

Exhibit A

NYC Parks

Official Website of the New York City Department of Parks & Recreation

Mill Pond Park

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Mill Pond Park Is February's Park Of The Month!

Immediate Release

Wednesday, February 24, 2010

No. 9

<http://www.nyc.gov/parks> (<http://www.nyc.gov/parks>)

Mill Pond Park in the Bronx has been named February's Park of the Month. The ten-acre park opened last October as part of the Yankee Stadium Redevelopment Project, and the upcoming arrival of spring and the warm weather season offers fresh opportunities to discover nature, connect with the community, and have fun outdoors. Hugging the banks of the Harlem River, Mill Pond Park has transformed a formerly run-down industrial section of the south Bronx into a state-of-the-art recreational facility. The park is located along East 149th Street and Exterior Street, across the street from the Gateway Center at Bronx Terminal Market.

"Mill Pond Park is a creatively designed, exciting new park that brings increased green space and waterfront access to the South Bronx," said Commissioner Adrian Benepe. "The park's state of the art tennis courts, esplanade, picnic area, and youth sand play area offer various ways to have fun and connect with nature. Mill Pond Park is a great place to get out, workout, and eat out right on the Harlem River waterfront."

Sixteen Deco Turf tennis courts form the centerpiece of this \$64 million park (Deco Turf is the court surface used at the Olympic Games and the U.S. Open). Twelve of the sixteen courts will be open year-round, as they are designed to allow for a bubbled enclosure. A landscaped picnic and grass area offer a natural setting to spend a relaxing day on the water's edge. The park also features a spray shower, sand play area, and shaded outdoor classroom for kids. An ADA-accessible esplanade unifies the site, providing a fine route for a morning jog or an afternoon stroll by the river.

Mill Pond Park is the first significant City park to open on the Bronx bank of the Harlem River. Construction of the park included rehabilitation of the sea wall and four piers, bringing new vitality to what was only recently a decaying, unused industrial waterfront. The park's 25,800-square-foot historic Power House building, which will eventually feature a green roof and a new café, is expected to open over the next month.

Park of the Month introduces some of our greatest parks and recreation centers to curious New Yorkers and visitors alike. Visit www.nyc.gov/parks (<http://www.nyc.gov/parks>) for more information about Mill Pond Park and for an archive for past featured parks.

[illegible]

 Community Participation Area
1,589 Acres



**City of New York
Parks and Recreation
Planning & Parklands**

Michael R. Bloomberg, Mayor
Adrian Benepe, Commissioner
Joshua Laird, Assistant Commissioner
Colleen Alderson, Director of Parklands

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Exhibit B



2015 City Council District Profiles

MANHATTAN/BRONX
CITY COUNCIL
DISTRICT

8



High Bridge
Concourse Village
Mott Haven
Longwood
Port Morris
East Harlem
Randall's Island



Legend

1/4 Mile

City Council Districts

City, State, and
Federal Parkland

Playgrounds

Schoolyards-to-Playgrounds

Community Gardens

Swimming Pools

Recreation Centers

Public Plazas

Privately Owned
Public Spaces (POPS)

(S) New York State park

(F) National Park Service park

*Home to an active volunteer group

Parkland

- 1 Randall's Island Park
- 2 Wards Island Park
- 3 St. Mary's Park*
- 4 Macombs Dam Park*
- 5 Mill Pond Park
- 6 Franz Sigel Park*
- 7 Thomas Jefferson Park*

- 8 Yankee Stadium
Garages/Lots
- 9 East River Esplanade
- 10 Joyce Kilmer Park*
- 11 Harlem River Park
- 12 Patterson Playground
- 13 Ralph Demarco Park
- 14 Louis Cuvillier Park
- 15 Triboro Plaza

- 16 Park
- 17 Willis Playground
- 18 Lot
- 19 Astoria Park
- 20 Wagner Houses Pool
- 21 Playground One Thirty
Four CXXXIV
- 22 Poor Richard's
Playground

- 23 Marx Brothers Plgd
- 24 Pulaski Park
- 25 People's Park
- 26 Crack Is Wack Plgd
- 27 East River Playground
- 28 Wagner Playground
- 29 Nelson Playground*
- 30 Fountain of Youth Plgd
- 31 Playground 103 CIII

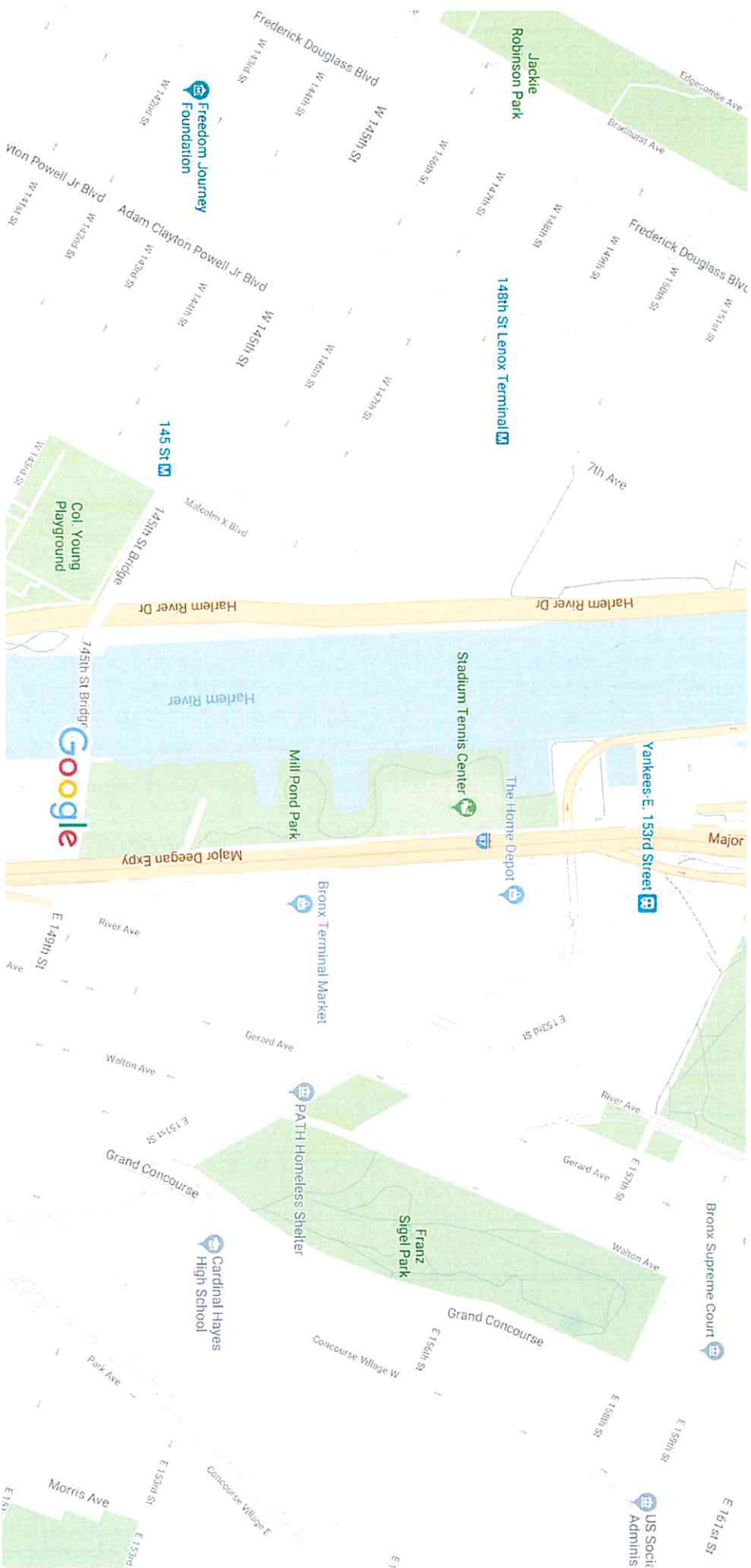


Exhibit C

Exhibit D

Mill Pond Park - Digital Tax Map - New York City Dept. of Finance (7/27/2017)



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- | | |
|---|---|
| Borough Boundary | C50 Condo Flag/Condo Number |
| Tax Block Boundary | A50 Air Right Flag/Lot Number |
| 50 Tax Block Number | S50 Subterranean Right Flag/Lot Number |
| Tax Lot Boundary | R REUC Flag |
| 50 Tax Lot Number | Under Water Tax Lot Boundary |
| Condo FKA Tax Lot Number | Other Boundary |
| 50.5 Tax Lot Dimension | Possession Hook |
| +/-5.5 Approximate Tax Lot Dimension | Misc Miscellaneous Text |
| Condo Units Range Label | Small Tax Lot Dimension |
| Building Footprint | Surface Water |

Exhibit E



NYC Parks

Alyssa Cobb Konon
Assistant Commissioner
Planning and Development

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City of New York
Parks & Recreation

The Arsenal
Central Park
New York, NY 10065
www.nyc.gov/parks

DCAS
ASSET MANAGEMENT

2017 JUN 13 A 8:31

June 5, 2017

Mr. Randal Fong
Assistant Commissioner
Department of Citywide Administrative Services
One Center Street, 20th Fl., Rm. 2053 S
New York, NY 10007

Re: Block 2356 Lot 2 (p/o) and Block 2539 Lot 2 (p/o), Bronx

Dear Asst. Commissioner Fong,

The Department of Parks & Recreation (DPR) hereby surrenders jurisdiction and management of the Pier 5 area, encompassing a portion of Block 2356, Lot 2, and a portion of the southwestern end of Block 2539, Lot 2, for assignment to the Department of Small Business Services. Please see the attached map illustrating the Pier 5 area. The Pier 5 area is an undeveloped parcel bounded generally by 149th Street/145 Street Bridge to the south, the Harlem River to the west and north, Mill Pond Park to the east and north, and the Major Deegan Expressway/Exterior Street to the east. The Pier 5 Area forms a portion of parcels associated with the former Bronx Terminal Market assigned to DPR on August 29, 2006.

This surrender of property is premised on the understanding between DPR and the Economic Development Corporation that this property will be used as part of the Mayor's Lower Concourse Infrastructure Planning Initiative to develop the Pier 5 Area into an affordable housing site along with publicly accessible waterfront open space, as well as the work that EDC has already undertaken in this regard. Through this initiative, which EDC is spearheading, the City has committed to fund, design and build the Shore Public Walkway and Supplemental Open Space on this site, and the selected future Developer(s) of the above referenced lots will be responsible for the maintenance of all publicly accessible areas on the zoning lot, in accordance with waterfront zoning. The selected Developer(s) will be expected to enter into an agreement with DPR to provide financial support for the maintenance of the open spaces.

Also through the Initiative, the City has committed capital funding to acquire, design and build a nearby mapped parkland parcel (Block 2349, Lots 103 and 107, and a portion of Lot 100), approved as part of the City's approved 2009 Lower Concourse Rezoning



NYC Parks

Project. DPR is currently working with the Economic Development Corporation to advance and complete the acquisition and park development on these nearby lots.

Should the City decide not to advance the site as affordable housing or if a rezoning of the site shall not receive any required land use approval actions to facilitate the affordable housing project, DPR would like to be notified to consider a reassignment of the Pier 5 area.

If you have any questions or require additional information please do not hesitate to contact me at (212) 360-3403.

Sincerely,

Alyssa Cobb Konon
Assistant Commissioner

202539002

Denotes Lot Lines and
BBL Numbers



Denotes Area Surrendered
from Parks to EDC



Limits of Mill Pond Park



0 200 400 Feet



Area shown for illustrative purposes. This map is not a legal survey or legal description and it does not take the place of other primary source documentation. This map has been prepared in whole or part using secondary data. Data accuracy is limited by the scale and accuracy of the original sources. Site specific conditions should be field-verified. For accuracy, a legal survey of the site is required.

Sources: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNR/Airbus, DE, USDA, USGS, Aero, Cartography, AerialGrid, IGN, IGN, SwissTopo, and the GIS User Community

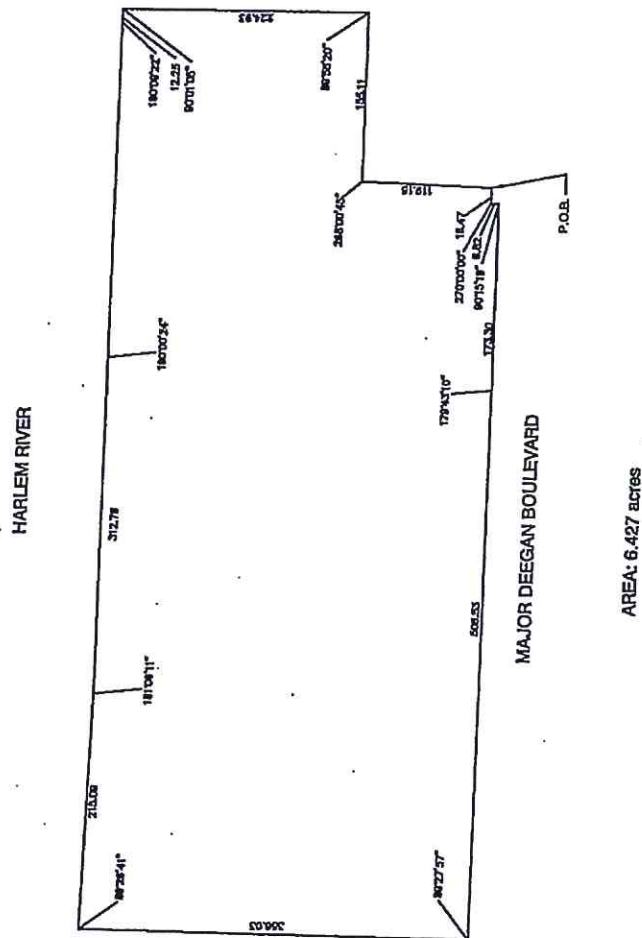
Exhibit F

PARCEL #1: HARLEM RIVER WATERFRONT PARK

Replacement Property
36-00776 E



RAMP A



Kim Burn, ASLO
NYS OPRHP
6/27/06

EAST 150TH STREET

Adrian Benepe

Adrian Benepe
Commissioner
New York City Department of Parks & Recreation

6/22/06

Date

36-00776E

Waterfront property
Replacement property

TECHNICAL DESCRIPTION

In the matter of describing a waterfront park on Block 2539, between Ramp A of the Major Deegan Expressway and East 150th Street and between Major Deegan Boulevard and the Harlem River, in the Borough of the Bronx, in accordance with Map No. 13115.

BEGINNING at a point on the westerly line of Major Deegan Boulevard, said point lying 179.30' southerly of the intersection of the southerly line of Ramp A of the Major Deegan Expressway and the westerly line of Major Deegan Boulevard, as those streets are heretofore laid out on the City Map:

- 1) Thence southerly, along the westerly line of Major Deegan Boulevard, a distance of 16.47' to a point;
- 2) Thence easterly, along a line forming an internal angle of 270°00'00" with the previous course, a distance of 6.82' to a point;
- 3) Thence southerly, along a line forming an internal angle of 90°15'19" with the previous course, a distance of 173.30' to a point;
- 4) Thence southerly, along a line forming an internal angle of 179°43'10" with the previous course, a distance of 506.53' to a point;
- 5) Thence westerly, along a line forming an internal angle of 89°27'57" with the previous course, a distance of 356.03" to a point;
- 6) Thence northerly, along a line forming an internal angle of 89°26'41" with the previous course, a distance of 215.09' to a point;
- 7) Thence northerly, along a line forming an internal angle of 181°06'11" with the previous course, a distance of 312.78' to a point;
- 8) Thence northerly, along a line forming an internal angle of 180°00'24" with the previous course, a distance of 309.03' to a point;
- 9) Thence northerly, along a line forming an internal angle of 180°09'22" with the previous course, a distance of 12.25' to a point,
- 10) Thence easterly along a line forming an internal angle of 90°01'05" with the previous course, a distance of 224.93' to a point;
- 11) Thence southerly, along a line forming an internal angle of 89°58'20" with the previous course, a distance of 155.11' to a point;
- 12) Thence easterly, along a line forming an internal angle of 268°00'45" with the previous course a distance of 119.15 to the point or place of BEGINNING.

Exhibit G

FINDING OF NO SIGNIFICANT IMPACT
LWCF Section 6(f) Conversion of Macomb's Dam Park
New York, New York

BACKGROUND

The 28.4-acre Macomb's Dam Park is located in The Bronx Borough, New York City, and is administered by the New York City Department of Parks and Recreation. The park is divided into several sections. A 10.67-acre section bounded by East 162nd Street to the north, River Avenue to the east, East 161st Street to the south, and Jerome Avenue to the west was improved with a federal grant from the Land and Water Conservation Fund (LWCF) Stateside Program in the late 1970's. The LWCF grant provided financial assistance toward the installation of two baseball fields, a running track, walkways, lighting, landscaping and signs. The LWCF grant was contracted with the State of New York. The City of New York became the sub-recipient. As the recipient of the federal LWCF grant, the State of New York was obligated by contract under the LWCF grant agreement to ensure that the section of Macomb's Dam Park improved with LWCF assistance would remain in public outdoor recreation use in perpetuity unless otherwise approved by the Secretary of the Interior (delegated to the National Park Service) [LWCF Act Section 6(f)(3), 36 CFR 59.3]. The 10.67-acre section was placed under Section 6(f) protection as a result of the LWCF grant.

The State of New York, on behalf of New York City, is now proposing to convert the 10.67-acre section of Macomb's Dam Park to allow for the construction of a new Yankee Stadium. The existing Yankee Stadium is located across the street to the south of this 10.67-acre section of Macomb's Dam Park. The City proposes to demolish the existing Yankee Stadium and build the new stadium across the street in an area to include the 10.67-acre section, thus triggering the LWCF conversion. The State on behalf of the City proposes to replace the converted park land with three new public park areas totaling 16.44 acres: the site of the existing Yankee Stadium to be called "Heritage Park;" Ruppert Place to be renamed "Ruppert Plaza;" and a new waterfront park along the Harlem River.

LWCF Conversion Requirements

According to the LWCF Act, no property acquired or developed with assistance under Section 6(f)(3) shall, without the approval of the Secretary of the Interior (delegated to the National Park Service), be converted to other than public outdoor recreation uses. The conversion shall be approved only if it is in accord with the then existing statewide comprehensive outdoor recreation plan (SCORP) and only upon such conditions as deemed necessary to assure the substitution of other recreation properties of at least equal fair market value and of reasonably equivalent usefulness and location.

Environmental Review Process

The NEPA review for the proposed LWCF Section 6(f) conversion of 10.67 acres of Macomb's Dam Park has been coordinated with the environmental review by the City of New York under the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review (CEQR). The NPS is using the CEQR Environmental Impact Statement as its environmental assessment under NEPA. The scope of the NPS environmental review pursuant to NEPA regarding the proposed conversion is narrower than the scope of the environmental review undertaken by the New York City Department of Parks and Recreation and the New York City Planning Commission pursuant to SEQRA and CEQR in connection with their respective approvals of the Yankee Stadium project. The NPS review is limited to determining whether the proposed conversion of a portion of Macomb's Dam Park and replacement with new park land is in conformity with applicable federal law, and to assessing the potential environmental impacts of that determination.

PREFERRED ALTERNATIVE

Several alternatives for the future Yankee Stadium were considered, including a no action alternative. The alternatives included the consideration of locating a new stadium outside of the existing neighborhood (Van Cortlandt Park and Pelham Bay Park both in the Bronx, and the Caemmerer Yard on Midtown Manhattan's West Side), three sites near the existing stadium, renovating the existing stadium, rebuilding at the current site, and expanding the existing stadium. None of these alternatives proved viable in meeting the project goals and objectives.

The preferred alternative is the LWCF Section 6(f) conversion of 10.67 acres of Macomb's Dam Park and the replacement of converted park land with a total of 16.44 acres of new park land at three locations: the existing site of Yankee Stadium and Ruppert Place (totaling 10.02 acres) adjacent to the Yankee Stadium site; and vacant upland and underwater land (6.42) acres) along the Harlem River.

The 10.67-acre section of Macomb's Dam Park proposed for the conversion contains a little league ball field with a 90-foot infield, a softball field with a 60-foot infield, and a 400-meter track with a soccer/football field within its interior and surrounded by bleachers. The outfields of the two ball fields overlap. When games are held at the same time on adjacent fields, the outfield must be shared by each ball field, hindering their use. Mowed turf forms the vegetative ground cover, and trees, including large pin oak trees, are confined to the perimeter of the park and to the southwest portion of the parcel near a rock outcrop. The field is in fair to poor condition and in need of renovation. The center field is barren dirt. The park is heavily used and is popular for soccer, baseball, football, and jogging. The New York City Department of Parks and Recreation issues permits to numerous schools and community organizations to use the ball fields.

The City proposes to replace the converted park land with three sites to be added to the City's park inventory and to be developed into viable public outdoor recreation areas as follows:

Existing Yankee Stadium site to be developed into an public ball park to be called "Heritage Park:" The existing Yankee Stadium will be completely demolished and the field will be raised with fill to bring the area to a level matching the surrounding area. Three natural turf ball fields will be developed: a baseball field, a softball field, and a little league field.

Ruppert Place to be developed into a passive park renamed "Ruppert Plaza:" The existing Ruppert Place, a street running alongside a portion of the non-Section 6(f) Macomb's Dam Park to the northwest and the existing Yankee Stadium to the southeast, will be developed into a passive park and renamed "Ruppert Plaza." The new park area will contain significant landscaping including many shade trees, and amenities such as benches and pedestrian walkways. Ruppert Plaza will serve as a green space linking the new Heritage Park with a remaining section of Macomb's Dam Park.

Harlem River waterfront to be developed into a public tennis facility and waterfront pedestrian promenade: The site, vacant upland and underwater land consisting of paved and unpaved surfaces, piers, concrete bulkheading along the shoreline, and land underwater, will be developed into sixteen tennis courts surrounded by a new passive park area and pedestrian promenade along the waterfront. The tennis courts will be covered by a bubble during the winter months to extend their usefulness.

The City will retain and adapt the existing Bronx Terminal Market Building J, a resource determined by the New York State Historic Preservation Officer (SHPO) to be eligible for the National Register of Historic Places, for use as a tennis building and park maintenance facility. Even though Building J will not be included within the new Section 6(f) replacement boundary encompassing the waterfront park, due to its association with the public tennis facility, it will be indirectly impacted by the proposed conversion.

Two other Bronx Terminal Market Buildings, G and H, also eligible for the National Register of Historic Places, will be demolished to create new park land to be incorporated into the new Section 6(f) replacement waterfront park, and as such, will be adversely impacted by the proposed conversion. To address these effects, a Memorandum of Agreement (MOA) was signed by the NPS, the New York SHPO, the City of New York, and the Delaware Nation Tribe in accordance with Section 106 of the National Historic Preservation Act to mitigate the effects on these historic properties. The MOA is attached to this FONSI.

WHY THE PREFERRED ALTERNATIVE WILL NOT HAVE A SIGNIFICANT EFFECT ON THE HUMAN ENVIRONMENT

As defined in 40 CFR §1508.27, significance is determined by examining the following criteria:

1. Degree to which impacts may be both beneficial and adverse.

Overall, the proposed conversion would increase the net acreage of public parkland, modernize the existing older recreational facilities, increase the quality of recreational spaces, and provide waterfront public access. As the types of uses would be similar to those that currently exist, they would continue to be compatible with the surrounding land uses.

The proposed 6.42-acre replacement park along the Harlem River waterfront will transform a vacant upland area totaling 5.05 acres consisting of paved and unpaved surfaces, unused railroad tracks, concrete barriers, chain link fencing, and piers into a public outdoor recreational area providing public access to the waterfront, and improving the visual quality of the Harlem River shoreline. The replacement waterfront park includes an additional 1.37 acres of underwater land. By increasing waterfront public access and increasing parkland acreage along the waterfront, the proposed project is expected to have a beneficial impact.

The proposed conversion would not result in significant adverse impacts to terrestrial plant communities or wildlife, nor to floodplains, wetlands, water quality, or aquatic biota of the Harlem River. Potential benefits to natural resources resulting from the proposed conversion include an improved habitat for birds and other wildlife within the landscaped passive recreational areas that would be developed within the replacement park land; and an improved fish and benthic invertebrate habitat along the shoreline of the Harlem River waterfront park that would result from the replacement of the existing hard shoreline stabilization structures with softer shoreline stabilization structures and establishment of vegetation of the shoreward portion of the Southern Cove.

2. Degree of effect on public health and safety.

Hazardous materials: The proposed conversion would not result in any significant adverse impacts with respect to hazardous materials. The proposed conversion would involve building demolition and excavation activities. Based on its age, the former Yankee Stadium may contain lead-based paint and/or asbestos-containing building materials. Polychlorinated biphenyls and mercury may be present in electrical equipment. Fill material containing petroleum-like odors is present in the vicinity of the Harlem River waterfront/Bronx Terminal Market warehouse buildings, and historic fill materials throughout the project area contain semi-volatile compounds and/or metals at concentrations exceeding NYSDEC Recommended Soil Cleanup Objectives. In addition, known or suspected underground petroleum storage tanks are present at the existing stadium and on the Harlem River waterfront.

Demolition and excavation activities could disturb hazardous materials and increase pathways for human exposure. The greatest potential for exposure to any constituent of concern would be during construction, especially those activities related to excavation, storage, transport, and disposal of potentially

contaminated soil. Preventative measures will be used to avoid the possibility of adverse impacts from any contamination discovered in the areas of concern in accordance with NYSDEC Spills program, including preparation and approval of a Work Plan, Health and Safety Plan (HASP), and/or Remedial Action Plan (RAP), as appropriate.

Further, the proposed development would be conducted under New York City Department of Environmental Protection-approved RAP, including a HASP, designed to protect site workers and the surrounding community from exposure to hazardous materials during construction activities in areas where soil excavation and/or remediation would occur. Therefore, if all State- and City-approved HASPs and RAPs are properly implemented, the proposed conversion would not result in any significant adverse impacts with respect to hazardous materials.

Noise: There will be no significant adverse noise impacts on the replacement parks. Noise levels for the three new park areas proposed for conversion replacement will be comparable to noise levels in the existing section of Macomb's Dam Park proposed for conversion.

Public Health: The proposed conversion will not have any significant adverse public health impacts. The conversion activities would comply with New York City Local Law 77 that requires the use of ultra-low sulfur diesel and "best available technology" for reducing emissions from non-road construction equipment. New York City is committed to undertaking the conversion activities in a protective manner, employing techniques for reducing emissions and avoiding dust in connection with the related construction activities. Air quality conditions would be monitored throughout the construction of the new parks.

Construction Impacts: While noise from construction activities would be intrusive and discernible during the creation of the three new replacement park areas, the increased noise levels would be for limited periods of time during the peak construction period and would not constitute a significant adverse noise impact.

3. Unique characteristics of the geographic area such as proximity to historic or cultural resources, park lands, prime farmlands, wetlands, wild and scenic rivers or ecologically critical areas.

Land use, zoning, and public policy: The proposed conversion of the Section 6(f) portion of Macomb's Dam Park and replacement with three new park areas would not result in any adverse impacts to land uses in the project area. There would be no change in the types of uses located in and around the conversion site; however, the locations of the various uses would be reconfigured. The Macomb's Dam Park area currently contains a mix of land uses with Yankee Stadium being the major attraction that draws visitors to the area. This would continue to be the case with the proposed Yankee Stadium located one block to the north on the existing Macomb's Dam Park and creating a new public ball park on the site of the existing Yankee Stadium.

The proposed conversion replacement site, 6.42 acres along the Harlem River waterfront, will transform a vacant upland and underwater land area consisting of paved and unpaved surfaces, unused railroad tracks, concrete barriers, chain link fencing, piers, and concrete bulkheading into a new public outdoor recreational area providing public access to the waterfront and improving the visual quality of the Harlem River shoreline.

The proposed conversion does not conflict with local public policy, such as the 2002 New York State Open Space Conservation Plan, the Final Statewide Comprehensive Outdoor Recreation Plan and Final Generic Environmental Impact Statement for New York State 2003, and the Bronx Borough President's new Bronx Waterfront Plan, and Yankee Stadium Neighborhood Development Plan. The proposed conversion is consistent with local zoning.

Overall, the proposed conversion would not result in any adverse land use impacts, and would not result in any significant adverse zoning or public policy impacts.

Socioeconomic Conditions: The proposed conversion will redistribute public park land within the same residential neighborhoods and within close proximity to the park land conversion at Macomb's Dam Park. The proposed conversion will have no significant impact on existing residential areas and businesses.

Direct construction expenditures for the three new replacement park areas will net new funds supporting the New York City economy. As a result of the direct construction expenditures, direct employment will be generated within New York City. Any net change in economic effects associated with ongoing operation of the park space would be positive since the New York City Department of Parks and Recreation has indicated that the new park space may require hiring some additional maintenance staff.

Environmental Justice in Minority and Low-Income Populations (Executive Order 12898): An environmental justice assessment was completed following the guidance and methodologies recommended in the Council of Environmental Quality (CEQ) document, Environmental Justice Guidance under the National Environmental Policy Act (December 1997). Overall, the benefits and adverse impacts of the conversion proposal would be experienced by both the environmental justice community and other populations, including other residents and visitors to the area. Accordingly, the proposed conversion would not result in disproportionate significant adverse impacts to minority or low-income populations.

Open space and recreation: The conversion proposal would not result in significant adverse impacts to open space and recreation. The proposal would convert a 10.67-acre section of the 28.4-acre Macomb's Dam Park. The 10.67-acre section is the only portion of Macomb's Dam Park subject to the provisions of Section 6(f) of the LWCF Act. It contains a little league ball field, a softball field, a 400-meter track with a soccer/football field within its interior and bleachers. The ground is covered with mowed turf, and the perimeter is lined with mature trees providing shaded areas. The field is in fair to poor condition and in need of renovation. The center field is barren dirt. This portion of the park is heavily used and is popular for soccer, baseball, football, and jogging. The ball fields are used regularly by numerous schools and community organizations by permit and by local residents for "pick-up" games and informal play.

The 10.67-acre converted section of Macomb's Dam Park will be replaced by three new park areas:

1. Existing Yankee Stadium site to be developed into a public ball park to be called "Heritage Park:" The existing Yankee Stadium will be completely demolished and the field would be raised with fill to bring the area to a level matching the surrounding area. Three natural turf ball fields will be developed: a baseball field, a softball field, and a little league field. Shade trees will be planted around the perimeter of the new ball field park.

2. Ruppert Place to be developed into a passive park and renamed Ruppert Plaza: The existing Ruppert Place, a street running alongside a portion of the non-Section 6(f) Macomb's Dam Park to the northwest and the existing Yankee Stadium to the southeast, will be developed into a passive park and renamed "Ruppert Plaza." The new park area will contain significant landscaping including many shade trees and amenities such as benches and pedestrian walkways. Ruppert Plaza will serve as a green space linking the new Heritage Park with a remaining section of Macomb's Dam Park.

3. Harlem River waterfront vacant parcel to be developed into a public tennis facility and pedestrian esplanade: This site exists as vacant upland and underwater land consisting of paved and unpaved surfaces, unused railroad tracks, concrete barriers, chain link fencing, piers, concrete bulkheading and land underwater along the shoreline. The City proposes to develop sixteen tennis courts on this site, surrounded by a new passive park area and pedestrian promenade along the waterfront, that will enliven the waterfront and will provide visual and physical access to it. The tennis courts will be covered by a bubble during the winter months consistent with LWCF guidelines to extend their usefulness. The public tennis operation would be managed and operated as a concession in the same fashion as the former tennis facility in Macomb's Dam Park and other public tennis venues in NYC. The user fee structure for the outdoor tennis courts and the indoor tennis courts under the cold-season bubble is consistent with LWCF guidelines. Public access to the tennis courts is from Exterior Street. The pedestrian promenade will be landscaped with lawns, shade trees, pathways, and other plantings.

The City will retain and adapt the existing Bronx Terminal Market Building J, a resource determined by the New York State Historic Preservation Officer (SHPO) to be eligible for the National Register of Historic Places, for use as a tennis building and park maintenance facility. Even though Building J will not be included within the new Section 6(f) replacement boundary encompassing the waterfront park, due to its association with the public tennis facility, it will be indirectly impacted by the proposed conversion. Two other Bronx Terminal Market Buildings, G and H, also eligible for the National Register of Historic Places, will be demolished to create new park land to be incorporated into the new Section 6(f) replacement waterfront park, and as such, will be adversely impacted by the proposed conversion. To address these effects, a Memorandum of Agreement (MOA) was signed by the NPS, the New York SHPO, the City of New York, and the Delaware Nation Tribe in accordance with Section 106 of the National Historic Preservation Act to mitigate the effects on these historic properties. The MOA is attached to this FONSI.

New York City is replacing the Section 6(f) conversion parkland with three park areas that, in sum, are of reasonably equivalent usefulness and location. LWCF requirements do not require that the exact recreation opportunity be replaced in kind. The park land to be converted consists of a little league ball field, a softball field, a 400-meter track with soccer/football field within its interior and surrounded by bleachers. The ground is covered with mowed turf, and shade trees surround the site. The three new Section 6(f) replacement areas will provide three new natural turf public ball fields for baseball, softball and little league, sixteen tennis courts to be covered by a bubble-like structure in the winter to extend the playing season, a pedestrian promenade along the Harlem River to provide views of the water and public access to the water's edge; and many shade trees, pedestrian walkways, benches, and extensive landscaping at each site. Two of the replacement park areas are directly across the street from the converted park land, and one site is a half-mile away. There will be no long-term significant adverse impacts to open space and recreation as a result of the conversion. There will be short-term, temporary adverse impacts when the 10.67-acre section of Macomb's Dam Park is closed to the public, and the community waits for the new replacement parks to be constructed. The City will work with displaced baseball and softball user groups to find playing time at nearby recreational fields as close as possible to Macomb's Dam Park while the replacement parks are under construction.

Urban design and visual resource: There will be no significant adverse impacts on visual resources. The Harlem River waterfront park with its tennis court facility would create an active recreation space surrounded by attractive landscaping in a vacant industrial space with no such amenities. The tennis courts will be covered by a 40-foot tall temporary structure or "bubble" which will not be prominently visible from the upland due to the intervening elevated Major Deegan Expressway above Exterior Street.

Water resources: The conversion proposal would not result in any significant adverse impacts on Harlem River water quality and floodplains. The new Harlem River waterfront park will be located in a 100-year

floodplain. The tennis courts and pedestrian promenade would include more pervious surface and less stormwater runoff than under existing conditions, resulting in a decrease of stormwater discharges during rainfall events, having a beneficial effect on the floodplain, and would not adversely affect the floodplain's ability to contain flood waters or exacerbate flooding conditions within the project area or its immediate vicinity. Additionally, the pervious landscape plantings as well as intertidal plantings would result in a beneficial effect on the quantity and quality of stormwater runoff from the waterfront park. Implementation of an Integrated Pest Management strategy would manage landscaped areas with minimal application of pesticides, herbicides, and fertilizers. Potential adverse effects on water quality resulting from the discharge of stormwater during construction of the new replacement parks would be minimized through implementation of a Stormwater Pollution Prevention Plan which would include stormwater detention facilities.

The United States Army Corps of Engineers has determined that there are no federal wetlands located within any of the sites associated with the conversion proposal. The United States Fish and Wildlife Service National Wetland Inventory classifies the interpier areas at the Harlem River waterfront as "estuarine subtidal unconsolidated bottom." In 2004 site visits to the waterfront suggest that the interpier areas may now be characterized as "estuarine intertidal unconsolidated bottom" due to an accumulation of sediment. Intertidal areas are alternately (twice daily) flooded and exposed by the tide. The New York State Department of Environmental Conservation (NYSDEC) categorizes the interpier areas as littoral zone tidal wetlands. Improvements to the shoreline stabilization as part of the Harlem River waterfront park design, such as replacement of existing timber crib bulkhead with a softer shoreline stabilization structure (e.g., gabion wall system) that would permit the development of intertidal area and establishment of tidal wetland vegetation at the shoreward portion of the coves would improve wetland resources within the project area. Therefore, the construction of these shoreline improvements and removal of in-water debris would not result in significant adverse impacts to the NYSDEC tidal wetlands.

4. Degree to which impacts are likely to be highly controversial.

Controversy exists when substantial questions are raised as to whether a project may cause significant degradation of some human environmental factor. Controversy refers not to the existence of public opposition, but to a substantial dispute as to the size, nature, or effect of the federal action (Northwest Environmental Defense Center v. Bonneville Power Administration, 117 F.3d 1520, 1539, U.S. Court of Appeals, Ninth Circuit, 1997, quoting LaFlamme v. FERC, 852 F.2d 389, 397, U.S. Court of Appeals, Ninth Circuit, 1988.).

While the preferred alternative has provoked some concerns and disagreement over using the 10.67-acre section of Macomb's Dam Park for the new stadium and replacing some of the recreation facilities at the waterfront, all substantive public comments were addressed in the "Response to Public Comments" document. The EA analyzed these issues and found no significant adverse impacts.

5. Degree to which the possible effects on the quality of the human environment are highly uncertain or involve unique or unknown risks.

The preferred alternative will not have highly uncertain effects on the quality of the human environment or have unknown risks.

6. Degree to which the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration.

The preferred alternative neither establishes a precedent for future actions with significant effects nor represents a decision in principle about a future consideration.

7. Whether the action is related to other actions with individually insignificant but cumulatively significant impacts.

The preferred alternative is not related to other actions with individually insignificant but cumulatively significant impacts.

8. Degree to which the action may adversely affect historic properties in or eligible for listing on the National Register of Historic Places, or other significant scientific, archeological, or cultural resources.

The City will retain and adapt the existing Bronx Terminal Market Building J, a resource determined by the New York State Historic Preservation Officer (SHPO) to be eligible for the National Register of Historic Places, for use as a tennis building and park maintenance facility. Even though Building J will not be included within the new Section 6(f) replacement boundary encompassing the waterfront park, because of its association with the Section 6(f) replacement park, it will be indirectly impacted by the proposed Section 6(f) conversion, and thus the conversion will have an effect on this historic resource but is not expected to result in an adverse effect.

In addition, two other Bronx Terminal Market Buildings, G and H, also eligible for the National Register of Historic Places, will be demolished to create new park land to be incorporated into the new Section 6(f) replacement waterfront park, and their demolition would constitute an adverse effect on historic properties.

To address these effects and to ensure that appropriate mitigation measures are undertaken in conjunction with the creation of the Section 6(f) replacement park at the Harlem River waterfront, a Memorandum of Agreement (MOA) was signed by the NPS, the New York SHPO, the City of New York, and the Delaware Nation Tribe in accordance with Section 106 of the National Historic Preservation Act. The MOA is attached to this FONSI.

9. The degree to which an action may adversely affect an endangered or threatened species or its habitat.

No significant adverse impacts would occur on an endangered or threatened species or habitat. The federally- and NY state-listed endangered shortnose sturgeon has been identified as a possible (rare) transient species in the Harlem River. It is only expected to use the Harlem River when traveling to or from the Hudson River spawning, nursery or over-wintering areas. Because of this species' preference for deeper water, occasional individuals using the Harlem River would only be expected to occur in the navigation channel located west of the waterfront park proposed for replacement. Temporary adverse impacts to water quality resulting from increased suspended sediment or sediment disturbance would be limited to the immediate area of activity along the shoreline where the shallow water depths would likely preclude the occurrence of shortnose sturgeon. Furthermore, no significant adverse impacts would occur to the water quality of the Harlem River channel from the construction or operation of the waterfront park. Therefore, no significant adverse impacts would occur to the New York State- and federally-listed endangered shortnose sturgeon.

10. Whether the action threatens a violation of federal, state, or local law or requirements imposed for the protection of the environment.

The preferred alternative does not threaten a violation of federal, state or local environmental protection law.

PUBLIC INVOLVEMENT

The NEPA review for the proposed LWCF Section 6(f) conversion of 10.67 acres of Macomb's Dam Park has been coordinated with the environmental review by the City of New York under the State Environmental Quality Review Act (SEQRA) and the City Environmental Quality Review (CEQR). The NPS is using the CEQR Environmental Impact Statement as its environmental assessment under NEPA. The CEQR Draft Environmental Impact Statement was made available for public review and comment beginning September 26, 2005, and ending January 23, 2006. A "Response to Comments on the DEIS" was included in the Final Environmental Impact Statement released on February 10, 2006.


As a result of the City of New York's decision to revise the Section 6(f) replacement park plan after the DEIS public comment period, NPS decided to provide an additional 30-day public comment period beginning March 3, 2006, and ending April 3, 2006, to provide the public an opportunity to comment on the revised park replacement proposal. A "Response to Public Comments" document was prepared to respond to all substantive comments received through the close of the public comment period and is attached to this FONSI. Twenty-two written submissions and 140 copies of a form letter were received during the second public comment period.

BASIS FOR DECISION/CONCLUSION

Based on the content of the EA prepared under NEPA, the preferred alternative does not constitute an action that requires preparation of an Environmental Impact Statement (EIS). The preferred alternative will not have a significant effect on the human environment. There are no significant impacts on public health, public safety, or threatened or endangered species. The preferred alternative will have an adverse effect on two buildings eligible for listing on the National Register of Historic Places and have a beneficial effect on one building eligible for the National Register of Historic Places. A Memorandum of Agreement (attached) was developed and signed by the NPS, New York SHPO, the City of New York, and the Delaware Nation Tribe to mitigate the adverse effects of the park land conversion. No highly uncertain or controversial impacts, unique or unknown risks, significant cumulative effects, or elements of precedence were identified. Implementation of the action will not violate any federal, state, or local environmental protection law.


Based on the foregoing, it has been determined that the proposed conversion does not constitute a major federal action significantly affecting the quality of the human environment. In accordance with NEPA and the Council on Environmental Quality (CEQ) regulations, an EIS is not required for this proposal and will not be prepared.

Recommended by:


Jack Howard, Program Manager
Recreation, Conservation and Grants Assistance

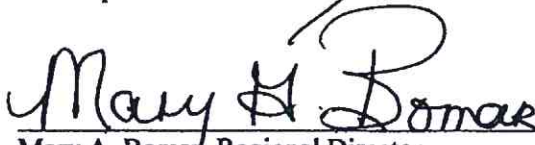
7/13/06
Date

Recommended by:


Linda Canzanelli, Associate Regional Director
Park Operations & Conservation and Recreation Assistance

7/13/06
Date

Approved:


Mary A. Bomar, Regional Director
Northeast Region
National Park Service

7/14/06
Date

ERRATA SHEET

Land and Water Conservation Fund Act

Section 6(f) Conversion of Macomb's Dam Park

Environmental Assessment (*Yankee Stadium Project Final Environmental Impact Statement*)

As a result of further technical review of official maps and surveys, it was determined that the park land acreage figures presented in the environmental assessment associated with the LWCF Section 6(f) conversion proposal required minor revisions. These changes do not increase the degree of impact described in the environmental assessment.

Revised acreage figures for the section of Macomb's Dam Park proposed for LWCF Section 6(f) park land conversion and for the replacement park areas are as follows:

Section 6(f) conversion park area:

Macomb's Dam Park 10.67 acres

Section 6(f) replacement park areas:

Total size of replacement park area: 16.44 acres

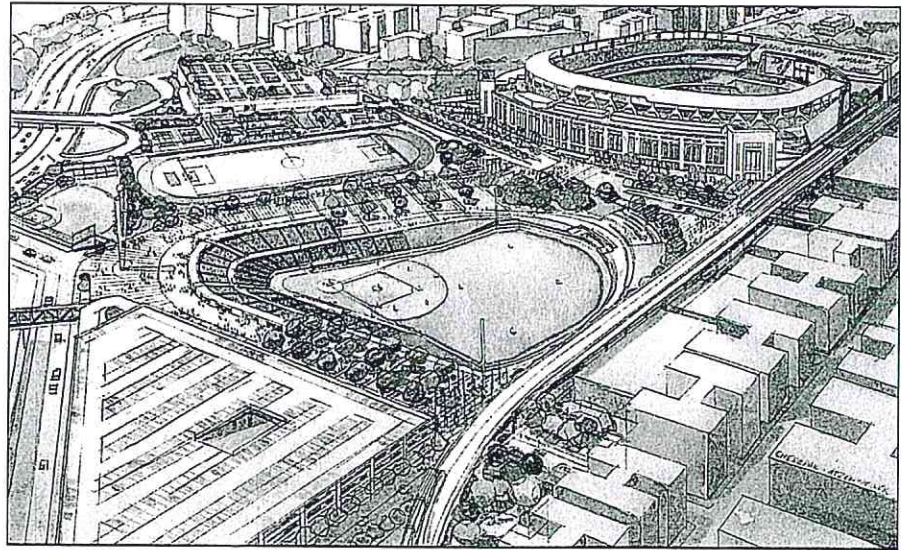
-Existing Yankee Stadium site and Ruppert Plaza = 10.02 acres

-Harlem River waterfront vacant land = 6.42 acres
(includes 1.37 acres of underwater land)

Exhibit H

YANKEE STADIUM PROJECT

Final Environmental Impact Statement



Prepared for:
New York City Department of
Parks and Recreation

February 10, 2006

**Yankee Stadium Project
Final Environmental Impact Statement**

CEQR No.: 05DPR006X

Project Location: Bronx, New York

Lead Agency: New York City Department of Parks and Recreation

Lead Agency Contact: Joshua Laird

Prepared by: AKRF, Inc.
with
Eng-Wong Taub & Associates
Sive, Paget & Riesel, P.C.
Vollmer Associates, LLP

February 10, 2006

10,310, for a net increase of 3,315 off-street spaces¹. This would support the parking need for the proposed stadium and reduce the spill-over conditions on local streets that presently exist. Street-level, non-destination retail would be developed in one of the parking garages for a total of approximately 12,000 gross square feet (gsf).

As described further below, the proposed project would require the alienation of certain areas of mapped parkland to allow for its disposition by NYCDPR through leases, for operation of the proposed stadium and several new parking garages. These areas would, however, remain mapped parkland. In addition, new areas of mapped parkland would be created to provide additional new open space and to accommodate park facilities displaced by the new stadium and garages. Overall, the proposed project would result in a net increase of approximately 4.63 acres of accessible recreational facilities within the project area.

In particular, the proposed stadium and three of the proposed garages would be built in portions of Macomb's Dam and John Mullaly Parks (both New York City parks). The fourth garage would be located on City-owned property at East 151st Street between River and Gerard Avenues, which is not parkland. To replace the recreational facilities displaced by these structures, the proposed project would include the following elements:

- A number of replacement recreational facilities would be developed atop two of the garages to be constructed as part of the proposed project within a portion of Macomb's Dam Park.
- New parkland would be created and recreational facilities would be developed: (1) at the site of the existing stadium; (2) on existing parking lots along River Avenue and East 157th Street; and (3) at the site of three warehouse buildings along Exterior Street within the Bronx Terminal Market.
- An esplanade connecting the new waterfront park to the existing ferry landing, would be developed on paved areas located along the Harlem River waterfront.

These latter two areas of replacement facilities would create new open space and ballfields along the Harlem River and would represent an important new community amenity that would serve the surrounding neighborhood and provide new public waterfront access.

In total, the proposed project would displace recreational facilities on approximately 22.42 acres (including the portion of Macomb's Dam Park at the corner of East 157th Street and Ruppert Place that is currently used for accessory parking for Yankee Stadium—i.e., Lot 14) of existing parkland. Replacement facilities would be developed on 10.22 acres of existing parkland, including the approximately 2.89 acres of Macomb's Dam Park currently used for accessory parking for Yankee Stadium. The proposed project would also create 15.82 acres of new parkland, including approximately 5.11 acres of recreational waterfront parkland, and 1.01 acres of new open spaces (not mapped as parkland). In total, the proposed project would result in the development of 27.05 acres of replacement facilities. This would be a net increase of 4.63 acres over existing conditions. (Approximately 15 acres of Macomb's Dam and John Mullaly Parks—the site of the proposed stadium and a parking garage—would remain as mapped parkland. The underwater land beneath Slips 2 and 4 of the Harlem River, and 0.4 acres south of Pier 1 along the

¹ The net increase would, in fact, be somewhat lower, because of the loss of more than 800 spaces used by Yankees fans on Exterior Street, Cromwell Avenue, and between the Bronx Terminal Market site and the Harlem River that would no longer be available in the future as the Bronx Terminal Market site is developed.

Harlem River that is proposed as new surface parking, would be also mapped as new parkland. However, these mapped parkland areas would contain no public recreational facilities and so are not counted in the tally of proposed parkland to be created by the proposed project.) The proposed project would create a unified 17.36-acre park area south of East 161st Street, which would be larger than the total park area (15.09 acres) that would be displaced north of East 161st Street.

The proposed stadium, all four proposed garages, and almost all of the proposed parkland would be completed by 2009. The full development of the replacement proposed parkland would be completed by 2010.

Public actions required to permit the proposed project to go forward include disposition of City-owned property in the form of long-term leases (including lease of existing parking facility); acquisitions by the City of interests in the proposed Yankee Stadium and garage sites; mapping actions to map new parks and demap portions of East 161st Street, Macomb's Dam Bridge Approach, and Jerome Avenue; administrative actions to demap portions of two streets (East 162nd Street and Ruppert Place), and a volume of space located above East 151st Street; approval of a concession to operate tennis courts; a special permit for a public parking garage (not located on parkland) and a special permit to allow modification of rear yard requirements for that garage; and State and City funding for the non-stadium portions of the proposed project. Certain State and Federal permits may be required for activities in connection with construction of the waterfront park. Further, the location of the proposed stadium is on the portion of Macomb's Dam Park that was improved with funds from the Federal Land and Water Conservation Fund (LWCF). As a result, the proposed project would trigger a parkland conversion under Section 6(f)(3) of the LWCF Act that requires federal review and approval by the Secretary of the Interior (delegated to the National Park Service).

The disposition and acquisitions, parkland mapping, approval of a concession, parking garage special permit actions, and realignment of boundaries of East 161st Street, Macomb's Dam Bridge Approach, and Jerome Avenue in the vicinity of the proposed stadium site are subject to the City's Uniform Land Use Review Procedure (ULURP), and all of the actions require environmental review. NYCDPR is the lead agency for the environmental review.

B. PROJECT PURPOSE AND NEED

BACKGROUND

Yankee Stadium was built at its present site in 1923, at East 157th Street, River Avenue, East 161st Street and Ruppert Place in the Bronx Borough of the City of New York. The original stadium's design consisted of triple-decked grandstands which extended from behind home plate and up to the first and third base lines, included a tin frieze that adorned the stadium's third tier deck, and had wood seating. In the years 1928, 1937, and 1938, the predominantly lower deck seating arrangement was expanded to extend the upper decks into the outfield, resulting in the short right field porch of today.

On August 8, 1972, after years of debate about the future of the aging ballpark, the Yankees signed a 30-year lease with the City which called for Yankee Stadium to be completely modernized in time for the 1976 season. After completing the Stadium's 50th-anniversary season in 1973, the Yankees moved to Shea Stadium for two seasons while their home was almost completely demolished and then rebuilt.

The modernization removed the numerous, obstructive steel columns that supported the second and third decks and blocked views. By "cantilevering" the upper decks and lowering the playing

funds received from DOI. Using LWCF funds, however, creates certain limitations on future changes to LWCF-funded projects. Once LWCF funds are utilized for a particular recreation project, conversion of that park facility for any non-recreational purpose is prohibited unless alternatives are assessed and steps are taken to identify, evaluate, and supply replacement parkland. NPS must grant prior approval of the conversion and replacement parkland.

In particular, under the LWCF, a conversion of parkland may be approved if NPS finds that: (1) all practical alternatives to the proposed conversion have been evaluated; (2) the fair market value of the park property to be converted has been established and the property proposed for substitution is of at least equal fair market value, as established by an approved appraisal in accordance with the Uniform Appraisal Standards for Federal Land Acquisition, excluding the value of structures or facilities that will not serve recreational purposes; (3) the proposed replacement property is of reasonably equivalent usefulness and location as the converted property; and (4) the proposed conversion and substitution are in accordance with the applicable Statewide Comprehensive Outdoor Recreation Plan (SCORP). The LWCF regulations further require that the project comply with applicable Federal statutes, regulatory requirements, and policies, including the National Environmental Policy Act (NEPA). NPS must approve the conversion and consider the environmental evaluations in its review.

The location of the proposed stadium is on a portion of Macomb's Dam Park north of East 161st Street and east of Jerome Avenue that was improved with LWCF funds in the early 1980s. For purposes of the Federal LWCF conversion, the proposed Section 6(f) replacement parks would be developed on the existing stadium site, Ruppert Place, and along the Harlem River waterfront.

New York State legislation enacted in June 2005 authorizes the alienation of certain areas of currently mapped parkland to allow for its disposition by the City, through leases, for operation of the proposed stadium and three of the proposed parking garages. Following that disposition, however, these areas would remain mapped parkland. The State legislation also requires that the City dedicate the existing Yankee Stadium site as parkland and acquire additional parklands and/or dedicate land for park and recreational purposes which are equal to or greater than the fair market value of the parkland being alienated.

As the recreational facilities that would be displaced by the proposed project would be replaced with similar and new recreational facilities, the proposed project would not result in any significant adverse impacts to open space. Furthermore, as there would be a net increase in the area's open space, and older, and in some cases worn facilities, would be replaced with new, modern facilities, as well as new waterfront access, there would be a positive impact on the project area in terms of open space. The proposed project would also comply with the requirements of Section 6(f) and the State authorizing legislation.

SHADOWS

The proposed project would cast incremental shadows on portions of Macomb's Dam Park throughout the year. The triangular portion of the park bounded by East 161st Street, Jerome Avenue, and the Macomb's Dam Bridge Approach, which contains walkways and a large rock outcropping surrounded by trees, would be in the shadows of the proposed stadium for most of the morning throughout the year. Additional shadows would be cast on Macomb's Dam Park in the afternoon from fall through spring by Parking Garage C. The proposed project would also cast shadows on the proposed open space located in Macomb's Dam Park west of Ruppert Plaza atop new subterranean garage (Parking Garage A) and the proposed open space entrance plaza to Heritage Field (to be mapped as parkland as part of Macomb's Dam Park). John Mullaly Park

NATURAL RESOURCES

The proposed project would result in the displacement of recreational facilities and hence, limited wildlife habitat in the form of shade trees, lawn, and patches of successional woodland in portions of the parks inaccessible to park users, and street trees in Macomb's Dam and John Mullaly Parks. The existing weedy vegetation along the edge of the piers in the area of the proposed Harlem River waterfront park and esplanade, which is of limited wildlife value, would also be removed as part of shoreline improvement activities. Wildlife using the areas to be displaced would be limited to those tolerant of urban conditions. The loss of some individuals of these urban-tolerant species would not result in a significant adverse impact on the bird and wildlife community of the New York City region. Therefore, no significant adverse impacts to terrestrial resources are anticipated as a result of the proposed project.

All trees removed as a result of the proposed project would be replaced in accordance with NYCDPR requirements. To minimize potential adverse impacts resulting from the loss of 377 trees (includes street trees and trees lost from the recreational facilities that would be displaced), NYCDPR would require the replanting of trees in accordance with the NYCDPR basal area tree replacement formula. The removed trees, which total a basal area of approximately 592 square feet, would be replaced with trees of a size totaling an equal basal area. The number of replacement trees would be between 8,356 trees of a 3 ½-inch caliper to 29,248 trees of a 2-inch caliper. These replacement trees would create natural screening and areas of shade for relaxation and passive enjoyment for park visitors and habitat for wildlife. Because there is insufficient space to plant the calculated number of trees within the replacement recreational areas, the remaining replacement trees would be planted as street trees within the vicinity of the project area or as nearly as possible.

Areas of passive open space would be landscaped with trees, shrubs, and herbaceous plants consistent with NYCDPR's green park design of using native trees, shrubs, and groundcover to the extent possible. These landscaped passive recreational areas would benefit wildlife by providing improved habitat with a diversity at least equal to or greater than currently present within the displaced recreational facilities. The replacement recreational facilities that would be developed atop Parking Garages A and C would incorporate natural soil wells in open areas between the active recreational facilities that would support a sufficient depth of growing media to permit the planting of trees and other vegetation. The new open space areas developed within the recreational facilities on newly mapped parkland, such as the passive open space areas associated with the 5.11-acre Harlem River waterfront park and surrounding Heritage Field at the 8.90-acre site of the existing stadium, would provide even greater opportunity for the development of green park landscaping that would provide improved habitat for birds and other wildlife.

Significant adverse impacts would not occur to the floodplain, wetlands, water quality or aquatic biota of the Harlem River, or to the only endangered species with the potential to occur in the vicinity of the project area, the shortnose sturgeon. The proposed Harlem River waterfront park and esplanade, the new parking area north of the waterfront park, and the Yankee Stadium Parking Lots 13A and 13B that would be repaved and restriped are the only portions of the project area within the floodplain. The development of the waterfront park would result in an increase in pervious cover with stormwater retention, which would result in beneficial effects to the floodplain by decreasing stormwater discharges during rainfall events. Improvements to the shoreline stabilization as part of the Harlem River waterfront park design, such as replacement of existing timber crib bulkhead with a softer shoreline stabilization structure (e.g., gabion wall

system) that would increase the complexity of the shoreline habitat and establishment of tidal wetland vegetation at the shoreward portion of the coves, would improve wetland resources within the project area. Potential impacts to wetlands during construction of the shoreline improvements would be minimized through the implementation of measures identified during the permitting process for these shoreline enhancements by Federal and State agencies.

In addition, any effects on water quality resulting from shoreline improvement activities, such as increased suspended sediment and resuspension of contaminated sediment, would be temporary and localized and would not result in significant adverse impacts to aquatic biota. The temporary loss of some benthic habitat and of some macroinvertebrates during replacement of the concrete masonry bulkhead and timber crib bulkhead, and improvement of the riprapped areas, would not result in significant adverse impacts to populations of benthic macroinvertebrates using this portion of the Harlem River, nor would it significantly impact the food supply for fish foraging in the area. The proposed gabion wall system and creation of vegetated tidal wetland habitat as part of the waterfront park design would benefit aquatic resources by increasing the diversity of aquatic habitat for benthic macroinvertebrates and fish within the project area. Because water quality impacts would be limited to the immediate area of activity along the shoreline, which consists of shallow water habitat, adverse impacts would not occur to shortnose sturgeon that may occur in the deeper channel area of the Harlem River. Potential adverse effects to water quality resulting from the discharge of stormwater during construction and operation of the proposed project would be minimized through implementation of a Stormwater Pollution Prevention Plan (SWPPP), which would include stormwater detention facilities, and implementation of an Integrated Pest Management (IPM) strategy that would manage landscaped areas with minimal application of pesticides, herbicides and fertilizers. Therefore, the discharge of stormwater from the project area would not be expected to result in significant adverse impacts to Harlem River water quality.

HAZARDOUS MATERIALS

All on-site structures potentially contain asbestos-containing materials and lead-based paint. PCBs could be present in electrical equipment found throughout the project area. Known or suspected underground petroleum storage tanks are present at the existing stadium, the Macomb's Dam Park Field House, Parking Lot 6, and along the Harlem River waterfront, west of the Bronx Terminal Market warehouse buildings. Semi volatile organic compounds (SVOCs) and metal concentrations exceeding NYSDEC standards were detected in soil samples from throughout the project area, and petroleum contamination was identified in soil and groundwater samples from beneath Parking Lots 5 and 6.

Any hazardous materials in structures to be demolished would be handled, removed, and disposed of in accordance with all applicable Federal, State, and local regulations, thus avoiding any significant adverse impacts. In addition, areas containing petroleum-related contamination from spill sites would be investigated and remediated under the NYSDEC Spills program, including preparation and approval of a Work Plan, Health and Safety Plan (HASP), and/or Remedial Action Plan (RAP), as appropriate. Further, the proposed development would be conducted under NYCDEP-approved RAP, including a HASP, designed to protect site workers and the surrounding community from exposure to hazardous materials during construction activities in areas where soil excavation and/or remediation would occur. Therefore, if all State- and City-approved HASPs and RAPs are properly implemented the proposed project would not result in any significant adverse impacts with respect to hazardous materials.

Table S-4

Alternative Park Plan Section 6(f) Parcels: Recreational Facilities

Site #	Type of 6(f) Parcel	Recreational Facilities
1	Conversion	400-meter Track with Soccer Field and Spectator Stands Softball Field (60-foot infield) Baseball Field (90-foot infield)
2	Replacement	Baseball Field (60-foot infield) Little League Baseball Field (90-foot infield) Softball Field (60-foot infield)
3	Replacement	Passive Park-Ruppert Plaza
4	Replacement	Tennis Facilities (16 courts)
Source: NYCDPR.		

All of the replacement facilities would be located within 1/4-mile of the converted facilities under the Alternative Park Plan. Three ballfields would be located across the street, approximately 600 feet, from the existing ballfields. Tennis facilities, not currently located on the conversion parcel, would be located at the replacement parcel along the Harlem River waterfront. Section 6(f) requires that the proposed replacement facilities are of reasonably equivalent usefulness and location as the converted property. As described above, the replacement facilities under the Alternative Park Plan—three ballfields, tennis courts, and a pedestrian promenade—would provide equal recreational usefulness to the public.

Like the proposed project, subway access to the replacement parcels under the Alternative Park Plan would generally be equivalent to that of the conversion parcel. As the replacement parcels that would contain ballfields for the Alternative Park Plan are located across the street from the conversion parcel, they would use the same subway access at River Avenue and East 161st Street.

As described below under Construction Impacts, although all of the replacement parcels would be mapped as parkland at the outset of the project, the recreational facilities and improvements proposed by the Alternative Park Plan would be implemented over the course of the construction period, ending in 2010. By 2007, the Harlem River waterfront replacement parcel would be completed and the recreational facilities available to the public. However, during the 2009 to 2010 construction period, replacement facilities would not be available at the existing Yankee Stadium replacement parcel because the existing stadium cannot be converted as replacement ballfields under the Alternative Park Plan until the proposed stadium is completed and operational and the existing stadium can be demolished. However, as described above there would be a temporary softball field available during part of the construction period. This gap in the availability of the replacement facilities under the Alternative Park Plan would be temporary and the replacement facilities would ultimately provide reasonably equivalent recreational usefulness to the public. NYCDPR would also work with displaced baseball and softball user groups to find playing time at nearby recreational fields as close as possible to Macomb's Dam Park.

An appraisal of the fair market value of both the portion of Macomb's Dam Park that would be utilized, as well as that of the properties proposed for substitution under the Alternative Park Plan has been conducted as part of the formal conversion proposal to satisfy the Section 6(f) requirements. The remaining evaluations required under Section 6(f), as described in "Open

Table 4-1
Yankee Stadium Replacement Facilities

Reference Number ¹	Recreational Facility	Area (Acres)
1	400-meter running track with soccer field and spectator stands, 9 handball courts, 2 tennis courts, little league field, 2 basketball courts (one with stands), a tot-lot with play equipment and comfort station with restrooms	7.33
2 ²	Ruppert Plaza	1.13
3 ²	Heritage Field: Baseball Field with 90-foot infield	8.90
4	14 rooftop tennis courts and pavilion with restrooms	2.89
5	Passive park space	0.24
6	Passive park space	0.44
7	Passive open space	0.30
8 ²	Little League Field with 90-foot infield, softball field with 60-foot infield, and comfort station with restrooms	5.11
9	Harlem River Esplanade	0.71
Total New Facilities		27.05
Note: ¹ Refers to Figure 4-8. ² Proposed 6(f) replacement.		

- Heritage Field on the existing Yankee Stadium site (not currently parkland).
- The portion of Macomb's Dam Park west of Ruppert Place—currently sunken below the elevation of the surrounding streets—would be replaced with an at-grade park, beneath which would be a proposed parking garage (Parking Garage A). A 400-meter athletic track, full-size soccer field, and grandstand would be located in the southern portion of Macomb's Dam Park west of Ruppert Place. A comfort station with restroom facilities would be constructed beneath the grandstand. A tot-lot with climbing and play equipment, drinking fountain, and benches would be located at the corner of Macomb's Dam Bridge Approach and East 161st Street.
- 9 handball courts and 2 tennis courts would be located in the southern portion of Macomb's Dam Park west of Ruppert Place.
- 2 basketball courts (one with stands) would be located in the southern portion of Macomb's Dam Park west of Ruppert Place.
- 1 little league field built atop a proposed parking garage (Garage A) on the southern portion of Macomb's Dam Park.
- 14 tennis courts and a pavilion building with restrooms and other amenities on the rooftop of a proposed parking garage (Garage C) located in a portion of Macomb's Dam Park currently used for surface parking.
- A passive park with an allee way of trees on a realigned Ruppert Place (not currently parkland), which would be renamed "Ruppert Plaza."
- Passive park space comprised of benches and unique paving landscape east of River Avenue on either side of East 157th Street (not currently parkland). The northern park parcel would contain sculptured play elements.

Table 4-2
Displacement and Replacement of Park Facilities

Facility	New Location	Date Closed	Date Operational	Years Closed
Passive recreation ¹	River Avenue Parks	New Facility	2007 4th Q	NA
Softball field 60-foot	Harlem River waterfront park	2006 2nd Q	2007 4th Q	1 ½
Baseball field 90-foot	Harlem River waterfront park	2007 4th Q	2007 4th Q	0
Harlem River Esplanade ¹	Harlem River waterfront park	New Facility	2008 3rd Q	NA
Tennis courts (16)	Macomb's Dam Park	2006 2nd Q	2008 4th Q (14)	2 ½
Babe Ruth Plaza	Macomb's Dam Park	2008 4th Q	2009 1st Q	½
Tennis courts (replace)	Macomb's Dam Park	2006 2nd Q	2009 2nd Q (2)	3
Basketball court (2)	Macomb's Dam Park	2007 4th Q	2009 2nd Q (2)	1 ½
Handball courts (24)	Macomb's Dam Park	2007 4th Q	2009 2nd Q (9)	1 ¾
Soccer field	Macomb's Dam Park	2006 2nd Q	2009 4th Q	3 ½
Competitive track ²	Macomb's Dam Park	2006 2nd Q	2009 4th Q	3 ½
Baseball field 90-foot	Macomb's Dam Park	NA	2009 4th Q	NA
Baseball field 90-foot	Heritage Field	2007 4th Q	2011 1st Q	3
Baseball field 90-foot	NA	2006 2nd Q	NA	NA
Handball courts (8)	None ³	2006 2nd Q	NA ³	NA ³

Notes:
¹ The Harlem River Esplanade and the River Avenue Parks would be new facilities.
² A temporary running course would be available throughout the construction period.
³ The proposed project would not replace 23 of 32 existing handball courts.
 One new basketball court and the soccer field/400-meter track would have spectator stands.
 NA = Not Applicable.

2007, the temporary running course would be located around the two baseball fields next to and northwest of the existing Yankee Stadium. When construction displaces these ballfields, the esplanade surrounding the new ballfields in the Harlem River waterfront park would serve as a temporary running course and would be available until the permanent competitive track is available. The temporary running course would be about 15 feet wide and have a cinder surface and signage indicating distances. The temporary running course would be suitable for walking, jogging and recreational running, but would not be suitable for competitive track meets.

Competitive track meets that currently use Macomb's Dam Park would be held at other nearby tracks that meet standards. The New York City Department of Parks and Recreation (NYCDPR) operates 32 tracks in New York City that meet the standards for competitive track meets. Of these tracks 7 are located in The Bronx, 6 in Manhattan and 5 are located within 3 miles of the existing Macomb's Dam Park track. NYCDPR uses a permit system to schedule use of these tracks, and the agency states that time periods are available for track meets at the nearby NYCDPR tracks. In addition to NYCDPR tracks, other nearby tracks that can host competitive meets are operated by the New York City Department of Education and various private schools, colleges and universities. These tracks may be available for use by competitive meets that currently are scheduled in Macomb's Dam Park. Local residents may also be able to use these tracks informally.

Like the running track for competitive meets, the soccer field in Macomb's Dam Park would be unavailable for scheduled games during a period of about 3½ years. NYCDPR operates 64 soccer fields in New York City. Of these, 27 are in The Bronx, 6 in Manhattan and 7 within 3 miles of the existing Macomb's Dam Park soccer field. NYCDPR uses a permit system to schedule use of the soccer fields, and the agency states that time periods are available for scheduled soccer games at the nearby fields. These fields may be available for use by clubs that use the Macomb's Dam Park field.

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90-foot infields) and a pedestrian promenade (see Table 4-4) to replace the running track with interior soccer field, the baseball field, and the softball field.

Table 4-4
Section 6(f) Parcels: Recreational Facilities

Site # ¹	Type of 6(f) Parcel	Recreational Facilities
1	Conversion	400-meter Track with Soccer Field and Spectator Stands ² Softball Field (60-foot infield) ² Baseball Field (90-foot infield) ²
2	Replacement	Baseball Field (90-foot infield) ³
3	Replacement	Passive Park-Ruppert Plaza ³
4	Replacement	Little League Baseball Field (90-foot infield) ³ Softball Field (60-foot infield) ³
Notes: ¹ See Figure 4-2. ² See Figure 4-3. ³ See Figures 4-8 and 4-9. Source: NYCDPR.		

Section 6(f) requires that the proposed replacement facilities are of reasonably equivalent usefulness and location as the converted property. As described above, the replacement facilities, three ballfields, and a pedestrian promenade, would provide equal recreational usefulness to the public.

All of the replacement facilities would be located within ½-mile of the converted facilities. One baseball field would be located across the street, approximately 600 feet, from the existing baseball field. A softball field would be replaced along the Harlem River waterfront, approximately 2,100 feet from the existing facility. An additional little league baseball field would also be located on the waterfront, in close proximity to the existing fields. Subway access to the replacement parcels would generally be equivalent to that of the conversion parcel (see Figure 4-10). As the Heritage Field and Ruppert Place replacement parcels are located across the street from the conversion parcel, they would use the same subway access at River Avenue and East 161st Street. Although the Harlem River waterfront replacement parcel is located farther west and south, subway access is also available to the south at East 149th Street and Grand Concourse. Pedestrian access to the Harlem River waterfront replacement parcel would be available by the existing pedestrian bridge from East 157th Street, which would be improved and made ADA-compliant by the proposed project, and from the esplanade associated with the proposed project. To facilitate game-day pedestrian flow, the proposed project would also extend this bridge to connect to the second level of Parking Garage 8 (located between East 157th Street, East 153rd Street, and River Avenue) and span over East 157th Street onto Ruppert Plaza. The proposed esplanade would connect to the existing ferry landing and extend east to the pedestrian connection at Exterior Street beneath the Major Deegan Expressway, which provides pedestrian connections east to the remaining portions of the project area, including the remaining replacement parkland. Public bus access to the vicinity of the waterfront parcel would be provided by the existing Bx6 (along the Macomb's Dam Bridge Approach and East 161st Street), Bx19 (along East 149th Street), Bx13 (along East 161st Street), and Bx1 (along the Grand Concourse) bus routes. Therefore, the replacement facilities are expected to serve the same general user group and would be in a reasonably equivalent location.

As previously described, although all of the replacement parcels would be mapped as parkland at the outset of the project, the recreational facilities and improvements would be implemented

over the course of the construction period, ending in 2010. By 2007, the Harlem River waterfront replacement parcel would be completed and the recreational facilities available to the public, one year after the ballfields on the conversion parcel would be displaced. However, during the 2009 to 2010 construction period, replacement facilities would not be available at the existing Yankee Stadium replacement parcel because the existing stadium cannot be converted to Heritage Field as a replacement ballfield until the proposed stadium is completed and operational. However, this gap in the availability of the replacement facilities would be temporary and the replacement facilities would ultimately provide reasonably equivalent recreational usefulness to the public.

CONSISTENCY OF THE PROPOSED CONVERSION AND SUBSTITUTION WITH THE STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN (SCORP)

As per Section 6(f), the proposed conversion and substitution must be in accordance with the applicable SCORP. The proposed use of a portion of Macomb's Dam Park and its substitution with a replacement park area and facilities described above has been reviewed for consistency with the "Final Statewide Comprehensive Outdoor Recreation Plan and Final Environmental Impact Statement for New York State 2003." This document was prepared by OPRHP and identifies a number of programs and initiatives that address recreation and open space needs. Numerous programs and agency initiatives are identified with varying open space goals ranging from preserving and protecting wetlands and other water bodies, to creating trails pursuant to the New York State Heritage Program, to hosting a number of sports and athletic competitions. Ongoing commitments to the over 300,000 acres of recreation and open space managed by OPRHP, and the over 3 million acres managed by the New York State Department of Environmental Conservation (NYSDEC) are also identified as open space priorities. The SCORP notes that the greatest level of need for recreation facilities within the State exists within its metropolitan areas, especially in the New York City area. Rehabilitation of existing facilities and the acquisition of new facilities are required to satisfy this demand.

Planning processes have been developed by both the OPRHP and NYSDEC to respond to public needs and involve public input throughout the planning and implementation process. The SCORP is intended to provide an overall framework for making decisions regarding the protection, management, and development of the State's natural, cultural, and recreation resources.

The SCORP does not provide any specific commentary on Macomb's Dam Park. Instead, among other things, it identifies goals and actions designed to meet a range of objectives. Among the goals articulated in the SCORP are to improve delivery of recreation services to particular subpopulations of New York, including urban residents and to provide additional programs and resources for them.

According to the Relative Index of Needs in the 2003 SCORP, Bronx County experiences a high demand for field games and general park uses, which include relaxing in the park and picnicking. Every county in New York is rated a score from one to 10, with a score of one indicating a large availability of recreation resources relative to demand with little or no crowding, and a score of 10 indicating that most facilities are heavily used. For Bronx County, field uses are rated seven and general park uses are rated eight. Based on that rating, the recreational usefulness of the existing ballfields on the conversion parcel is indicated to be very high. This usefulness would be replaced on the replacement parcels. Although not proposed for the replacement parcels, the running track and interior soccer field would be located on existing parkland in the project area. Therefore, the

proposed project would meet recreational needs in Bronx County by replacing the affected facilities with new and upgraded recreational facilities serving the park needs of Bronx County. The new facilities would be of equivalent usefulness—and, as they would be new facilities, in some cases greater usefulness—than those they would be replacing.

The proposed use of a portion of Macomb's Dam Park would be consistent with the SCORP in that it is NYCDPR's intention that recreational resources providing services to the affected area's urban population be maintained in perpetuity in the replacement locations. NYCDPR would construct replacement park facilities of equal or greater value in close proximity to the existing facilities that would be affected.

E. NEW YORK STATE LEGISLATION COMPLIANCE

New York State legislation enacted in June 2005 authorizes the alienation of certain areas of currently mapped parkland to allow for its disposition by the City, through leases, for operation of the proposed Yankee Stadium and several parking garages. Specifically, the legislation authorizes the alienation of portions of Macomb's Dam Park and John Mullaly Park (Parcels A and portions of Parcel J respectively, on Figure 4-1) for the proposed stadium, and portions of Macomb's Dam Park (Parcels B, C and D on Figure 4-1) and John Mullaly Park (portions of Parcel J on Figure 4-1) for the proposed parking garages and other stadium-related facilities. Following that disposition, however, these areas would remain mapped parkland. The State legislation also requires that the City dedicate the existing Yankee Stadium site as parkland and acquire additional parklands and/or dedicate land for park and recreational purposes which are equal to or greater than the fair market value of the parkland being alienated.

As previously described, portions of Macomb's Dam Park (Parcels C and D on Figure 4-1) are currently used for parking for the existing stadium. As part of the proposed project, replacement recreational facilities would be developed on these parcels and would include a little league field (60-foot infield) on Parcel C and 14 tennis courts and a tennis pavilion building with restrooms and other amenities on Parcel D. Replacement parkland would also be developed on two surface parking lots (not currently mapped as parkland) at River Avenue and East 157th Street (Parcels 5 and 6 on Figure 4-8), and recreational facilities would be developed at the site of three warehouse buildings and paved areas along Exterior Street within the Bronx Terminal Market (Parcel 8 on Figure 4-8). Additionally, an esplanade would also be developed on paved areas located along the Harlem River waterfront (Parcel 9 on Figure 4-8). Consistent with the preceding analyses, as a result of the development of these new recreational facilities, together with the dedication of the existing Yankee Stadium site as public recreational parkland, the proposed project would comply with the replacement parkland requirements of the State authorizing legislation. *

study area by merging the parcels east of the Major Deegan Expressway with portions of Cromwell Avenue and East 150th and East 151st Streets into one large superblock site. It will alter the streetscape and building uses, bulk and arrangement in this portion of the study area by removing several buildings on the site—namely Buildings B and C of the Bronx Terminal Market and the former Bronx House of Detention—and surface parking lots and vacant parcels, and replacing these uses with new buildings of different uses, design, bulk and configuration. The proposed new retail and garage buildings are planned with very large footprints, with the buildings to be located between Exterior Street, River Avenue, East 150th Street, and the Major Deegan ramp north of the Bronx Terminal Market, measuring approximately 900 feet by 800 feet. Buildings would range from approximately 40 to 100 feet in height. The Gateway Center at Bronx Terminal Market project will retain Building D of the Bronx Terminal Market for adaptive reuse as a retail building.

NYCDPR will construct a new waterfront park on Pier 4 south of the project area. Development of this park would presumably require the demolition of Building F of the Bronx Terminal Market and would dramatically change the urban design of this portion of the study area from one consisting of an industrial and run-down building and pier to one containing a new park anticipated to contain such public amenities as landscaping, benches, and lighting.

Also planned for development in the study area is the expansion of the existing Bronx Emergency Assistance Unit, located at the northwest corner of Walton Avenue and East 151st Street. This will result in the construction of a new 60,000-square-foot facility at that location that would alter the streetscape on Walton Avenue and East 151st Street and alter building bulk and arrangement on the site.

VISUAL RESOURCES

The proposed demolition of the Bronx House of Detention would remove a visual landmark in the south portion of the study area. This will render the Bronx County Courthouse more prominent on the Bronx skyline and alter views from the 145th Street Bridge and the Harlem waterfront to the southern portion of the study area.

Creation of a portion of a new waterfront park south of the project area on Pier 4 between the Harlem River and Exterior Street is expected to create an attractive location along the Bronx waterfront that will provide greenery such as trees and lawns in an area where no vegetation is currently present. It will also provide a new location to view such prominent yet little accessible visual resources as the Harlem River, the bridges that cross it, and the opposite Manhattan shoreline. While it is not expected that this development will be particularly visible from areas in The Bronx due to its visually isolated location west of the elevated Major Deegan Expressway, it will be visible from the 145th Street Bridge and the Harlem waterfront.

E. PROBABLE IMPACTS OF THE PROPOSED PROJECT

PROJECT AREA

URBAN DESIGN

The proposed master plan for the project encompasses three primary elements: (1) a new Yankee Stadium, (2) recreational facilities in Macomb's Dam Park, John Mullaly Park, and in a portion of the Bronx Terminal Market, to replace those to be removed by the proposed project, and

As has been described above, the proposed project would create outdoor recreational facilities and park areas that would provide attractive landscaping elements and that would constitute new visual resources in the project area. Generally, with the exception of the potential loss of mature trees in Macomb's Dam Park, the project area bounded by East 161st Street, River Avenue, East 157th Street, the Macomb's Dam Bridge Approach, and the Major Deegan Expressway would include recreation areas of a comparable visual character as are located there presently. It is expected that the substantial demolition of the existing Yankee Stadium would result in the creation of welcome green areas and public gathering areas in this portion of the project area. The removal of the bleachers seating and the corresponding exterior wall of the existing stadium would allow for the creation of a park that would extend east to River Avenue, providing a new visual resource in this location.

Most prominently, the Harlem River waterfront would be improved through the construction of the baseball fields and landscaped areas in the area of the Bronx Terminal Market and by the proposed new Harlem River esplanade. It is expected that both project elements would create attractive green spaces in an area that presently has no such amenities, and would constitute an inviting green oasis in the neighborhood. These new waterfront open spaces would constitute important new visual resources in an area that currently has a greatly deteriorated, industrial appearance.

It is expected that the proposed stadium itself would constitute a prominent visual landmark in the project area and a visual wayfinder, in a manner similar to the existing stadium.

Views from the Project Area

Views of the Harlem River and its waterfront would be substantially improved through the development of the new recreation areas along the Harlem River and by the new esplanade. These new waterfront areas would substantially augment the open space proposed by NYCDPR south of the project area along the Harlem River, and would provide new locations for the public to enjoy views of the Harlem River, including the bridges that cross it and the opposite Manhattan shoreline.

Views east from within the proposed Yankee Stadium, which presently include the upper stories of the Bronx County Courthouse Building, would be expanded by the removal of the east portion of the existing stadium, including sections of the grandstands, the bleachers seating, and elevator/escalator tower. This would allow for a greater portion of this monumental building to be visible above the elevated subway viaduct on River Avenue.

It is not expected that the Bronx County Courthouse would be visible from within the proposed stadium as it is from the existing stadium, since this structure is located southeast of the proposed stadium site and the lower bleacher seating of the proposed stadium would face northeast. In addition, the existing views of the Bronx County Courthouse from this location would be eliminated. However, the removal of this view would not be expected to result in significant adverse impacts to visual resources. Views to the courthouse from the existing Yankee Stadium site would be expanded, and due to its height and setting on a hill, the Bronx County Courthouse would still remain prominently visible from other locations in the study area.

The development of Parking Garages A and C abutting the Macomb's Dam Bridge Approach to the east and west would, for the most part, eliminate the visibility of this structure at ground level between East 161st Street and the Major Deegan Expressway. A narrow corridor would be formed by the 12-foot-wide setbacks of the garages, allowing for some visibility of the viaduct bridge's truss support and stone piers from East 161st Street. As has been described above,

within the vicinity of the project area or as nearby as possible. These replacement trees would create natural screening and areas of shade for relaxation and passive enjoyment for park visitors and habitat for wildlife.

While active recreational facilities would comprise the majority of the replacement parkland (e.g., tennis courts, basketball courts, handball courts, soccer field, running track, little league, softball and baseball fields), they would be bordered by areas of passive open space to provide screening, shading, and passive recreational opportunities as possible. These areas would be landscaped with trees, shrubs, and herbaceous plants. These landscaped passive recreational areas would benefit wildlife by providing habitat with a diversity at least equal to or greater than currently present within the displaced recreational facilities. The replacement recreational facilities that would be developed atop Parking Garages A and C would incorporate natural soil wells in open areas between the active recreational facilities that would support a sufficient depth of growing media to permit the planting of trees and other vegetation. The new open space areas developed within the recreational facilities on newly mapped parkland, such as the passive open space areas associated with the 5.11-acre Harlem River waterfront park and surrounding Heritage Field at the 8.90-acre site of the existing stadium would provide even greater opportunity for the development of green park landscaping that would provide improved habitat for birds and other wildlife.

Significant adverse impacts would not occur to the floodplain, wetlands, water quality or aquatic biota of the Harlem River, or to the only endangered species with the potential to occur in the vicinity of the project area, the shortnose sturgeon. The proposed Harlem River waterfront park and esplanade, the new parking area north of the waterfront park, and the Yankee Stadium Parking Lots 13A and 13B that would be repaved and restriped are the only portions of the project area within the floodplain. The development of the waterfront park would result in an increase in pervious cover with stormwater retention, which would result in beneficial effects to the floodplain by decreasing stormwater discharges during rainfall events. Improvements to the shoreline stabilization as part of the Harlem River waterfront park design, such as replacement of existing timber crib bulkhead with a softer shoreline stabilization structure (e.g., gabion wall system) that would increase the complexity of the shoreline habitat and establishment of tidal wetland vegetation at the shoreward portion of the coves would improve wetland resources within the project area. Potential impacts to wetlands during construction of the shoreline improvements would be minimized through the implementation of measures identified during the permitting process for these shoreline enhancements by federal and state agencies.

In addition, any effects on water quality resulting from shoreline improvement activities, such as increased suspended sediment and resuspension of contaminated sediment, would be temporary and localized and would not result in significant adverse impacts to aquatic biota. The temporary loss of some benthic habitat and of some macroinvertebrates during replacement of the concrete masonry bulkhead and timber crib bulkhead, and improvement of the riprapped areas, would not result in significant adverse impacts to populations of benthic macroinvertebrates using this portion of the Harlem River, nor would it significantly impact the food supply for fish foraging in the area. Encrusting organisms and benthic macroinvertebrates would be expected to recolonize these areas shortly after construction is completed. The proposed gabion wall system and creation of vegetated tidal wetland habitat as part of the waterfront park design would benefit aquatic resources by increasing the diversity of aquatic habitat for benthic macroinvertebrates and fish within the project area. Because water quality impacts would be limited to the immediate area of activity along the shoreline, which consists of shallow water habitat, adverse impacts would not occur to shortnose sturgeon that may occur in the deeper

activities; Tidal Wetlands permit from New York State Department of Environmental Conservation (NYSDEC); water quality certification from NYSDEC; and Nationwide Permits from the U.S. Army Corps of Engineers (USACOE) for in- or above-water construction activities.

B. EXISTING CONDITIONS

The site of the proposed approximately 5.11-acre Harlem River waterfront park and 0.71-acre esplanade contains two low-scale, partially occupied warehouse buildings (Buildings G and H) that are part of the Bronx Terminal Market (a wholesale food market), paved areas for parking, a portion of Pier 1 for the esplanade, and combined Piers 2 and 3. The proposed parking area south of Pier 1 currently contains an abandoned power house building (Building J) associated with Bronx Terminal Market. The three buildings are in dilapidated condition. Within the project area, the entire shoreline is engineered, primarily with timber crib bulkhead, concrete masonry bulkhead, or riprap. The interpier areas are silted in and water depths are less than 6 feet at mean low water. The Bronx Terminal Market Buildings G, H, and J have been determined eligible for listing on the State and National Registers of Historic Places (see Chapter 6, "Historic Resources"). There are no structures on the piers, which date from the early 1890s. The piers are rundown, adding to the degraded appearance of the project area, and are currently used for delivery truck parking. The piers are not easily accessed, and waterfront views are blocked by trucks, metal fencing, concrete traffic barriers, and the Oak Point Link rail connection on the Harlem River. The Harlem River cannot be viewed from the eastern portion of the project area due to the presence of the elevated Major Deegan Expressway and the existing Bronx Terminal Market buildings. There is little to no landscaping or vegetation within the portion of the project area to be developed as the Harlem River waterfront park, esplanade, and existing Yankee Stadium Parking Lots 13A and 13B that would be repaved, restriped, and extended to the south.

The portion of the project area to be developed as the waterfront park, esplanade, and existing Yankee Stadium Parking Lots 13A and 13B is located in an M2-1 manufacturing district (see Chapter 2, "Land Use, Zoning, and Public Policy"). M2 zoning districts serve as middle ground for light and heavy industrial areas. M1-1, M1-2, M2-1, C4-4, C8-3, R6 and R8 are the predominant zoning districts surrounding the project site.

C. CONSISTENCY OF PROPOSED PROJECT WITH THE WRP POLICIES

Policy 1: Support and facilitate commercial and residential development in areas well-suited to such development.

Policy 1.1: Encourage commercial and residential redevelopment in appropriate coastal zone areas.

The portion of the proposed project within the coastal zone would be developed as a waterfront park, esplanade, and the repaved and restriped Yankee Stadium Parking Lots 13A and 13B and would not be a commercial or residential development. Therefore, this policy does not apply.

Policy 1.2: Encourage non-industrial development that enlivens the waterfront and attracts the public.

pumps; on-site bending jigs, welding machines, and a variety of hand-held tools, in addition to the delivery trucks bringing construction materials to and waste from the site. On average, about 25 to 75 construction workers would be required for this phase on a daily basis for each parking garage. This stage would overlap with the interior finishing and would last about 3 to 6 months.

INTERIOR FINISHING

Minimal interior finishing would be required for the parking garages. This stage would include the installation of lighting fixtures, striping of parking spaces and pedestrian areas, and interior finishes for the garage office and maintenance rooms. Mechanical and electrical work, such as the installation of toll mechanisms, ventilation, and elevators would be accomplished. Mechanical and other interior work would last 1 to 3 months and could overlap with construction of the structure. It is expected that this phase would employ about 25 persons with a greater number expected during phase overlaps. Equipment used during interior construction would likely include hoists, pneumatic equipment, delivery trucks, and a variety of small hand-held tools.

WATERFRONT CONSTRUCTION

A 5.11-acre Harlem River waterfront park would be located on property that currently contains the Bronx Terminal Market Buildings G, H, and J, and Piers 2 and 3. The existing concrete masonry bulkhead would be replaced in kind. The existing timber crib bulkhead in the two interpier/cove areas would be replaced with a stabilization structure to create a softer shoreline, such as a gabion wall system and establishment of tidal wetland vegetation at the shoreward portion of the coves. The existing riprap that lines the remaining portion of the shoreline would be stabilized and improved. The intertidal area is currently littered with debris, which would be removed.

Bulkhead repairs and shoreline stabilization would require cranes, likely mounted on barges, to remove and replace larger riprap stones. In addition, cranes would be required to place the rock-filled gabions. Barges would likely be used for much of the delivery and storage of construction materials, and for the staging of waterfront construction activities, including the riprap. To prevent the potential spillage of bulk items such as sand or concrete into the Harlem River, hopper barges (barges with sides) would be used for bulk materials, rather than open deck barges. To address potential spillage of fuel from the refueling of equipment on barges, construction contracts would specify fuel sumps under the fill valves of equipment during refueling. Containment booms would be used to contain floating materials.

The gabions may be filled and placed from the landward side of the bulkhead. The wire gabion cages on the stones would be stockpiled on shore. Front end loaders would be used to transport stones from the stockpile site to the gabions, where they would be filled with stone. Cranes would then be used to place the gabions in the water. The cranes could be land or barge mounted. Any intertidal planting would be done from the waterside.

PARKLANDS

The new recreational facilities would involve a number of facilities at seven locations within the project area. These are expected to be built under different construction contracts, although the same contractor could be awarded more than one contract. Table 19-3 presents the expected sequencing of the new recreation facilities.