-room units), truck loading docks, stationary diesel engines, or other similar types of sources. A qualitative assessment will be conducted to identify the types of stationary

sources that would be introduced by the project, their general proximity to sensitive receptors and the potential for noise impact.

# Task 16. Public Health

Public health is the organized effort of society to protect and improve the health and well-being of the population through monitoring; assessment and surveillance; health promotion; prevention of disease, injury, disorder, disability, and premature death; and reducing inequalities in health status. The goal of CEQR with respect to public health is to determine whether adverse impacts on public health may occur as a result of a proposed project, and, if so, to identify measures to mitigate such effects.

A public health assessment may be warranted if an unmitigated significant adverse impact is identified in other CEQR analysis areas, such as air quality, hazardous materials, or noise. If unmitigated significant adverse impacts are identified for the proposed project in any of these technical areas and the ODMHED determines that a public health assessment is warranted, an analysis will be provided for the specific technical area or areas.

# Task 17. Neighborhood Character

Neighborhood character is determined by a number of factors, including land use, socioeconomic conditions, open space, historic and cultural resources, urban design, visual resources, shadows, transportation, and noise. According to the guidelines of the-2014 CEQR Technical Manual, an assessment of neighborhood character is generally needed when a proposed project has the potential to result in significant adverse impacts in one of the technical areas presented above, or when a project may have moderate effects on several of the elements that define a neighborhood's character. Therefore, if warranted based on an evaluation of the proposed project's impacts, an assessment of neighborhood character would be prepared following the methodologies outlined in the 2014-CEQR Technical Manual. The analysis would begin with a preliminary assessment, which would involve identifying the defining features of the area that contribute to its character. If the preliminary assessment establishes that the proposed project would affect a contributing element of neighborhood character, a detailed assessment will be prepared to examine the potential neighborhood character-related effects of the proposed project through a comparison of future conditions both with and without the proposed project.

# Task 18. Construction

Construction impacts, though temporary, can have a disruptive and noticeable effect on the adjacent community, as well as people passing through the area. Construction activity could affect transportation conditions, community noise patterns, air quality conditions, and mitigation of hazardous materials. This chapter will describe the reasonable worst-case construction schedule and phasing plan for each relevant construction related impact area, and logistics assumptions for the proposed project. It will also include a discussion of anticipated on-site activities and will provide estimates of construction workers and truck deliveries.

Technical areas to be analyzed include:

• **Transportation Systems.** A qualitative assessment of construction traffic will be performed, and will describe the type of curb parking lane and sidewalk closures, if any, that may be needed to accommodate the delivery of construction materials, stage construction activities, or to provide

protection for pedestrian activities. CEQR Level 1 and 2 threshold assessments would be conducted to determine if a detailed Levels of Service analysis is warranted.

- Air Quality. The analysis will qualitatively review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations, and identify any project-specific control measures required to further reduce the effects of construction and to ensure that significant <u>adverse</u> impacts on air quality do not occur.
- Noise. The construction noise impact section will contain a preliminary qualitative discussion of noise from each phase of construction activity. Appropriate recommendations will be made to comply with DEP Rules for Citywide Construction Noise Mitigation and the New York City Noise Control Code. The analysis will qualitatively review the projected activity and equipment in the context of intensity, duration, and location of emissions relative to nearby sensitive locations, and identify any project-specific control measures required to further reduce construction noise.
- **Hazardous Materials.** In coordination with the hazardous materials summary, determine whether the construction of the project has the potential to expose construction workers to contaminants.
- **Other Technical Areas.** As appropriate, discuss other areas of environmental assessment for potential construction-related impacts.

If necessary, mitigation measures to avoid or reduce potential significant adverse impacts will be identified.

# Task 19. Mitigation

Where significant adverse impacts have been identified for the proposed project, measures to mitigate those impacts will be identified and described. Mitigation measures would be based on the project's full build-out and occupancy. The mitigation chapter will address the anticipated impacts requiring mitigation, likely mitigation measures, and the timing of the mitigation measures. These measures will be developed and coordinated with the responsible City/State agencies, as necessary, including the NYCDOT and NYCDEP. Where impacts cannot be fully mitigated, they will be described as unavoidable adverse impacts.

# Task 20. Alternatives

The purpose of an alternative section in a GEIS is to examine development options that would avoid or reduce project-related significant adverse impacts and achieve the stated goals and objectives of the proposed project. The alternatives will be better defined once the full extent of impacts of the proposed project have been identified. Typically, the alternatives will include a No-Action Alternative, a no impact or no unmitigated significant adverse impact alternative, and a lesser density alternative. A lesser density alternative would be pursued only if it is found to have the potential to reduce the impacts of the proposed project while, to some extent, still meeting the project's stated purpose and need. The alternatives analysis will be qualitative, except in those technical areas where significant adverse impacts for the proposed project have been identified. The level of analysis provided will depend on an assessment of project impacts determined by the analysis connected with the appropriate tasks.

# Task 21. Summary EIS Chapters

The GEIS will include the following three summary chapters, where appropriate to the proposed project:

- Unavoidable Adverse Impacts: which summarizes any significant adverse impacts that are unavoidable if the proposed project is implemented regardless of the mitigation employed (or if mitigation is not feasible);
- **Growth-Inducing Aspects of the Proposed Action<u>Project</u>**: which generally refer to "secondary" impacts of the proposed project that trigger further development; and
- **Irreversible and Irretrievable Commitments of Resources:** which summarizes the proposed project and its impact in terms of the loss of environmental resources (loss of vegetation, use of fossil fuels and materials for construction, etc.), both in the immediate future and in the long term.

# Task 22. Executive Summary

The executive summary will utilize relevant material from the body of the GEIS to describe the proposed project, its environmental impacts, measures to mitigate those impacts, and alternatives to the proposed project. The executive summary will be written in enough detail to facilitate drafting of a notice of completion by the lead agency.

Appendix A: Travel Demand Analysis Technical Memorandum



To: Nathan Gray, NYCEDC

CC: Nancy Doon and Noah Bernstein, VHB

From: Amir Rizavi and Alfred Yeung – VHB

Date: August 4, 2016

Memorandum

Project #: 29753.00

Re: Lower Concourse North EIS -- Travel Demand Factors Memorandum (REVISED)

The following memorandum summarizes the transportation screening analysis for the Lower Concourse North EIS as per the 2014 City Environmental Quality Review (CEQR) Technical Manual. It provides a detailed description of the project analysis framework and travel demand assumptions used to determine the number of trips generated by the proposed project.

# INTRODUCTION

During the 2015 State of the City address, Mayor de Blasio announced an approximately \$200 million city capital allocation for new infrastructure in the Lower Concourse neighborhood of the Bronx. The money was intended to redevelop streets, create new open spaces, upgrade broadband connections and improve waterfront access, all with the goal of supporting the development of a dynamic, mixed-use neighborhood with housing, job-dense commercial uses, and new open space.

Following the State of the City address, the New York City Economic Development Corporation ("NYCEDC") developed a comprehensive plan, the Lower Concourse Development Plan, which included a list of recommended infrastructure investments that would most effectively use the City's capital allocation. The Plan also included additional strategies to support the growth of the neighborhood, including redeveloping city-owned sites to promote the goal described above. The proposed project, which is described below, advances the Plan's goals.

# PROPOSED PROJECT

In furtherance of the Plan, the City of New York, through the New York City Economic Development Corporation, intends to issue a Request for Expression of Interest ("RFEI") for a developer or developers to redevelop a key city-owned site (referred to hereafter as the "project site") with a new series of uses, including new housing, office space, medical office space, supermarket, and neighborhood retail space (the "proposed project").

# PROJECT SITE LOCATION

The project site is located in the Lower Concourse section of the Bronx, directly along the Harlem River. The Lower Concourse serves as an important gateway into the Bronx, one that is defined by significant assets such as transit links on the 2, 4, and 5 lines that provide quick access to the Manhattan via the subway; the East 149<sup>th</sup> Street corridor that leads to Hostos College, Lincoln Hospital, and the Hub; and the Major Deegan Expressway, which provides access to the regional interstate highway system.

The project site is comprised of all of Block 2356 Lot 2, all of Block 2539 Lot 3, and a portion of Block 2539 Lot 2. The project site is bounded by Mill Pond Park to the north, Exterior Street and the elevated Major Deegan Expressway above Exterior Street to the east, East 149<sup>th</sup> Street (not publicly accessible) to the south, and the Harlem River to the

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west. The project site's only public street frontage is on Exterior Street. East 149<sup>th</sup> Street is directly south of the project site, but vehicles cannot access that street.

#### **PROPOSED ACTIONS**

To facilitate the proposed project, the City is currently proposing the following series of land use actions:

- Zoning map change to rezone the site from an M2-1 district to a new zoning district;
- Disposition by sale or lease;
- Zoning special permit to reduce the amount of required parking; and
- Zoning text changes to extend the Special Harlem River Waterfront District to cover the project site.

#### **ANALYTICAL FRAMEWORK**

#### **Existing Condition**

The project site is owned by the City of New York and under the jurisdiction of the City Department of Recreation ("DPR"), but it is not mapped parkland, considered to be parkland, or subject to parkland alienation. While the project site is currently vacant, it is used periodically by a circus under a license from DPR.

#### Future Without the Proposed Project

It is assumed that absent the proposed project, the project site would remain largely vacant and under the jurisdiction of DPR. It is assumed that the project site would remain zoned as M2-1. In the future without the proposed project, the City of New York intends to design and construct a shorefront public walkway and supplemental open space on a portion of the project site that would connect with the adjacent Mill Pond Park.

#### **Proposed Project**

For the environmental analyses in the EIS, a Reasonable Worst-Case Development Scenario (RWCDS) was developed that reflects what could be developed on the project site as a result of the proposed actions. As there isn't a specific developer for the site, the RWCDS is intended to provide a conservative assessment that would result in the highest project-related trip and/or traffic generation. The RWCDS program is as follows: 1,045 residential dwelling units (DUs) (of which approximately two-third of the units would be affordable housing), 25,000 square feet (sf) of local retail space, 25,000 sf of FRESH food store, 25,000 sf of medical office space, 50,000 sf of office space, 25,000 sf of destination retail space, and 2.5 acres of open space (1.94 acres of passive open space and 1.02 acres of active open space). A transportation screening analysis was performed and is detailed below.

### **CEQR TRANSPORTATION ANALYSIS SCREENING**

According to the 2014 CEQR Technical Manual procedures for transportation analysis, a two-tiered screening process is to be undertaken to determine whether a quantified analysis is necessary. The first step, the Level 1 (Trip Generation) screening, determines whether the volume of peak hour person and vehicle trips generated by the proposed project would remain below the minimum thresholds for further study.

These thresholds are:

- 50 peak hour vehicle trip ends;
- 200 peak hour subway/rail or bus transit riders; and
- 200 peak hour pedestrian trips.

If the proposed project results in increments that would exceed any of these thresholds, a Level 2 (Trip Assignment) screening assessment is usually performed. Under this assessment, project-generated trips that exceed Level 1 thresholds are assigned to and from the site through their respective networks (streets, bus and subway lines, sidewalks, etc.) based on expected origin-destination patterns and travel routes.

# Level 1 Screening Assessment (Trip Generation)

The travel demand factors used to calculate the projected number of trips generated by the proposed project were obtained primarily from the 2014 CEQR Technical Manual, American Community Survey journey to work data, and previously approved New York City EISs and EASs such as the Lower Concourse Rezoning FEIS (2009) and East New York Rezoning FEIS (2016). Table 1 provides the travel demand assumptions used for the weekday AM, midday, PM, and Saturday peak hours.

	Residential	Local Retail	FRESH Food Store	Medical Office	Office	Destination Retail	Passive Open Space	Active Open Space
Person Trip Gen Rate	per dwelling unit	per 1,000 SF	per 1,000 SF	per 1,000	per 1,000	per 1,000	per acre	per acre
Weekday	8.075 <sup>1</sup>	205.0 <sup>1</sup>	175.0 <sup>1</sup>	127.0 <sup>6</sup>	18.0 <sup>1</sup>	78.2 <sup>1</sup>	44.0 <sup>1</sup>	139.0 <sup>1</sup>
Saturday	9.6 <sup>1</sup>	240.0 <sup>1</sup>	231.0 <sup>1</sup>	127.0 <sup>6</sup>	3.9 <sup>1</sup>	92.5 <sup>1</sup>	62.0 <sup>1</sup>	196.0 <sup>1</sup>
Linked Trip Credit	0%	5%	5%	0%	0%	0%	25%	25%
Temporal Distribution								
AM Peak	10.0% <sup>1</sup>	3.0% <sup>1</sup>	5.0% <sup>1</sup>	4.0% <sup>6</sup>	12.0% <sup>1</sup>	3.0% <sup>1</sup>	3.0% <sup>1</sup>	3.0% <sup>1</sup>
Midday Peak	5.0% <sup>1</sup>	19.0% <sup>1</sup>	6.0% <sup>1</sup>	11.0% <sup>6</sup>	15.0% <sup>1</sup>	9.0% <sup>1</sup>	5.0% <sup>1</sup>	5.0% <sup>1</sup>
PM Peak	11.0% <sup>1</sup>	10.0% <sup>1</sup>	10.0% <sup>1</sup>	12.0% <sup>6</sup>	14.0% <sup>1</sup>	9.0% <sup>1</sup>	6.0% <sup>1</sup>	6.0% <sup>1</sup>
Saturday Peak	8% <sup>1</sup>	10.0% <sup>1</sup>	9.0% <sup>1</sup>	11.0% <sup>6</sup>	17.0% <sup>1</sup>	11.0% <sup>1</sup>	6.0% <sup>1</sup>	6.0% <sup>1</sup>
Modal Split								
Auto	15.2% <sup>2</sup>	3.0% <sup>3</sup>	4.0% 4	30.0% <sup>6</sup>	41.3% <sup>7</sup>	59.0% <sup>8</sup>	12.0% <sup>3</sup>	12.0% <sup>3</sup>
Taxi	0.8% <sup>2</sup>	2.0% <sup>3</sup>	3.0% 4	2.0% <sup>6</sup>	1.0% <sup>7</sup>	3.0% <sup>8</sup>	0.0% <sup>3</sup>	0.0% <sup>3</sup>
Bus	21.0% <sup>2</sup>	10.0% <sup>3</sup>	5.0% <sup>4</sup>	18.0% <sup>6</sup>	19.0% <sup>7</sup>	18.0% <sup>8</sup>	5.0% <sup>3</sup>	5.0% <sup>3</sup>
Subway	53.1% <sup>2</sup>	5.0% <sup>3</sup>	5.0% <sup>4</sup>	33.0% <sup>6</sup>	30.1% <sup>7</sup>	15.0% <sup>8</sup>	5.0% <sup>3</sup>	5.0% <sup>3</sup>
Walk/Other	9.9% <sup>2</sup>	80.0% <sup>3</sup>	83.0% 4	17.0% <sup>6</sup>	8.6% <sup>7</sup>	5.0% <sup>8</sup>	78.0% <sup>3</sup>	78.0% <sup>3</sup>
					<u>Weekday</u> <u>Midday</u>	<u>Saturday</u>		
Auto					2.0% 7	59.0% <sup>8</sup>		
Taxi					3.0% 7	5.0% <sup>8</sup>		
Bus					6.0% <sup>7</sup>	18.0% <sup>8</sup>		
Subway					6.0% <sup>7</sup>	13.0% <sup>8</sup>		
Walk/Other					83.0% <sup>7</sup>	5.0% <sup>8</sup>		
Vehicle Occupancy								
Auto	1.18 <sup>2</sup>	1.60 <sup>3</sup>	1.65 <sup>4</sup>	1.50 <sup>6</sup>	1.30 <sup>7</sup>	2.05/2.49 <sup>8</sup>	2.80 <sup>3</sup>	2.80 <sup>3</sup>
Taxi	1.18 <sup>2</sup>	1.20 <sup>3</sup>	1.40 <sup>4</sup>	2.60 <sup>6</sup>	1.30 <sup>7</sup>	2.00/2.80 8	2.80 <sup>3</sup>	2.80 <sup>3</sup>
Directional Split (Ins)								
AM Peak	15.0% <sup>3</sup>	50.0% <sup>3</sup>	57.0% <sup>5</sup>	89.0% <sup>6</sup>	96.0% <sup>5</sup>	82.0% <sup>8</sup>	50.0% <sup>3</sup>	50.0% <sup>3</sup>
Midday Peak	50.0% <sup>3</sup>	50.0% <sup>3</sup>	50.0% <sup>5</sup>	51.0% <sup>6</sup>	39.0% 5	52.0% <sup>8</sup>	45.0% <sup>3</sup>	45.0% <sup>3</sup>
PM Peak	70.0% <sup>3</sup>	50.0% <sup>3</sup>	52.0% <sup>5</sup>	48.0% <sup>6</sup>	5.0% <sup>5</sup>	52.0% <sup>8</sup>	55.0% <sup>3</sup>	55.0% <sup>3</sup>
Saturday Peak	50.0% <sup>3</sup>	50.0% <sup>3</sup>	52.0% <sup>5</sup>	41.0% <sup>6</sup>	60.0% <sup>5</sup>	51.0% <sup>8</sup>	55.0% <sup>3</sup>	55.0% <sup>3</sup>
Truck Trip Gen	per dwelling unit	per 1,000 SF	per 1,000 SF	per 1,000 SF	per 1,000 SF	per 1,000 SF	per acre	per acre
Weekday	0.06 <sup>1</sup>	0.35 <sup>1</sup>	0.35 5	0.29 <sup>6</sup>	0.32 <sup>1</sup>	0.35 <sup>1</sup>	0.0 <sup>3</sup>	0.0 <sup>3</sup>
Saturday	0.02 <sup>1</sup>	0.04 <sup>1</sup>	0.04 <sup>1</sup>	0.29 <sup>6</sup>	0.01 <sup>1</sup>	0.04 <sup>1</sup>	0.0 <sup>3</sup>	0.0 <sup>3</sup>
Truck Temporal Distribution								
AM Peak	12.0% <sup>1</sup>	8.0% <sup>1</sup>	10.0% 5	3.0% <sup>6</sup>	10.0% <sup>1</sup>	8.0% <sup>1</sup>	0.0% <sup>3</sup>	0.0% <sup>3</sup>
Midday Peak	9.0% <sup>1</sup>	11.0% <sup>1</sup>	8.0% 5	11.0% <sup>6</sup>	11.0% <sup>1</sup>	11.0% <sup>1</sup>	0.0% <sup>3</sup>	0.0% <sup>3</sup>
PM Peak	2.0% <sup>1</sup>	2.0% <sup>1</sup>	5.0% <sup>5</sup>	1.0% 6	2.0% <sup>1</sup>	2.0% <sup>1</sup>	0.0% <sup>3</sup>	0.0% <sup>3</sup>
Saturday Peak	9% <sup>1</sup>	11.0% <sup>1</sup>	10.0% 5	0.0% 6	11.0% <sup>1</sup>	11.0% <sup>1</sup>	0.0% <sup>3</sup>	0.0% <sup>3</sup>
<ol> <li>2014 CEQR Technical Manual</li> <li>American Community Survey 2</li> <li>Lower Concourse Rezoning FE</li> <li>FRESH Text Amendment EAS,</li> <li>East New York Rezoning FEIS,</li> <li>Rates from NYCDOT survey of</li> <li>NYCDCP Special Tabulation on</li> <li>Gateway Center at Bronx Term</li> </ol>	009 – 2014, Bronx Co ElS, 2009 , 2009, based on the , 2016 <sup>i</sup> medical office space f American Communit inal Market FEIS, 200	ensus Tracts 51, 1331 Jerome Ave y Survey 2006 – 25	59.02, 61, and 63 enue site 2010, Bronx Cen	3 sus Tracts 51, 5	59.02, 61, and	63		

Table 1 – Travel Demand Assumptions

#### Residential

The trip generation rates (8.075 daily trips per dwelling unit (DU) for weekdays and 9.6 daily person trips per DU for Saturdays) and temporal distribution (10 percent, 5 percent, 11 percent, and 8 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively) for the residential use were obtained from the *2014 CEQR Technical Manual*. Directional distributions of 15 percent "in", 50 percent "in", 70 percent "in", and 50 percent "in" for the weekday AM, midday, PM, and Saturday peak hours were obtained from the *Lower Concourse Rezoning FEIS (2009)*. The modal split and vehicle occupancy were based on the *American Community Survey 2009 – 2014* journey to work data for Bronx census tracts 51, 59.02, 61, and 63. Modal splits of 15.2 percent by auto, 0.8 percent by taxi, 21 percent by bus, 53.1 percent by subway, and 9.9 percent by walk or other modes, and vehicle occupancies of 1.18 persons per auto or taxi were used.

Similar to the daily person trip calculations, daily delivery trip rates were obtained from the 2014 CEQR Technical Manual. Trip generation rates of 0.06 daily trucks per DU for the weekday and 0.02 daily trucks per DU for the Saturday, and temporal distribution of 12 percent, 9 percent, 2 percent, and 9 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were used for the analysis.

#### Local Retail

For the local retail use, trip generation rates of 205 daily person trips per 1,000 sf for weekdays and 240 daily person trips per 1,000 sf for Saturdays were obtained from the *2014 CEQR Technical Manual*, and a 5 percent credit was applied to account for linked trips between local retail and other (namely residential) uses on the project site. Vehicle occupancy, modal split, and directional distributions were obtained from the *Lower Concourse Rezoning FEIS (2009)* and the temporal distributions were obtained from the *2014 CEQR Technical Manual*. The modal split assumed for the weekday AM, midday, PM, and Saturday peak hours are 3 percent by auto, 2 percent by taxi, 10 percent by bus, 5 percent by subway, and 80 percent by walk or other modes. Vehicle occupancies of 1.60 persons per auto and 1.20 persons per taxi were used for all peak analysis hours. The temporal distributions used were 3 percent, 19 percent, 10 percent, and 10 percent for the weekday AM, midday, PM, and Saturday, PM, and Saturday peak hours.

For local retail delivery trips, trip generation rates of 0.35 daily trucks per 1,000 sf for the weekday and 0.04 daily trucks per 1,000 sf for the Saturday, and temporal distributions of 8 percent, 11 percent, 2 percent, and 11 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were obtained from the 2014 CEQR Technical Manual.

# FRESH Food Store

For the food store use, trip generation rates of 175 daily person trips per 1,000 sf for weekday and 231 daily person trips per 1,000 sf for Saturday were obtained from the 2014 CEQR Technical Manual, and a 5 percent credit was applied to account for linked trips between local retail and other (namely residential) uses on the project site. Temporal distributions of 5 percent, 6 percent, 10 percent, and 9 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were obtained from the 2014 CEQR Technical Manual. The food store would be expected to capture a local draw and modal splits and vehicle occupancy rates from the 1331 Jerome Avenue site of

the *FRESH Text Amendment EAS (2009)* were used. The modal splits assumed for the weekday AM, midday, PM, and Saturday peak hours were 4 percent by auto, 3 percent by taxi, 5 percent by bus, 5 percent by subway, and 83 percent by walk or other modes. Vehicle occupancies of 1.65 persons per auto and 1.40 persons per taxi were assumed for all peak hours analyzed. Vehicle occupancy of 1.38 persons per taxi was assumed for all peak hours. The directional distributions of 57 percent "in", 50 percent "in", 52 percent "in", and 52 percent "in" were assumed for the weekday AM, midday, PM, and Saturday peak hours, respectively, and were obtained from the *East New York Rezoning FEIS (2016)*.

For food store delivery trips, trip generation rates of 0.35 daily trucks per 1,000 sf for the weekday and 0.04 daily trucks per 1,000 sf for the Saturday, and temporal distributions of 10 percent, 8 percent, 5 percent, and 10 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were obtained from the *East New York Rezoning FEIS (2016)*.

# Medical Office

The trip generation rates, temporal distribution, modal split, vehicle occupancy, and directional distributions for the medical office use are based on surveys performed by NYCDOT. Trip generation rates of 127 daily person trips per 1,000 sf for weekdays and Saturdays, and temporal distributions of 4 percent, 11 percent, 12 percent, and 11 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively were used for the medical office use. The modal splits of 30 percent by auto, 2 percent by taxi, 18 percent by bus, 33 percent by subway, and 17 percent by walk or other modes were assumed for all peak hours. Vehicle occupancies of 1.50 persons per auto and 2.60 persons per taxi and directional distributions of 89 percent "in", 51 percent "in", 48 percent "in", and 41 percent "in" for the weekday AM, midday, PM, and Saturday peak hours, respectively, were used.

Daily delivery trips rates were also based on the survey of medical office space performed by NYCDOT. Trip generation rates of 0.29 daily trucks per 1,000 sf for the weekday and Saturday, and temporal distribution of 3 percent, 11 percent, 1 percent, and 0 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were used for the analysis.

# Office

For the office use, trip generation rates of 18.0 daily person trips per 1,000 sf for weekdays and 3.9 daily person trips per 1,000 sf for Saturdays, and temporal distributions of 12 percent, 15 percent, 14 percent, and 17 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were obtained from the *2014 CEQR Technical Manual*. Vehicle occupancies and weekday AM, PM, and Saturday peak hour modal splits were obtained from the NYCDCP's reverse journey to work data for Bronx census tracts 51, 59.02, 61, and 63; the weekday midday vehicle occupancies were obtained from the *East New York Rezoning FEIS (2016)*. The modal splits used for the weekday AM, PM, and Saturday peak hours are 41.3 percent by auto, 1.0 percent by taxi, 19.3 percent by bus, 30.1 percent by subway, and 8.6 percent by walk or other modes; and 2 percent by auto, 3 percent by taxi, 6 percent by bus, 6 percent by subway, and 83 percent by walk or other modes for the weekday midday peak hour. Vehicle occupancies of 1.30 persons per auto or taxi were used for all peak analysis hours, and the directional distributions, obtained from the *East New York Rezoning FEIS (2016)*, used were 96 percent "in", 39 percent "in", 5 percent "in", and 60 percent "in" for the weekday AM, midday, PM, and Saturday peak hours, respectively.

For office delivery trips, trip generation rates of 0.32 daily truck trips per 1,000 sf for the weekday and 0.01 daily truck trips Saturday, and temporal distributions of 10 percent, 11 percent, 2 percent, and 11 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were obtained from the 2014 CEQR Technical Manual.

# Destination Retail

For the destination retail use, trip generation rates of 78.2 daily person trips per 1,000 sf for weekdays and 92.5 daily person trips per 1,000 sf for Saturdays were obtained from the *2014 CEQR Technical Manual*. Vehicle occupancy, modal split, and directional distributions were obtained from the *2014 CEQR Technical Manual*. The modal split assumed for the weekday peak hours are 59 percent by auto, 3 percent by taxi, 18 percent by bus, 15 percent by subway, and 5 percent by walk or other modes, and 59 percent by auto, 5 percent by taxi, 18 percent by bus, 13 percent by subway, and 5 percent by walk or other modes during the Saturday peak hour. Vehicle occupancies of 2.05 persons per auto and 2.00 persons per taxi were used for the weekday peak analysis hours, and 2.49 persons per auto and 2.80 persons per taxi for the Saturday peak hour. The temporal distributions used were 3 percent, 9 percent, 9 percent, and 11 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, and the directional distribution used were 82 percent "in", 52 percent "in", and 51 percent "in" for the weekday AM, midday, PM, and Saturday peak hours.

For destination retail delivery trips, trip generation rates of 0.35 daily trucks per 1,000 sf for the weekday and 0.04 daily trucks per 1,000 sf for the Saturday, and temporal distributions of 8 percent, 11 percent, 2 percent, and 11 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were obtained from the 2014 CEQR Technical Manual.

# **Open Space**

Trips generated from the open space use were classified as passive or active space. A trip generation rate of 44 daily person trips per acre for weekdays and 62 daily person trips per acre for Saturdays was assumed for the passive open space use, and 139 daily person trips per acre for weekdays and 196 daily person trips per acre for Saturdays were assumed for the active passive space. The trip generation rates and temporal distributions of 3 percent, 5 percent, 6 percent, and 6 percent for the weekday AM, midday, PM, and Saturday peak hours, respectively, were obtained from the *2014 CEQR Technical Manual*. A 25 percent credit was applied to account for linked trips between other uses (namely residential) on the project site. The modal split, vehicle occupancy, and directional distributions for both open space components were based on the public open space use from the *Lower Concourse Rezoning FEIS (2009)*.

Modal splits of 12 percent by auto, 5 percent by bus, 5 percent by subway, and 78 percent by walk or other modes, and vehicle occupancies of 2.80 persons per auto or taxi were used for all peak hours analyzed. The directional distributions of 50 percent "in", 45 percent "in", 55 percent "in", and 55 percent "in" were used for the weekday AM, midday, PM, and Saturday peak hours, respectively. Similar to the assumptions found in the *Lower Concourse Rezoning FEIS (2009)*, it was assumed that there are no delivery trips associated with this use.

# **Level 1 Screening Results**

# Transit and Pedestrians

Transit and pedestrian trips generated by the proposed project, would exceed the *2014 CEQR Technical Manual* Level 1 screening thresholds for transit and for pedestrians. As shown in Table 2 below, the increase in transit trips would be 806 person trips during the weekday AM peak hour, 726 person trips in the weekday midday peak hour, 1,115 person trips in the weekday PM peak hour, and 1,004 person trips in the Saturday peak hour. The net increase in pedestrian trips (walk plus transit) is expected to be 1,215 person trips during the weekday AM peak hour, 1,900 person trips during the weekday midday peak hour, 2,035 person trips during the weekday PM peak hour, and 2,035 person trips during the Saturday peak hour. Since the number of peak hour transit trips and the number of peak hour pedestrian trips expected to be generated by the proposed project would exceed the CEQR thresholds of 200 transit rider trips per hour and 200 pedestrian trips per hour, respectively, a Level 2 trip assignment and detailed analyses will be conducted within the EIS.

				•					•				
	W	eekday A	M	Wee	Weekday Midday			eekday P	M	Saturday			
Mode	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Bus	89	168	257	147	147	294	221	166	387	179	188	367	
Subway/Rail	152	397	549	217	215	432	444	284	728	310	327	637	
Walk/Other	201	208	409	576	598	1,174	480	440	920	519	512	1,031	
Total	442	773	1,215	940	960	1,900	1,145	890	2,035	1,008	1,027	2,035	

Table 2: Trip Generation Summary – Pedestrian Trips

# Traffic

Table 3 below summarizes the total peak hour vehicular volumes ("ins" plus "outs") that would be generated by the proposed project.

As shown in Table 3, the increase in hourly vehicle trips would be 235 vehicles per hour (vph) during the weekday AM peak hour, 286 vph in the weekday midday peak hour, 372 vph in weekday PM peak hour, and 307 vph in the Saturday peak hour. Since the incremental volume of vehicle trips generated by the proposed development would exceed the 50 vehicle trip threshold during all peak hours analyzed, a Level 2 vehicle trip assignment and detailed analyses will be conducted within the EIS.

	V	Veekday A	M	Weekday Midday			W	/eekday P	М	Saturday			
Mod	In	Out	Total	In	Out	Total	In	Out	Total	In	Out	Total	
Auto	90	103	193	101	99	200	158	146	304	118	121	239	
Тахі	16	16	32	39	39	78	33	33	66	34	34	68	
Truck	5	5	10	4	4	8	1	1	2	0	0	0	
Total	111	124	235	144	142	286	192	180	372	152	155	307	

Table 3: Trip Generation Summary – Vehicle Trips

# Level 2 Screening Assessment (Trip Assignment)

As shown above, the number of trips generated by the proposed project would exceed the 2014 CEQR Technical Manual Level 1 screening thresholds for vehicle, transit, and pedestrian trips during the peak hours analyzed. Project-generated trips were assigned through the surrounding street network based on expected routes to and from the project site. The project site is expected to have entrances located along the west side of Exterior Street and along East 150<sup>th</sup> Street (west of Exterior Street). The proposed project aims to modify the intersection of Exterior Street and East 150<sup>th</sup> Street such that left turns from northbound Exterior Street and the through movement from westbound East 150<sup>th</sup> Street could be allowed.

# Transit and Pedestrians

Transit and pedestrian trips were assigned through the pedestrian network based on logical and direct travel routes to and from the project site from neighborhood attractions, subway stations and/or bus stops, to determine if the number of additional pedestrian trips generated by the proposed project would exceed 200 peak hour pedestrian trips at any single pedestrian element (e.g. crosswalk, sidewalk, corner reservoir area) approaching the site – the threshold for detailed pedestrian analysis.

Bus transit options within a quarter mile of the project site include the Bx13 bus route which stops along River Avenue, the Bx19 bus route which stops along East 149<sup>th</sup> Street, and the Bx1 and Bx2 which stop along the Grand Concourse. The closest subway station is the 149<sup>th</sup> Street- Grand Concourse station which provides service to the 2, 4, and 5 subway lines. Transit trips would be expected to walk along East 149<sup>th</sup> Street to reach the project site.

# **Residential**

The vast majority of residential walk trips were assigned to the local commercial centers such as the Gateway Bronx Terminal Market to the north of the project site, and along Grand Concourse to the east. A modest number of walk trips were assumed to travel west to Manhattan, crossing the 145<sup>th</sup> Street Bridge.

# Local Retail/FRESH Food Store/Open Space

The local retail, FRESH food store, and open space uses are expected to serve the immediate residential pockets within the study area. The vast majority of walk trips were distributed to residential areas east of the project site.

# Medical Office/Destination Retail

Medical office and destination retail walk trips are expected to originate from residential areas near the site which are predominately to the east.

# <u>Office</u>

The vast majority of office walk trips would occur during the midday periods when office workers are leaving for lunch or are running errands. These trips were assigned to nearby commercial centers such as the Gateway Bronx Terminal Market to the north of the project site, and along Grand Concourse to the east.

Based on the pedestrian assignments detailed above, the following intersections locations were identified as having the potential to exceed the Level 2 screening threshold for one or more pedestrian elements (crosswalk, corner reservoir, or sidewalk) requiring detailed levels of service analyses:

- East 149th Street and Exterior Street/River Avenue
- East 149th Street and Gerard Avenue
- East 149th Street and Walton Avenue
- East 149th Street and Grand Concourse
- East 150th Street and Exterior Street

Pedestrian counts and level of service analyses would be performed at selected elements at these locations for the weekday AM, midday, PM, and Saturday peak hours.

# Traffic

Vehicle trip increments shown in Table 3 were assigned through the surrounding street network based on expected routes to the project site, the configuration of the roadway network, and the anticipated entrance/s to the site. Trip assignments for each land use ware discussed below.

# **Residential**

Residential auto assignments were based on the NYCDCP's journey to work data for Bronx census tracts 51, 59.02, 61, and 63. Approximately half of the project-generated vehicle trips (49 percent) were assumed to be destined for other sections of the Bronx. Of the remaining trips, approximately 25 percent of vehicle trips were assigned to Manhattan, 8 percent to New Jersey, 8 percent to Westchester and Upstate New York, 6 percent to Queens, and 4 percent to Long Island.

Vehicle trips destined for areas within the Bronx were assigned along key roadways such as the Grand Concourse (approximately 25 percent), East 149<sup>th</sup> Street (approximately 15 percent), Exterior Street (approximately 5 percent), and River Avenue (4 percent). Manhattan trips were assigned to travel through the Harlem River crossings (approximately 10 percent from the south via the Willis Avenue Bridge or Madison Avenue Bridge, 10 percent from the west via the 145<sup>th</sup> Street Bridge, and approximately 5 percent from the north via the Macombs Dam Bridge). Trips to New Jersey, Westchester, and Upstate New York would travel north along Exterior and utilize regional highways to reach their destinations. Queens and Long Island trips were assigned evenly north of the site to the I-95 and south of the site to the I-87. Reverse trips are expected to return along the same general routes on which they departed.

# Local Retail/FRESH Food Store/Open Space

The local retail, FRESH food store, and open space uses are expected to serve the immediately surrounding area. Therefore, auto trips were generally assigned from local origins within the neighborhood and adjacent residential areas. Auto trips would access the site along roadways such as East 149<sup>th</sup> Street, the Grand Concourse, Exterior Street, Gerard Avenue, Walton Avenue, and River Avenue. Some trips were also expected to arrive from Manhattan via the 145<sup>th</sup> Street due to the proximity of the project site. Departing trips were assigned along the same routes as arrivals.

# Medical Office/Destination Retail

The medical office and destination retail uses are expected to mostly serve visitors from within the Bronx. The majority of the trips would arrive to the project site using major roadways in the area such as East 149<sup>th</sup> Street (30 percent), the Grand Concourse (30 percent), and Exterior Street from the Major Deegan Expressway (15 percent). A modest amount of trips (5 percent) would be expected to arrive from Manhattan utilizing the 145<sup>th</sup> Street Bridge. The remaining trips would utilize local roadways such as River Avenue, Gerard Avenue, and Walton Avenue to reach the project site. Departing trips were assigned along the same routes as arrivals.

#### **Office**

Office auto assignments were based on the NYCDCP's journey to work data for Bronx census tracts 51, 59.02, 61, and 63. Most office trips would be expected to originate from within the Bronx (51 percent) or from Westchester and Upstate New York (20 percent). Of the remaining trips, approximately 8 percent were assigned from New Jersey, 6 percent from Manhattan, 6 percent from Queens, 4 percent from Long Island, 3 percent from Brooklyn, and 2 percent from Connecticut.

Office trips from the Bronx were largely expected to utilize the key thoroughfare within the Bronx including the Grand Concourse (24 percent) and East 149<sup>th</sup> Street (20 percent). The remaining Bronx trips would access the site using River Avenue and Exterior Street. Office trips from Westchester and Upstate New York would access the site from the north via the I-87 or I-95. New Jersey trips would be expected to travel to the project site using the George Washington Bridge to I-87, or through Manhattan reaching the site from the 145<sup>th</sup> Street Bridge. Manhattan trips would travel to the project site via one of the Harlem River crossings, including the Willis Avenue Bridge, Madison Avenue Bridge, 145<sup>th</sup> Street Bridge, and Macombs Dam Bridge. Queens, Long Island, and Brooklyn trips were assigned to the project site via the highway, and would travel through the Bronx via the RFK Bridge connecting to the I-87 from the south, or Throgs Neck Bridge or Whitestone Bridge connecting to the I-95 and arriving to the site from the north. Trips from Connecticut are expected to travel to the site from the east via the I-95, which connects to the I-87 north of the site. Reverse trips are expected to depart along the same general routes along which they arrived.

Based on the vehicular traffic assignments detailed above, the following study locations were identified:

- East 149th Street and Exterior Street/River Avenue
- East 149th Street and Gerard Avenue
- East 149th Street and Walton Avenue
- East 149th Street and Grand Concourse
- East 150th Street and Exterior Street
- East 150th Street and River Avenue
- East 150th Street and Grand Concourse
- East 144th Street and Exterior Street

Traffic counts and level of service analyses would be performed at these intersections for the weekday AM, midday, PM, and Saturday peak hours.



	19 ↓	↑ 14	Walton Avenue	19 ↓	↑ 14				<b>20</b> ↓	↑ 21	Grand Concourse	1 ↓	↑ 4	
← 1 0 →		1	$\begin{array}{ccc} & \leftarrow & 0 \\ & 0 & \rightarrow \end{array}$	0	0	$\begin{array}{cc} \leftarrow & 0 \\ \rightarrow & \end{array}$	0	$\begin{array}{cc} \leftarrow & 0 \\ \rightarrow & \end{array}$		0	$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$	0		$egin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$
	18 ↓	↑ 14		19 ↓	↑ 14	Ea	st 150th Street		<b>20</b> ↓	↑ 21		1 ↓	↑ 4	
$\begin{array}{ccc} \leftarrow & 9 \\ 7 & \rightarrow \end{array}$		0	$\begin{array}{ccc} \leftarrow & 1 \\ 0 & \rightarrow \end{array}$	0	0	$\begin{array}{cc} \leftarrow & 0 \\ \rightarrow & \end{array}$	0	$\begin{array}{cc} \leftarrow & 0 \\ \rightarrow & \end{array}$		0	$\begin{array}{ccc} & \leftarrow & 0 \\ & 0 & \rightarrow \end{array}$	0		$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$
	10 ↓	↑ 7		18 ↓	↑ 14				<b>20</b> ↓	↑ 21		1 ↓	↑ <b>4</b>	
	10 ↓	↑ 7		18 ↓	↑ 14				<b>20</b> ↓	↑ 21		13 ↓	↑ 39	
← 218 449 →		17	$\begin{array}{rrrr} \leftarrow & 200 \\ 422 & \rightarrow & \end{array}$	0	388	← 174 →	388	← 174 →		41	← 28 67 →	0		← 13 21 →
	<b>20</b> ↓	↑ 8		20 ↓	↑ 9	Ea	st 149th Street		301 ↓	↑ 126		7 ↓	↑ 2	
← 72 126 →		15	← 71 140 →	0	153	← 70 →	153	← 70 →		208	$\begin{array}{rrr} \leftarrow & 21 \\ 34 & \rightarrow \end{array}$	0		← 14 31 →
	7 ↓	↑ 8	Walton Avenue	7 ↓	↑ 9				<b>22</b> ↓	↑ 572	Grand Concourse	10 ↓	↑ 9	

9 ↓	↑ 7	Gerard Avenue	18 ↓	↑ 14	
	16	$\begin{array}{ccc} \leftarrow & 9 \\ 7 & \rightarrow \end{array}$	0		← 1 0 →
0 ↓	↑ 0		10 ↓	↑ 7	
	0	$\begin{array}{rrr} \leftarrow & 10 \\ 7 & \rightarrow \end{array}$	0		$\begin{array}{ccc} \leftarrow & 9 \\ 7 & \rightarrow \end{array}$
0 ↓	↑ 0		9 ↓	↑ 7	
0 ↓	↑ 0		9 ↓	↑ 7	
	0	← 250 524 →	0		← 234 497 →
20 ↓	↑ 8		20 ↓	↑ 8	
	0	← 72 113 →	0		← 72 126 →
0 ↓	↑ 0	Gerard Avenue	0 ↓	↑ 15	





5	53 ↓ ↑ 52	Walton Avenue	53 ↓	↑ 52			58 ↓	↑ 60	Grand Concourse	3 ↓	↑ 4	
$\begin{array}{ccc} \leftarrow & 2 \\ 2 & \rightarrow \end{array}$	3	$\begin{array}{ccc} & \leftarrow & 0 \\ & 0 & \rightarrow \end{array}$	o		$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$	$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$		0	$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$	0		$egin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$
	51 ↓ ↑ 51		53 ↓	↑ 52	East 150t	h Street	58 ↓	↑ 60		3 ↓	↑ 4	
$\leftarrow$ 26 25 $\rightarrow$	0	$\begin{array}{ccc} & \leftarrow & 2 \\ & 2 & \rightarrow \end{array}$	0		$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$	$\begin{array}{ccc} & \bullet & 0 \\ 0 & \to & \end{array}$		0	$\begin{array}{ccc} & \leftarrow & 0 \\ 0 & \rightarrow & \end{array}$	0		$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$
2	27 ↓ ↑ 27		51 ↓	↑ 51			58 ↓	↑ 60		3 ↓	↑ 4	
2	27 ↓ ↑ 27		51 ↓	↑ 51			58 ↓	↑ 60		<b>22</b> ↓	↑ 44	
$\begin{array}{ccc} \leftarrow & \textbf{415} \\ \textbf{428} & \rightarrow \end{array}$	54	$\begin{array}{rrrr} \leftarrow & 377 \\ 390 & \rightarrow \end{array}$	0		$\leftarrow$ 315 328 $\rightarrow$	$\begin{array}{rrr} \leftarrow & 315 \\ 328 & \rightarrow \end{array}$		117	← 67 96 →	0		← 39 43 →
	l1 ↓ ↑ 11		12 ↓	↑ 13	East 149t	h Street	172 ↓	↑ 191		9 ↓	↑ 7	
← 153 152 →	48	$\begin{array}{rrrr} \leftarrow & 140 \\ 139 & \rightarrow \end{array}$	0		← 125 124 →	← 125 124 →		202	← 47 40 →	0		← 26 21 →
2	24 ↓ ↑ 24	Walton Avenue	25 ↓	↑ 26			<b>42</b> ↓	↑ 484	Grand Concourse	<b>28</b> ↓	↑ 27	

2 <b>6</b> ↓	↑ 25	Gerard Avenue	51 ↓	↑ 51	
	51	← 26 25 →	0		← 2 2 →
D ↓	↑ 0		27 ↓	↑ 27	
	0	← 27 27 →	0		$\begin{array}{ccc} \leftarrow & 26 \\ 25 & \rightarrow \end{array}$
D ↓	↑ 0		26 ↓	↑ 25	
D ↓	↑ 0		26 ↓	↑ 25	
	0	← 477 497 →	0		← 440 461 →
1 ↓	↑ 11		11 ↓	↑ 11	
	0	← 166 165 →	0		← 153 152 →
D ↓	↑ 0	Gerard Avenue	0 ↓	↑ 48	





<b>43</b> ↓	↑ 42	Walton Avenue	<b>43</b> ↓	↑ 42			<b>48</b> ↓	↑ 44	Grand Concourse	3 ↓	↑ 2	
$\begin{array}{ccc} \leftarrow & 2 \\ 2 & \rightarrow \end{array}$	4	$\begin{array}{ccc} & \leftarrow & 0 \\ & 0 & \rightarrow \end{array}$	0		$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$	$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$		0	$\begin{array}{ccc} & \bullet & 0 \\ 0 & \to & & \end{array}$	0		$egin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$
<b>41</b> ↓	↑ 40		<b>43</b> ↓	↑ 42	East 150th Stre	et	<b>48</b> ↓	↑ 44		3 →	↑ 2	
← 21 20 →	0	$\begin{array}{ccc} & \leftarrow & 2 \\ & 2 & \rightarrow \end{array}$	0		$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$	$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$		0	$\begin{array}{ccc} & \leftarrow & 0 \\ 0 & \rightarrow & \end{array}$	0		$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$
22 ↓	↑ 22		41 ↓	↑ 40			<b>48</b> ↓	↑ <b>44</b>		3 ↓	↑ 2	
22 ↓	↑ 22		<b>41</b> ↓	↑ 40			<b>48</b> ↓	↑ 44		39 ↓	↑ 46	
← 586 424 →	44	← 541 388 →	0		← 478 334 →	← 478 334 →		92	← 79 77 →	0		$\begin{array}{cc} \leftarrow & 34 \\ 28 & \rightarrow \end{array}$
14 ↓	↑ 22		16 ↓	↑ 24	East 149th Stre	et	213 ↓	↑ 351		<b>4</b> ↓	↑ 7	
← 190 147 →	37	← 193 143 →	0		← 195 138 →	← 195 138 →		295	$\begin{array}{rrrr} \leftarrow & 48 \\ 34 & \rightarrow \end{array}$	0		← 33 18 →
18 ↓	↑ 19	Walton Avenue	20 ↓	↑ 21			32 ↓	↑ 781	Grand Concourse	20 ↓	↑ 22	

21 ↓	↑ 20	Gerard Avenue	41 ↓	↑ 40	
	41	← 21 20 →	0		← 2 2 →
0 ↓	↑ 0		22 ↓	↑ 22	
	0	← 22 22 →	0		$\begin{array}{ccc} \leftarrow & 21 \\ 20 & \rightarrow \end{array}$
0 ↓	↑ 0		21 ↓	↑ 20	
<b>0</b> ↓	↑ 0		21 ↓	↑ 20	
	0	← 659 497 →	0		← 616 462 →
<b>4</b> ↓	↑ 22		14 ↓	↑ 22	
	0	← 186 151 →	0		← 190 147 →
0 ↓	↑ 0	Gerard Avenue	0 ↓	↑ 37	




	<b>49</b> ↓	↑ 49	Walton Avenue	<b>49</b> ↓	↑ 49			<b>52</b> ↓	↑ 51	Grand Concourse	<b>2</b> ↓	↑ 2	
$\begin{array}{ccc} \leftarrow & 2 \\ 2 & \rightarrow \end{array}$		4	$\begin{array}{ccc} & \bullet & 0 \\ 0 & \to & \end{array}$	0		$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$	$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$		0	$egin{array}{ccc} 0 & \rightarrow & & & \\ 0 & \rightarrow & & & \end{array}$	0		$egin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$
	<b>48</b> ↓	↑ <b>47</b>		<b>49</b> ↓	↑ 49	Eas	st 150th Street	52 ↓	↑ 51		2 ↓	↑ 2	
$\begin{array}{ccc} \leftarrow & 24 \\ 23 & \rightarrow \end{array}$		0	$\begin{array}{ccc} \leftarrow & 2 \\ 2 & \rightarrow \end{array}$	0		$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$	$\begin{array}{ccc} 0 & \rightarrow \\ 0 & \rightarrow \end{array}$		0	$\begin{array}{ccc} & \leftarrow & 0 \\ 0 & \rightarrow & \end{array}$	0		$\begin{array}{ccc} \leftarrow & 0 \\ 0 & \rightarrow \end{array}$
	25 ↓	↑ 26		<b>48</b> ↓	↑ 47			<b>52</b> ↓	↑ 51		2 ↓	↑ 2	
	25 ↓	↑ 26		<b>48</b> ↓	↑ <b>47</b>			<b>52</b> ↓	↑ 51		<b>28</b> ↓	↑ 50	
← 473 488 →		51	$\begin{array}{rrrr} \leftarrow & 433 \\ 446 & \rightarrow \end{array}$	0		$\leftarrow$ 370 383 $\rightarrow$	$\leftarrow$ 370 383 $\rightarrow$		103	$\begin{array}{rrrr} \leftarrow & 65 \\ 86 & \rightarrow \end{array}$	0		$\begin{array}{cc} \leftarrow & 32 \\ 32 & \rightarrow \end{array}$
	16 ↓	↑ 16		18 ↓	↑ 17	Eas	st 149th Street	<b>246</b> ↓	↑ 253		<b>4</b> ↓	↑ 4	
← 170 171 →		44	← 163 166 →	0		← 155 159 →	← 155 159 →		270	← 47 41 →	0		$\begin{array}{ccc} \leftarrow & 27 \\ 22 & \rightarrow \end{array}$
	21 ↓	↑ 22	Walton Avenue	23 ↓	↑ 24			<b>37</b> ↓	↑ 688	Grand Concourse	23 ↓	↑ 24	

24 ↓	↑ 23	Gerard Avenue	48 ↓	↑ 47	
	47	← 24 23 →	0		← 2 2 →
0 ↓	↑ 0		25 ↓	↑ 26	
	0	← 25 26 →	0		$\begin{array}{ccc} \leftarrow & 24 \\ 23 & \rightarrow \end{array}$
0 ↓	↑ 0		24 ↓	↑ 23	
0 ↓	↑ 0		24 ↓	↑ 23	
	0	← 540 573 →	0		← 501 534 →
6 ↓	↑ 16		16 ↓	↑ 16	
	0	← 176 177 →	0		← 170 171 →
0 ↓	↑ 0	Gerard Avenue	0 ↓	↑ 44	





Vehicle Trips In: 111 Vehicle Trips Out: 124 Weekday AM Peak Hour Vehicular Trip Increments Figure 1



Vehicle Trips In: 144 Vehicle Trips Out: 142 Weekday Midday Peak Hour Vehicular Trip Increments Figure **2** 



Vehicle Trips In: 192 Vehicle Trips Out: 180 Weekday PM Peak Hour Vehicular Trip Increments



Vehicle Trips In: 152 Vehicle Trips Out: 155 Saturday Peak Hour Vehicular Trip Increments Figure **4**  Appendix B: Response to Comments on the Draft Scope of Work

Lower Concourse North CEQR # 16DME012X Response to Comments on the Draft Scope of Work

# 1.1 Introduction

This document summarizes and responds to comments on the Draft Scope of Work, issued on November 3, 2016 on the Draft Generic Environmental Impact Statement (Draft GEIS) for the Lower Concourse North project.

City Environmental Quality Review (CEQR) requires a public scoping meeting as part of the environmental review process. Oral and written comments were received during the public scoping meetings held by the New York City Office of the Deputy Mayor for Housing and Economic Development on December 7, 2016. Written comments were accepted from issuance of the Draft Scope through the close of the public comment period, which ended at 5:00 PM on December 19, 2016. Appendix B contains the written comments received on the Draft Scope of Work.

**Section 1.2** lists the elected officials, organizations, and individuals that provided relevant comments on the Draft Scope of Work. **Section 1.3** contains a summary of these relevant comments and a response to each. These summaries convey the substance of the comments made, but do not necessarily quote the comments verbatim. Comments are organized by subject matter and generally parallel the chapter structure of the Draft Scope of Work. Where more than one commenter expressed similar views, those comments have been grouped and addressed together.

# 1.2 List of Elected Officials, Organizations, and Individuals who Commented on the Draft Scope of Work

# **Elected Officials**

1. Rebecca Crimmins, on behalf of New York City Council Speaker Melissa Mark Viverito, oral comments received and written statement dated December 7, 2016 (Viverito)

## **Community Board**

- 2. Marie McCullough, Bronx Community Board 4, written comments received December 20, 2016. (McCullough)
- 3. **Paul Philps**, Bronx Community Board 4, oral comments received December 7, 2016 (Philps)

## **Organizations and Interested Public**

- 4. Kevin Cannon, oral comments received December 7, 2016 (Cannon)
- 5. Edwin Figerora, Workers for Change, Boricuas for a Positive Image, oral comments received December 7, 2016 (Figerora)
- 6. Jonathan Garcia, oral comments received December 7, 2016 (Garcia)
- Joyce Hogi, Bronx Council for Environmental Quality, written comments received December 19, 2016 (Hogi)
- 8. Amanda Jensen, New York City District Council of Carpenters, written comments received December 9, 2016 (Jensen)
- 9. Julio Munoz, South Bronx Community Congress, oral comments received and written statement dated December 7, 2016 (Munoz)
- 10. Anna Perez, Legal Aid Society, oral comments received December 7, 2016 (Perez)
- 11. Otis Reese, New York City District Council of Carpenters Local 157, oral comments received December 7, 2016 (Reese)
- 12. Tamara Rivera, New York City District Council of Carpenters, oral comments received December 7, 2016 (Rivera)
- 13. Brian Roberts, Local Union 1556, oral comments received December 7, 2016 (Roberts)
- 14. Sophia Santos, New York City District Council of Carpenters Local 157, oral comments received December 7, 2016 (Santos)
- 15. Dennis Terry, Mid-Bronx Senior Citizen Council, Inc., oral comments received December 7, 2016 (Terry)
- 16. Craig Thomas, oral comments received December 7, 2016 (Thomas)
- 17. Natalie Wood, Bronx Children's Museum, oral comments received and written statement dated December 7, 2016 (Wood)

# 1.3 Comments and Responses on the Draft Scope of Work

# 1. Proposed Project

Comment 1.1: Understanding there are numerous constraints on the site, including a bridge, the Major Deegan, and the Harlem River, the design of the building should be sensitive

and responsive to the surrounding area. This project has the potential to be a positive addition to the neighborhood to provide affordable housing, expanded recreational opportunities, and waterfront access to the Harlem River in a community long denied the ability to reach the shoreline. (Viverito)

- Response: Comment noted.
- Comment 1.2: There is no justification for the current project as prepared by the New York City Economic Development Corporation (NYCEDC) on behalf of the City. This plan proposes an excessive number of unnecessary land use actions concerning city-owned parkland along the Harlem River waterfront, known as Pier 5. It involves the building of affordable and market-rate housing, commercial, and community facility uses and public open space; rather than the mitigation related to parkland promised to and envisioned by the community. This, just ten years after the demise of the Bronx Terminal Market, its local economic jobs, and other facilities. The Zoning Map Amendments to R7-2 with a C2-5 overlay is excessive, and unjustified. The Zoning Text Amendments to extend the Special Harlem River Waterfront District, to extend the Harlem River Waterfront Access Plan, to establish a Mandatory Inclusionary Housing (MIH) Area with coterminous land to the south. This clearly demonstrates that there is no need for taking parkland as there is a large waterfront district south of the "other" side (which is approximately 100 feet not exactly coterminous) of the 145th Street Bridge. There would be no need for a waterfront access plan if it remains parkland. Alienation Legislation is not listed but is needed to continue this Scope of Work and Uniform Land Use Review Procedure. (Hogi)
- Response: The project site is entirely vacant and currently under the jurisdiction of the New York City Department of Parks and Recreation (NYC Parks), but it is not mapped parkland or subject to parkland alienation. The proposed project would include publicly accessible open space along the waterfront in the form of a new shore public walkway and an extension of Mill Pond Park.
- Comment 1.3: The applicant incorrectly states that the project site is, "currently under the jurisdiction of the NYC Parks but is not mapped as or considered to be parkland." However, the City Planning Commission notes that: "A public park is any publicly owned park, playground, beach, parkway, or roadway within the jurisdiction and control of the New York City Commissioner of Parks and Recreation." Additionally, the Phase I Environmental Sites Assessment, Mill Pond Park, Pier 5, dated May 8, 2012 as prepared for the New York City's Office of Environmental Remediation by Parsons Brinckerhoff identifies on page ES-1 the site as "located north of the East 145th Street Bridge, south of Mill Pond Park, East of the Harlem River, and West of Exterior Street." Access to the site was provided by NYC Parks and is documented in the above stated study. NYC Parks permitted BCEQ permission through a construction permit to construct a wetland and bioremediation system on Pier 5. BCEQ also received a research permit for NYC Parks.

Considering all of the above, the project site should be considered parkland. Additionally, Gateway Center at the Bronx Terminal Market Rezoning (C050531ZSX) identified a portion of the project site, (Block 2539, Lot 20 and part of Lot 2) as parkland which was proposed to be mapped as part of the Yankee Stadium project. (Hogi)

Response: Comment noted. Please see response to Comment 1.2.

**Comment 1.4**: Thirty years of studies and reports identify many community consensus building around the need for a greenway or linear parkland, not housing, particularly up to and including Pier 5. Parkland is the priority along the Harlem River for two reasons: Greenway path and surroundings should capture upland runoff and treat it naturally prior to discharge into the Harlem River. Additionally, there is a lack of adequate infrastructure along the waterfront's edge (generally west of Exterior Street). This provides an incentive for parkland and not housing or commercial facilities. (Hogi)

Why must the Bronx waterfront be developed to density levels that functionally take away access to the waterfront? (Terry)

- Response: The proposed project would include the provision of new publically accessible open space along the Harlem River waterfront with a new shore public walkway and an extension of Mill Pond Park. As required by zoning, these open spaces would be publically available but maintained by the future developer of the project site. See also Section 8.
- Comment 1.5: Will the open space be available to the community? Will there be gates? (Munoz)
- Response: The open space will be publically accessible and the community will have access to the space. The open space has not been designed yet so it is not known whether there will be gates.
- Comment 1.6: How is the physical transition/access of the project area into a public park space being coordinated and designed with NYC Parks as one cohesive design with no physical boundaries? Will the proposed "boardwalk" reach the Bronx Children's Museum site? Where does it end? How will it seamlessly join the rest of the park? (Wood)
- Response: While the proposed open space has not been designed yet, it will be designed in coordination with the New York City Department of City Planning (NYCDCP), the NYC Parks, and the Public Design Commission. The proposed shore public walkway would be developed on the project site and would not extend beyond the project site's boundaries.
- Comment 1.7: The proposed publicly-accessible open space should have state-of-the-art play equipment, sprinklers, shaded areas, and separation of areas for kids of different age groups. (McCullough) The proposed project should include controlled access to the water. (Cannon)
- Response: Comment noted. See also response to Comment 1.6.
- **Comment 1.8**: Community Board 4 has made several requests for expense line items to be added to the city budget to allow the Bronx NYC Parks Department to hire additional staff specifically for maintenance and Park Enforcement Patrol (PEP) Officers. Given the site's proximity to the new Bronx Children's Museum, the Bronx Terminal Market, Yankee Stadium and Mill Pond Park's current high utilization, we propose that the future developer be responsible for maintaining Mill Pond Park in its entirety, the shore public walkway, and the proposed plaza. It is inefficient to propose that the developer maintain a portion of a publicly accessible open space resource.

Furthermore, this arrangement would alleviate some of the burden on the already understaffed Bronx Parks Department. (Philps, McCullough)

- Response: The proposed project would not affect the adjacent Mill Pond Park, which would remain Parks property. The future developer would be responsible for the maintaining the publically accessible open space on the project site.
- **Comment 1.9**: The residents need to reflect mixed income; heterogeneity is important for a community to thrive. However, the lower income should truly be that of the community, not an AMI which is inflated by borough wide income calculations. What measures are included as part of the proposed project which required developers to honor affordable housing commitments? What guarantees are in place? Additionally, residents of affordable housing units should be entitled to the same amenities as market-rate residents. (McCullough, Figueroa, Munoz, Thomas)
- Response: The proposed project includes a zoning text amendment to establish an MIH Area that would be coterminous with the rezoning area. Under MIH, a share of new housing is required to be permanently affordable when land use actions create significant new housing potential, either as part of a City neighborhood plan or private land use application.
- Comment 1.10: A Special Permit for reduced parking is not reasonable in this area where there is an intense need for parking even without this project. (Hogi)
- Response: As discussed in the Scope of Work, the Transportation section will include an estimate of the amount of parking expected to be generated by the proposed project and an analysis to determine whether available on- and off-street parking spaces in the area would be sufficient to accommodate parking demand from the proposed project.
- Comment 1.11: The proposed actions include a waiver for required accessory off-street parking on the premise that this area is located in a "transit zone". It should be noted that a monthly unlimited Metro Card costs \$116.50 and a single ride is \$2.75. The MTA is proposing to increase those rates in the near future. If residents who live in "transit zones" are expected to utilize mass transit, the City should be working with the MTA to create truly affordable options for individuals and families. This should be a focus in low-income areas where additional densities and new developments are being proposed. (Philps)
- Response: Comment noted.
- Comment 1.12: Is there a plan for 150th Street to become a safe pedestrian walkway from River Street across Exterior Street to Mill Pond Park / proposed project entrance / area / walkway? (Wood)
- Response: As part of the Transportation analysis, changes to the street network and pedestrian network expected to occur in conjunction with the proposed project will be identified and analyzed. Additionally, a vehicular and pedestrian safety assessment will be undertaken to identify any high accident locations (based on CEQR criteria) in the study area, determine whether traffic generated by the project would contribute materially at such locations, and identify potential improvements, if necessary.

- Comment 1.13: What will happen to the railroad track along the Harlem River and Mill Pond Park? (Wood)
- Response: The proposed project does not include any changes to the railroad track along the Harlem River.
- Comment 1.14: Community Board 4 would like to request that consideration be given to a community/youth center or Pre-Kindergarten on the proposed development site, which could provide programs and services for the young people of the district. The Community Board 4 District Needs Statement includes a request for a central library and the proposed project site could be an ideal location for such a facility that could provide youth programming and community meeting spaces and serve as a community anchor. (Philps, McCullough)
- Response: A specific development program for the project site has not been established; however, it is anticipated that some community facility floor area will be developed at the project site. As described in the Draft Scope of Work, the Environmental Impact Statement analyzes a generic Reasonable Worst-Case Development Scenario (RWCDS) that considers the worst-case development potential for environmental effects in each technical area. Thus, pursuant to the CEQR, a Generic Environmental Impact Statement (GEIS) will be prepared that will consider the environmental impacts based on the RWCDS. As such, the GEIS includes a range of uses that ensure a conservative analysis, including 25,000 square feet of community facility use.
- Comment 1.15: How will the needs of the Bronx Children's Museum (and other related entities like Stadium Tennis, Metro North access, and Related) be considered/coordinated cohesively throughout the process of moving this project forward? The Bronx Children's Museum requests that a comprehensive plan for the study area include the north top edge of Mill Pond Park and the Bronx Children's Museum building, the Major Deegan off/on ramps, the Metro-North stop, and the Gateway Terminal Mall. Additionally, The Bronx Children's Museum should be identified as a "cultural resource" that will be impacted by the proposed project. The Bronx Children's Museum is housed in a historic building owned by NYC Parks. (Wood)
- Response: As discussed in the Draft Scope of Work, the Draft GEIS will be prepared in accordance with the methodologies of the 2014 CEQR Technical Manual and in consultation with appropriate city agencies. In accordance with CEQR guidelines, the Draft Scope of Work sets forth appropriate study areas for each technical area, which are based on the area where the potential effects of the proposed project would be directly experienced.

As discussed in the Draft Scope of Work, the Environmental Assessment Statement (EAS) determined that the proposed project would not have the potential for a historic and cultural resources impact according to CEQR methodology and does not require analysis in the GEIS. Additionally, the New York City Landmarks Preservation Commission (LPC) and the New York State Office of Parks, Recreation and Historic Preservation have provided Findings of No Significant Impact letters regarding the project's effect on historical and cultural resources. Furthermore, the future site of the Bronx Children's Museum is not considered an historic or cultural resource as defined by CEQR, as it is not currently listed on or calendared as 'designated' or 'eligible' for

landmark status by LPC, the New York State Register of Historic Places or the National Register of Historic Places.

See also response to Comments 9.4 and 9.5.

- Comment 1.16: The area needs to be canvassed for healthy quality food markets. There are none in the area. (McCullough)
- Response: Comment noted. Food market access is not an issue for analysis as identified in the *CEQR Technical Manual*. As mention above, a specific development program for the project site has not been established; however, the RWCDS has assumed a 25,000 gross square foot food store space could be included.
- Comment 1.17: Bronx Children's Museum must be included in all way finding and signage discussions. (Wood)
- Response: Comment noted. The proposed project is limited to the project site and does not include any changes to the Museum.
- Comment 1.18: What safety precautions will be put in place along Exterior Street while new sewer lines are installed? How will this effect Bronx Children's Museum visitors? (Wood)
- Response: As discussed in the Draft Scope of Work, the proposed project does not include the installation of sewer lines and therefore analysis of potential construction impacts during construction will not be included in the Draft GEIS. NYCEDC issued a Lower Concourse Infrastructure RFP in July 2016, which includes an amended drainage plan analysis for the area between East 138th Street and East 150th Street to determine capacity of the existing sewer pipes in the vicinity of the project site to serve future development. Any upgrades would likely be designed and constructed as part of the City's capital improvements in the Lower Concourse Infrastructure RFP, assuming that the construction of any upgrades would be completed prior to the development of the project site. If development at the project site proceeds sooner, NYCDEP would likely request that the selected developer confirm capacities and provide upgrades as necessary to support the proposed development. Lastly, any potential upgrades would be subject to standard City, State, and Federal construction regulations.
  - Comment 1.19: Unemployment in the district hovers around 9.2 percent, significantly higher than the Bronx, NYC, and nationally. (Figueroa, Philps) Thousands of construction jobs will be created through the Lower Concourse project, with the potential to create significant economic benefits for the surrounding community. The community is in desperate need of good jobs and there is a potential to create economic opportunity and mobility for a great deal of local residents, but the Draft Scope of Work does not evaluate the quality of jobs being created through the rezoning. (Jensen) The proposed project includes a significant amount of commercial space including a supermarket, which will generate additional new jobs. In order to enact the project goals of creating high quality jobs accessible to local residents, there must be a commitment to local hiring programs that conduct outreach in local communities. (Viverito) Community Board 4 requests that all jobs related to this project be given to residents of the Bronx with first preference to residents of the district. (Figueroa, Philps) Please specify how many Minority Owned Businesses (MOB) will receive contracts on this site. Who will make sure that real minority owned businesses are contracted? We recommend 50 percent

MOB from Community Board 4. (Munoz) Additionally, labor standards have to be incorporated into the proposed project, omitting labor standards does a disservice to residents in need of greater opportunity and only serves to uphold the status quo. (Jensen) The Board request that the developer selected be required to provide quarterly reports to the Board and the community on marketing for all jobs and the demographics of those hired. (Figueroa, Philps) We are union carpenters and we would like to have some union work here in the Bronx. (Cannon)

- Response: Comment noted. The labor issues raised in this comment are beyond the scope of a CEQR analysis. NYCEDC recognizes the importance of creating employment opportunities for low-income persons, enabling them to participate in the City's economic growth. To this end, NYCEDC has developed the HireNYC Program for all land sales and leases expected to produce ten or more permanent jobs over the life of the project. More information on the requirements of the HireNYC Program can be found at nycedc.com/program/hirenyc.
- Comment 1.20: There is an overwhelming need to address new schools, elementary, middle and high school levels. Trade schools as well as agencies for work training and skills development need to be encouraged to interface with the community. We need vocational training programs that begin in high school that will ensure that students get exposure and opportunity to a variety of vocations, including working in construction with a union. Students undertaking such vocational apprenticeship programs should have the ability to work on a project in the areas they live in. (Cannon, Santos, McCullough, Garcia)
- Response: As discussed in the Draft Scope of Work, in accordance with CEQR guidelines, the Draft GEIS will analyze the potential impact of the proposed project on public schools, including elementary, middle and high school levels.
- Comment 1.21: The Bronx Community Board 4 provides information on the Harlem River Initiative which is excerpted here. The initiative identifies key goals as follows: Restoration ensure clean water by employing proven grey infrastructure technologies, and expanding the use of green infrastructure for storm water retention and treatment. Transform elevated portions of the Major Deegan Expressway into green infrastructure to capture storm water. Transform the street-level into a lively social space with lighting and public art. Remediated and build a park at Pier 5, showcasing BMPs for storm water management on former brownfields and restore wetlands. Where possible restore the natural waterfront edge to rebuild the river ecosystem. Specific sites where this restoration could be accomplished include: Spuyten Duyvil, Roberto Clemente State Park, Depot Place Park, Mill Pond Park, Pier 5, and the river edge at the Harlem River Railyards. Create new waterfront public open space by converting street ends into vest pock parks that combine access, access, boat launches, and water transport hubs. Encourage boating on the river by adding capacity for boat launching and storage. Prioritize locations in close proximity to underserved areas. Reclaim for public use the waterfront park currently used by the Yankees for parking. Provide access to the river from various points along the Harlem River Yards. Change how people utilized and thing about the river by transforming it into a "water train," where water buses or ferries transport patrons to Yankee Stadium on game days and Bronx residents from place to place along the river. Build the greenway along the water,

where feasible. This might result in a tow path or decked waterfront platform in areas made inaccessible by rail line or other obstructions. Add access by extending the 161st Street pedestrian bridge to the waterfront. (Hogi)

- Response: Comment noted. The proposed project would meet many of the Harlem River Initiative goals: it would result in the remediation of a waterfront site and the transformation of the vacant and underutilized site to a lively site with a new residential and commercial population. The proposed project would improve the waterfront conditions and would include new publicly-accessible waterfront open space in the form of an extension of Mill Pond Park, a shore public walkway along the Harlem River waterfront, and a new public plaza along Exterior Street. See also response to Comment 8.1.
- Comment 1.22: Every year, the NYC Parks permits two different circuses two times a year on Pier 5, it is not periodically as described in the Draft Scope of Work. (Hogi)
- Response: Comment noted. In the future condition with the proposed project, the circus would not continue to operate on the project site.

## 2. Analysis Framework

- Comment 2.1: In the redevelopment and disposition of city-owned property for other projects an RFP is released, a developer is selected and in consultation with the city they determine the actions necessary to facilitate the project. Typically, what is presented are not only the proposed actions but detailed site plans accompanied by a special permit which ties the developer to the said site plan approved through the ULURP process. This ensures that what was approved by all parties through the public review process is actually built and any changes require additional review and approval after the fact. The Generic environmental review process does not provide the Board or the community with sufficient predictability or input on what will ultimately be developed on the site and how the site is redeveloped. For instance, how can we determine how the neighborhood character will change if we do not know how many affordable units will be provided. (Philps, Terry, Perez)
- Response: As discussed in the Draft Scope of Work, while the proposed actions have been defined, the development program and some design specifics under those actions are dependent upon responses to the Request for Expression of Interest (RFEI) issued by NYCEDC in July 2016. Since the exact development program cannot be determined at this point, the Draft GEIS will analyze a generic RWCDS that considers the worst-case development potential for environmental effects in each technical area. Thus, the RWCDS covers the maximum "envelope" of development in which multiple different development scenarios could fit in under the proposed actions. In accordance with CEQR guidelines, a GEIS will be prepared that will consider the environmental impacts based on the RWCDS. A GEIS is consistent with current CEQR practice and is appropriate for the proposed project as a developer will not be selected until after the completion of the land use and environmental review processes. The analysis methodologies and impact determination assessments of the proposed project are the same as would be conducted if a developer had been designated prior to the initiation

of land use and environmental reviews and in which case the EIS would not be identified as generic. A GEIS is no less rigorous then a site specific EIS and does require a developer to conduct an additional environmental review should the program change in a way that the GEIS analyses does not account for.

- Comment 2.2: How will the Jerome Avenue Corridor rezoning proposal, which will result in a large number of new residents and businesses, be discussed in the environmental review? This covers a large area which will bring in many additional people. (McCullough)
- Response: The Jerome Avenue Corridor rezoning has a proposed completion or "build" year of 2026, beyond the proposed project's build year of 2023. Following CEQR guidelines, only projects anticipated to be completed and occupied by the build year of the proposed project are included in analyses of the future without the proposed action for environmental analysis. The Jerome Avenue Corridor rezoning will be subject to its own environmental review which will account for potential growth in the appropriate study areas.
- **Comment 2.3:** The Draft GEIS indicates that the analysis will assume that 50 percent of the units will be affordable at incomes under 80 percent of AMI and 50 percent would be affordable at incomes above 80 percent of AMI. This covers an extremely broad income range. The mix of income levels analyzed as part of the proposed project should be determined through an analysis of the current affordability levels of the new development projects identified within the study area 0.25-mile study primary land use study area. (Philps)
- Response: The proposed project would establish an MIH Area that would be coterminous with the rezoning area. The MIH program includes two primary options for set-aside percentages with different affordability levels. One option would require 25 percent of residential floor area to be for affordable housing units for residents with incomes averaging 60 percent of the area median income (AMI) (with 10 percent of the floor area affordable at 40 percent AMI), and the second would require 30 percent of residential floor area to be for affordable housing units for residents with incomes averaging 80 percent of AMI. The proposed project would apply MIH Option 1 and/or Option 2 to the project site. The City Planning Commission and the City Council determine the final requirements to each MIH Area during the land use approval process. The current program does not preclude more than 50 percent of units, being designated affordable, nor does it preclude units targeted to households at lower income levels (i.e., deeper affordability). The Draft GEIS will assume that 50 percent of the units will be affordable at incomes at or below 80 percent of AMI and 50 percent would be affordable at incomes above 80 percent of AMI.

# **3.** Land Use, Zoning, and Public Policy

Comment 3.1: The land use analysis should include the affordability levels of all future development projects that include affordable housing within the 0.25-mile primary land use study area and would be developed by the 2023 project build year. (Philps)

Response: The land use analysis in the Draft GEIS will include information on affordable units for projected "No-Build" projects where such information is known and available.

## 4. Socioeconomic Conditions

- Comment 4.1: What is the projected displacement of families in the area as a result of the proposed project? What is the estimate of how many new people will come to this area? 130,000 new residents by 2030 seems low. (Wood)
- Response: As described in the Draft Scope of Work, there is no potential for direct residential displacement as a result of the proposed project since the site is currently vacant. The potential for indirect residential displacement will be assessed in the Socioeconomic Conditions chapter of the Draft GEIS. Projections for population increase and related environmental effects for the future 2023 build year with and without the proposed project will be assessed in the various chapters of the Draft GEIS in accordance with CEQR guidelines.

## 5. Community Facilities and Services

- Comment 5.1: According to the School Construction Authority (SCA) Fiscal Years- (FS) 2015-2019 Proposed Five Year Capital Plan Amendment, Community School District 7 currently has 456 funded seats and 572 unfunded seats. It should be noted that these numbers do not take into account the impact from the proposed city-sponsored Jerome Avenue Rezoning or the Lower Concourse North development. How will the Jerome Avenue Corridor Rezoning be discussed in the community facilities analysis? (McCullough, Garcia, Philps)
- Response: As noted in response to Comment 2.2 above, the Jerome Avenue Rezoning projected buildout would occur after the Lower Concourse North proposed build year of 2023, and will be subject to its own environmental review. Following CEQR guidelines, only projects anticipated to be completed and occupied by the build year of the proposed project are included in analyses of the future without the proposed project for environmental analysis.
- **Comment 5.2**: While the CEQR process does not evaluate the quality of education, the physical condition and location of educational facilities can play a critical role in addressing educational deficiencies. It can address issues of overcrowding and infuse state of the art facilities which in turn can have a positive impact on how our children learn and develop. In the spirit of true neighborhood planning that addresses all the needs of a neighborhood and not just affordable housing, we respectfully request that as part of this analysis and mitigation the city identify a site or sites and commit funding for the 456 funded and 572 unfunded seats identified in the SCA FY2015-2019 Proposed Five Year Capital Plan Amendment as well as any additional seats identified as part of this analysis. (Philps)
- Response: As noted in the Draft Scope of Work, per CEQR guidelines, the public school analyses will take into consideration projected changes in future enrollments, including those associated with other developments in the affected sub-district, using the NYC School Construction Authority's (SCA) Projected New Housing Starts. Plans to alter school capacity either through administrative actions on the part of the Department of Education (DOE) or as a result of the construction of new school space prior to the 2023

analysis year will also be identified and incorporated into the analyses. Should significant impacts be identified, potential measures to minimize or mitigate the impacts, such as restructuring or reprogramming existing school space and constructing or leasing additional space will be considered.

- Comment 5.3: The impact of this development on schools must be considered in the context of existing and proposed projects in the area including: two affordable housing developments on the southeast side of 149th Street (530 Exterior Street and 491 Gerard Avenue), the redevelopment of PS31 at 425 Grand Concourse; Concourse Village West, as well as several hotel projects. (Viverito)
- Response: Following CEQR guidelines, projects anticipated to be completed and occupied by the build year of the proposed project will be included in analyses of the future without the proposed project for environmental analysis. The Draft GEIS will identify these projects within a 0.25-mile radius of the project site.
- Comment 5.4: Is Lincoln Hospital equipped to deal with an increase in demand? Are studies being done in this area? (McCullough)
- Response: As described on the Draft Scope of Work, according to CEQR guidelines, a detailed analysis of indirect impacts on police, fire, and healthcare services is warranted in cases where a proposed project would create a sizeable new neighborhood where none existed before. The *CEQR Technical Manual* cites Hunters Point South in Queens as an example of a sizeable new neighborhood where none existed before; Hunters Point South was projected to introduce 6,650 new residential units; 126,500 square feet of retail use; 45,000 square feet of community facility use; a 1,250-seat school; 2,660 parking spaces; and 13.4 acres of open space. The Lower Concourse North project site is located in a developed area that is served by existing police, fire, and healthcare services. Therefore, the proposed project would not create a sizable neighborhood where none existed before, and a detailed analysis of indirect effects on these community facilities is not warranted.

# 6. Shadows

- Comment 6.1: The Bronx Children's Museum should be considered a sunlight sensitive resource in the Shadows analysis. (Wood)
- Response: As described in the Draft Scope of Work, the shadows analysis will be conducted in accordance with the *CEQR Technical Manual* and will assess the effects of shadow casts from the proposed project on surrounding sunlight-sensitive resources of concern. The following are considered sunlight-sensitive resources of concern by CEQR:
  - Public open space
  - Architectural resource that depend on direct sunlight for their enjoyment by the public (only the features that are sunlight-sensitive [e.g. stained glass windows, elaborate highly carved ornamentation])
  - Natural resources (such as the Harlem River)

Greenstreets

Based on the above, the Bronx Children's Museum would not be considered a sunlight sensitive resource in accordance with the *CEQR Technical Manual*.

- **Comment 6.2:** The analysis should consider shadows that will fall on private homeowners and how it will affect the open space constructed as part of the proposed project. (Munoz)
- Response: See response to Comment 6.1 above. Based on the above, private homeowners are not considered sunlight sensitive resources in accordance with the *CEQR Technical Manual*.

## 7. Hazardous Materials

- Comment 7.1: The Bronx Children's Museum should be considered in the hazardous materials analysis. (Wood)
- Response: As described in the Draft Scope of Work, the hazardous materials assessment will determine whether the proposed project may increase the exposure or the environment to hazardous materials and whether increased exposure would result in potential significant public health or environmental impacts. Per the *CEQR Technical Manual* guidelines, the assessment began with the preparation of a Phase I Environmental Site Assessment (ESA), which considers surrounding properties. As described in the Draft Scope of Work, the Phase I ESA identified the need for Phase II subsurface investigation, which will be conducted on the project site itself. As described in the Draft Scope of Work, the results of the Phase I ESA and subsurface investigation, which will be reviewed by the New York City Mayor's Office of Environmental Remediation (OER) will be included in the Hazardous Materials chapter of the Draft GEIS, and the need for any environmental controls or mitigation measures, such as an (E) designation, will be described.
- Comment 7.2: Although EDC had a meeting with the Bronx Council for Environmental Quality (BCEQ), they did not mention BCEQ's Harlem River Brownfield Opportunity Area Step 2, and the BOA Designation for the Harlem River. Please review the impact of historical uses on this project proposal, the environmental review should include an analysis of soil toxicity and analyze how the project site's history of contamination would affect the surrounding area. In the event that elevated toxicity levels are found, a program to neutralize them and an ongoing assessment program should be implemented to assure that the area remains toxin-free and that people in the area are not developing medical problems as a result of elevated toxicity levels. Additionally, the environmental review should consider the analysis of airborne toxic contamination, for instance as a result of dust and debris. I refer you to the work done on the Mott Haven Campus on Concourse Village West and the plans developed as a result of that project. (McCullough, Hogi)
- Response: The Harlem River Brownfield Opportunity Area will be discussed in Land Use, Zoning and Public Policy chapter of the Draft GEIS as a relevant public policy. Additionally, historical uses on the project site and on adjacent parcels were reviewed as part of the Phase I ESA and will be summarized in the Hazardous Materials chapter of the Draft GEIS. A Phase II subsurface investigation will test for soil, groundwater and soil vapor

contamination. As described in the Draft Scope of Work, the testing will be done according to New York State Department of Environmental Conservation (NYSDEC) Brownfield Cleanup Program standards, should the selected developer decide to enter into this voluntary program. However, it should be noted that the requirements for remediation, should they be warranted, would still be subject to NYSDEC clean up objectives through an (E) designation and would be no less stringent than the Brownfield Cleanup Program which seeks to incentivize remediation where regulatory oversight may not be required. Measures to control dust and debris caused by construction activities on the project site will be addressed in the Construction Impacts chapter of the Draft GEIS.

## 8. Water and Sewer Infrastructure

Comment 8.1: Inadequate sewers, drainage, and stormwater infrastructure exist at the project site. It is not appropriate to add to the Combined Sewer Overflow System as the impact is too great. What is needed is for a Municipal Separate Stormwater Sewer System (MS4) in situ as was done at Gateway. The State DOT MS4 must also be designed to capture the runoff from the overhead Major Deegan which is now all falling on the sidewalk into the drain on Exterior Street which flows directly into the Harlem River, a violation of the Clean Water Act. Perhaps it could be infiltrated on the parcel that belongs to the State DOT. (Hogi)

The analysis should identify measures that will solve the issues of flooding on the project site and the street directly under the Deegan. (Munoz)

Flooding is a major problem, and runoff into the river has polluted it to a very high level. Provide data demonstrating the drainage plan can absorb the additional runoff in infiltration or in the MS4 pipe. (Hogi)

Response: As described in the Draft Scope of Work, the water and sewer infrastructure analysis will include a description of the existing stormwater drainage system and surfaces on the project site as well as a description of the existing sewer system that serves the project site based on records obtained from the New York City Department of Environmental Protection (NYCDEP). An analysis of potential project impacts will consist of the identification and assessment of the effects of the incremental With-Action sanitary and stormwater flows on the capacity of the sewer infrastructure. The effects of the incremental demand on the system will be assessed to determine if there will be any impact on operations of the Wastewater Treatment Plant (WWTP). Based on the assessment of future stormwater and wastewater generation, the change in flows and volumes to the sewer system and/or waterbodies due to the proposed project will be determined. Any capital improvements to the sanitary and stormwater conveyance system that may be necessary to support the proposed project will be identified in coordination with NYCDEP and described in the Draft GEIS. Any best management practices to be included as part of the proposed project will be described. The creation of an MS4 is not part of the proposed project.

CEQR guidelines for the analyses do not require that runoff that originates off-site be accounted for; however, runoff from the Major Deegan will be acknowledged in the analysis.

As noted in the Draft Scope of Work, the project site is also located within FEMA's mapped 100-year and 500-year flood zones and an assessment of the potential impacts of the proposed project on the flood plain will be included in the Draft GEIS.

- Comment 8.2: Prove that there is room in the sewer line for the added 3,000 residents and the commercial overlay. There is no Long Term Control Plan (LTCP) for the Harlem River at this time. (Hogi)
- Response: As described in the Draft Scope of Work, an analysis of the effects of the incremental sanitary and stormwater flows of the capacity of the sewer infrastructure will be conducted according to CEQR methodology. The effects of the incremental demand on the system will be assessed to determine if there will be an impact on the operations of the wastewater treatment plant. Any capital improvements to the sanitary and stormwater conveyance system that may be necessary to support the proposed project, and any best management practices to be included, will be identified in coordination with NYCDEP and described the Draft GEIS.
- Comment 8.3: Where is the Stormwater Pollution Prevention Plan (SWPPP) for the project and the mitigating infrastructure? (Hogi)
- Response: The Draft GEIS will identify the permits and approvals (including the SWPPP) required prior to commencement of any construction activities. The preparation of an SWPPP will be prepared at a later time after the CEQR process, based on the final design prepared by the selected developer.
- Comment 8.4: The Bronx Children's Museum should be considered for all water and sewer related analyses. (Wood)
- Response: See response to Comment 8.1.

## 9. Transportation

- Comment 9.1: The impact of this development on public transit, and traffic (particularly studying Yankees game day traffic scenarios) must be considered in the context of existing and proposed projects in the area including: two affordable housing developments on the southeast side of 149th Street (530 Exterior Street and 491 Gerard Avenue), the redevelopment of PS31 at 425 Grand Concourse; Concourse Village West, as well as several hotel projects. (Viverito)
- Response: As described in the Draft Scope of Work, the transportation analysis will be based on *CEQR Technical Manual* guidelines. As part of the Draft GEIS, the impact of the development on public transit (subway and bus) and traffic will be evaluated, and Yankee Stadium event conditions included as appropriate. A list of developments expected to be completed before development of the proposed project will be identified and finalized after consultation with NYCDCP and New York City Department of

Transportation (NYCDOT). This list will be included as part of the project's No Action conditions.

- **Comment 9.2:** The Bronx Children's Museum should be included in the study area for all transportation analyses. (Wood) The Bronx Children's Museum will be included as a No-Build background development. The transportation analysis should also consider the additional usage from the Jerome Avenue Corridor rezoning. (McCullough)
- Response: As noted in the response to Comment 2.2, the Jerome Avenue Corridor Rezoning is not expected to be completed until 2026. In accordance with CEQR guidelines, it will not be included as part of the analysis since it will occur after the build year of the proposed project. Additionally, the southern limits of the Jerome Avenue Corridor Rezoning study area are beyond three-quarters of a mile from the proposed project's study area which is beyond the limits for a background development to be included.
- **Comment 9.3:** The transportation analysis should include an analysis of a Yankee game day event condition including a weeknight, a weekday, and one Saturday afternoon game as well as a Saturday "Special Event" for traffic, transit, parking, and pedestrians. (Wood, Viverito, McCullough, Philps, Hogi)
- Response: As noted in the Draft Scope of Work, the transportation analysis will include two Yankee stadium events for the Saturday afternoon condition. As noted in the Travel Demand Analysis Technical Memorandum (Appendix A to the Scope of Work), the majority of trips expected from the proposed project would be residential trips, which primarily occur during the weekday AM and PM peak hours. The proposed project is not expected to generate significant volumes during the weeknights or off-peak hours.
- **Comment 9.4:** The traffic analysis study area scope is far too narrow given the site's proximity to regional retail (Bronx Terminal Market) and year-round entertainment and sports (Yankee Stadium) and the scope of the proposed project. The analysis should be expanded to include all intersections bounded by East 149th Street to the south, East 161st Street to the north, The Grand Concourse to the east, and Exterior Street to the west. It is almost impossible to cross over to 161st Street with the configurations at this time. Note that most of the schools are located around 161st Street (Philps, Hogi, McCullough).
- Response: As noted in the Travel Demand Analysis Technical Memorandum (Appendix A to the Draft Scope of Work), the traffic analysis study area will be based on an assignment of vehicular and pedestrian trips associated with the project site. Intersections that are expected to exceed thresholds per the *CEQR Technical Manual* will be selected for analysis. The analysis locations will be discussed and finalized in conjunction with NYCDOT.
- Comment 9.5: The transit analysis should consider the 149th Street and Third Avenue and the 149th Street and the Grand Concourse stops on the 2, 4, and 5 lines which are already burdened from the ridership existing now and on buses numbers, 1, 2, 15, 19, and 21. The subway study area scope should be expanded to the 161st Street station, as this station will be impacted by the proposed project and also has implications during Yankee game days. The analysis should consider linked trips in which users take the 19

bus to Manhattan to connect with the 2 and 3 lines at 145th Street or the A, B, C, and D at St. Nicholas Avenue. (Philps, Hogi, McCullough)

- Response: As noted in the Travel Demand Analysis Technical Memorandum (Appendix A to the Draft Scope of Work), the transit analysis locations will be based on an assignment of transit trips (subway and bus) associated with the project site. Elements that are expected to exceed thresholds per the *CEQR Technical Manual* thresholds will be selected for analysis. The transit elements will also be discussed and finalized in conjunction with NYCDOT.
- Comment 9.6: The pedestrian study area should be expanded to include all the intersections bounded by East 149th Street to the south, East 161st Street to the north, The Grand Concourse to the east, and Exterior Street to the west. (Philps, Hogi)
- Response: As noted in the Travel Demand Analysis Technical Memorandum (Appendix A to the Draft Scope of Work), the pedestrian analysis study area will be based on an assignment of vehicular and pedestrian trips associated with the project site. Intersections that are expected to exceed thresholds per the *CEQR Technical Manual* will be selected for analysis. The analysis locations will be discussed and finalized in conjunction with NYCDOT.
- Comment 9.7: The parking analysis will likely conclude that there are garages and lots with underutilized capacity. The Bronx Terminal Market itself has over 2,800 spaces. The issue is that in a district where the median household income is less than \$27,000 for a family of three it is unreasonable to think that the average resident would park in most of lots and garages (BTM charges \$108 per month). There are a number of city-owned sites in the area subleased to Bronx Parking Development with rates that are absolutely unsustainable for area residents. City data and research indicates that the car ownership is low in this district, however this does not reflect reality. Residents have countless stories of attempting to park their personal vehicles on local streets. This area is in great need of parking. In order to alleviate the challenges experienced by area residents related to parking, the city should negotiate with existing parking lot garages and parking lot operators to offer monthly parking that is affordable to area residents. A memorandum of understanding (MOU) could be established to allocate a certain number of spaces at considerably lower rates to residents of Community District 4. (Philps, Hogi)
- Response: Comment noted.
- **Comment 9.8:** The increase in vehicular traffic, private and commercial needs to be evaluated as well. What will the demands be during day and evening rush hours, traffic, congestion, pedestrian safety as well as numbers of people? How will the MTA address these needs? How will it address the increased passenger loads when there are events at Yankee Stadium? The increase in traffic calls into question parking for residents and those visiting; where will it be? Cars are not a luxury, for many it is an increasing necessity. (McCullough)
- Response: See response to Comment 9.3.
- **Comment 9.9:** With the issue of transportation, comes safety and accessibility for the elderly, disabled, and people with strollers; what will the availability of services like access-a-ride and

ambulettes for medical appointments. Please address pedestrian safety in the transportation analysis. (McCullough)

Response: As described in the Draft Scope of Work, a safety assessment will be performed for each of the traffic analysis intersections in accordance with CEQR guidelines.

As noted in the Draft Scope of Work, the general programming used for the environmental review is for analysis purposes only. The final development program will be determined through negotiations between the City and a future developer. For purposes of a conservative analysis, medical office use is assumed in the program since this use results in a higher number of trips to and from a project site. If medical office uses are incorporated into the development, the availability of elderly transportation mobility related to the medical facility will be addressed when the developer of the medical facility is identified.

## 10. Air Quality

- Comment 10.1: The Bronx Children's Museum should be considered as a sensitive receptor and included in the Air Quality analyses. (Wood)
- Response: The air quality impact analysis for the Draft GEIS will follow the methodologies set forth in the *CEQR Technical Manual* for identifying and assessing the proposed project's effect on sensitive receptors (e.g., residences, playgrounds) for mobile and stationary source emissions.
- Comment 10.2: What will the impact of increasing traffic volumes be on air quality within the study area?
- Response: As described in the Draft Scope of Work, the traffic increases generated by the proposed project will be evaluated in accordance with *CEQR Technical Manual* mythologies to determine their potential to create mobile source air quality impacts at nearby intersections. Additionally, the potential for increased emissions from the elevated Major Deegan Expressway will be assessed as part of the Draft GEIS, per CEQR guidelines.

#### 11. Noise

- Comment 11.1: The Bronx Children's Museum should be considered as a sensitive receptor and included in the Noise analyses. (Wood)
- Response: The noise impact analysis in the Draft GEIS will identify and assess sensitive receptors for mobile and stationary source emissions according to the methodologies set forth in the CEQR Technical Manual.

## 12. Neighborhood Character

Comment 12.1: The analysis should consider how the affordable mix of the proposed project will affect the neighborhood character. (Munoz)

Response: Comment noted. As described in the Draft Scope of Work, the neighborhood character assessment in the Draft GEIS will consider socioeconomic conditions, among other factors, in its assessment of the proposed project's potential effect on neighborhood character.

## 13. Construction

- Comment 13.1: The Bronx Children's Museum should be considered for all construction related analyses. (Wood)
- Response: The construction impact analysis in the Draft GEIS will follow CEQR methodologies to determine the scope of analysis and to identify and assess any relevant sensitive receptors for mobile and stationary source air quality and noise emissions related to construction activities. Potential effects of construction activities on transportation systems, hazardous materials and other technical areas (if needed) will be addressed as well.
- **Comment 13.2**: With the City of New York acknowledging that both construction fatalities and accidents are on the rise, it is imperative that workers be required to participate in state certified apprenticeship programs. Unskilled workers can potentially put themselves, other construction workers and pedestrians at serious risk. Mandating workers participate in state certified apprenticeship programs provides for a safer environment and ensures skilled tradespersons are employed at the site. (Jensen) Who will enforce the hiring practices on the construction site? Who are the inspectors? (Munoz)
- Response: Comments noted. These issues are beyond the scope of construction impact analysis under CEQR.