



Comments on the Bally's Ferry Point map amendment
FINAL Environmental Impact Statement
for CEQR No. 24DME011X

To: The New York City Office of the Deputy Mayor for Housing, Economic Development, and Workforce, Lead Agency (hsemel@cityhall.nyc.gov), and to the City Planning Commission.

New York City Planning Commission
Chair, Daniel Gordonick, Chair

June 16, 2025

Kindly accept these comments on the FEIS for the above stated project based on the Response to Comments and the Notice of Completion.

Parkland Alienation and Open Space

Comments 7-11: The absence of a valuation and alienation agreement makes it impossible to verify that projects or funds obtained through it will provide replacement or additional parkland. Continuing fiscal constraints on the DPR budget make it inevitable that parkland alienation will be used if not sought as a replacement funding source.

Comments 12: The breakdown of NYC DOT/Ring Road, NYC DPR-"jurisdiction" property, and Development site acreage in the comments and FEIS is more specific than the Project Description in the DEIS. However, there remains insufficient clarify in the DEIS and FEIS about the "approximately 423,000 sf of landscaping" and whether that is found within the Ring Road right of way or the alienated portion of the golf course. CPC should know the distinction between the respective square footage of built and green space to be alienated. We recommend an Memorandum of Understanding for the management of the alienated 1.45 acre under DPR "jurisdiction" a precondition for approval.

Comments 7-10 and 14: Noting the inconsistency between what the Comments say that CEQR *cannot* provide and what NYC DPR *could* provide in the way of replacement parkland, leaving crucial measure of project impact unmeasured, and mitigation impacts speculative CPC should require, as a condition for approval, first consideration of replacement within Ferry Point Park and with consultation of Bronx Community Board 10. See previous point about alienation as budgetary backfill with respect to stated option for cash payment to DPR..

Stormwater and Sewers

Comment 59: CPC cannot dismiss impact of Development on East River water quality prospective NYS DEC reclassification of NYC waterways. Waterfront development has lowered



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NYC water quality, requiring NYSDEC to propose Use Attainability Analysis that will reduce recreational access and close waterways after storms.

Comments 77-79 and 87: Confirming that the FEIS will list the East River and Westchester Creek are impaired water bodies with existing outfalls and will require appropriate levels of state oversight during and after construction. Clarification needed on who and how volume of stormwater discharge will be restricted and treated under Uniform Stormwater Rules. See

NYSDEC "impaired water body" designation--CPC should recommend that developers seek the highest standard of NYCDEP stormwater mitigation to reach zero stormwater impact.

Comments 85 and 89: Confusion and potential contradiction between requirement to add combined sewer capacity, noted in Comment 85, and plan direct discharge to "existing stormwater sewer" in Comment 89. Need to clarify if the sewer system in question is combined or separate--convoluted and potentially misleading. From the FEIS:

Comments 89-93: FEIS cannot reach determination of wet weather impact on CSO capacity because NYC DEP has not issued sewer connection authorization to Emerson Street combined sewer. We continue to find contradiction between combined sewer management and direct discharge. Comment 92 describes plans for direct discharge of stormwater into waterbodies to prevent CSO, which is not stormwater runoff prevention.

Wastewater Conveyance and Treatment; Stormwater Management

This is a study of the impact of your development on the environment. At this point, the city's waste water system is completely overwhelmed. The impact of a large hotel and casino should be measured against how much the facility will use, and how much it would cost the applicant to provide new utilities. That is the pipes and things from the development to the WRRF. Whether or not there is 66MGD left is not for the applicant to decide -- there are many new projects in the pipe line. Because of these reasons there will be a significant adverse impact on the environment, including not only CSO, but MS4.

If the applicant waits until they are ready for construction to formulate the need for the sewer system, they will have to make their project smaller, or the City will have to get them to pay for the increase in the WRRF. Hiding these facts from the public is not proper in identifying impacts. The statement that "NYCDEP's site connection process would identify if sewer upgrades are required prior to granting approval for the Proposed Development's site connection. Without the site connection, NYCDOB would not issue a building permit or certificate of occupancy." identifies the need.

The same goes for the Stormwater Management on both the new and revised sites for MS4.

Thank you for the careful responses to our testimony and comments submitted pursuant to this CEQR review. In summary, we respect the goals of CEQR compliance but find unanswered



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questions about the crucial issues of parkland replacement and sewer/stormwater management that place the water quality of this fragile shoreline in jeopardy.

We therefore urge CPC to reject the CEQR application or at the least, to use all the discretionary powers and recommendations at its disposal to attach conditions that directly address and rectify the crucial unanswered questions we have raised here.

Respectfully submitted,
Robert Fanuzzi, BCEQ President
Karen Argenti, Water Committee Chair, BCEQ