

**Gateway Center at Bronx Terminal Market
Final Scope for an Environmental Impact Statement
Lead Agency: Office of the Deputy Mayor for
Economic Development and Rebuilding
CEQR #04DME017X
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Gateway Center at Bronx Terminal Market Final Scope for an Environmental Impact Statement

A. PROJECT DESCRIPTION

PROPOSED PROJECT

The Gateway Center at Bronx Terminal Market is a proposed redevelopment of a portion of the current Bronx Terminal Market site, along with the Bronx House of Detention, with a series of retail establishments, a multi-level parking garage and at-grade parking, a hotel, and a public park and waterfront esplanade (the Proposed Project). The Proposed Project would be located in the West Haven neighborhood of the Bronx on Block 2356, Lot 20; Block 2357, Lots 1 and 86; and Block 2539, Lots 2 (part), 32, and 60 (part)—an approximately 26-acre parcel that is bordered by Metro North Rail Road tracks to the north, River Avenue to the east, 149th Street to the south, and the Harlem River to the west (see Figure 1). The Major Deegan Expressway and Exterior Street a/k/a Major Deegan Boulevard (the street under the Expressway) bisect the project site. The parcels east of the Expressway would be merged with portions of 150th and 151st Streets and Cromwell Avenue to form the eastern section of the project site. The Proposed Project would involve the closing of the Bronx Terminal Market and the Bronx House of Detention.

On the eastern side of Exterior Street, beginning at 149th Street and moving north, the Proposed Project would include a series of five 1-story retail buildings of approximately 23,850 gross square foot (gsf) in size—collectively referred to as Retail Building E—with an adjacent surface parking lot of approximately 37 spaces; a 3-story, approximately 512,431 gsf building with 413,644 gsf of retail and 262 parking spaces at the ground floor (Retail Building B/F); a 6-level, approximately 899,723 gsf parking garage* with a capacity of approximately 2,355 spaces and 17,111 gsf of retail on Exterior Street (Retail Building C) and 8,053 gsf of retail on River Avenue (Retail Building D); a 3-story, approximately 468,636 gsf retail building (Retail Building A); and a hotel approximately 217,500 gsf in size, with 250 rooms, a 30,000 gsf banquet facility, and approximately 225 parking spaces (see Figure 1). On the western side of Exterior Street, the Proposed Project would include a public park and waterfront esplanade totaling approximately 2 acres, and a 2-story, approximately 260,934 gsf building with 141,771 gsf of retail and 372 parking spaces at the ground floor (Retail Building G). In total, the project will comprise approximately 2,383,074 gsf of new development on the site, including approximately 1.3 million gsf of new retail uses, 217,500 gsf of hotel uses, and a multi-level parking garage and at-grade parking totalling approximately 3,251 spaces, as well as a new community amenity, the approximately 2-acre public open space and waterfront esplanade. The maximum height of the buildings would be approximately 75 feet above average curb elevation. The project would also include the development of a signage program consistent with a retail

* A not for profit entity will be applying for a special permit for the public parking garage.

development of this size. The project is expected to be complete and operational in 2009, except for the hotel, which would not be completed until 2014.

The project site is currently used for wholesale food markets, a farmer's market, and parking. A portion of the project site is also used seasonally as parking for games at Yankee Stadium. The project site also contains a number of vacant buildings and the Bronx House of Detention, which is currently not housing an inmate population. Building A, one of the vacant buildings on the project site, is in poor condition. Because of the building's condition, the New York City Economic Development Corporation, acting on behalf of the Office of the Deputy Mayor for Economic Development and Rebuilding through prior arrangement with the applicant, is requiring that demolition of this building commence as soon as practicable.

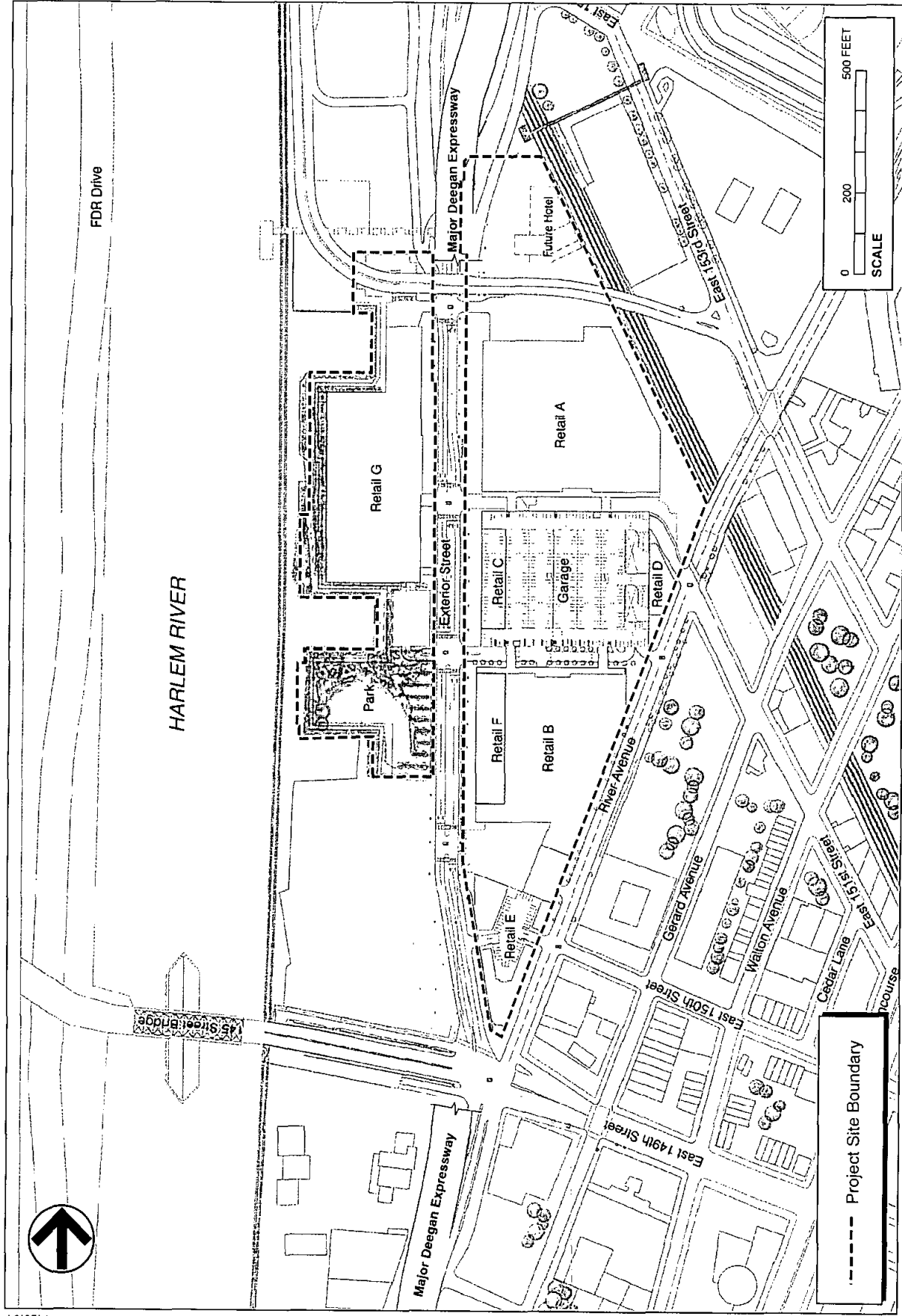
The Proposed Project would support the economic revitalization of the West Haven neighborhood of the Bronx by converting a large underused site into a productive retail use. The Gateway Center at Bronx Terminal Market proposed development would create new employment opportunities for the local residents, and create economic and fiscal benefits to the City in the form of economic revitalization and tax revenue. In addition, the project provides for a new, approximately 2-acre public park and waterfront esplanade, which would serve the surrounding neighborhood and create public access to the Harlem River for recreation and aesthetic enjoyment.

For the purpose of analyzing the potential environmental impacts of the proposed actions described below, this Final Scope of Analyses considers the Proposed Project to be the reasonable worst-case development scenario.

PROPOSED ACTIONS

The Proposed Project involves the disposition of City-owned property (a long-term lease) to a private developer. Disposition will require approval through the Uniform Land Use Review Procedure (ULURP) under City Charter Section 197(c) and separate Borough Board and Mayoral approval pursuant to City Charter Section 384(b)(4). In addition, a number of discretionary actions will be required, as follows:

- A zoning map amendment from M2-1 to C4-4;
- A General Large-Scale District will be declared and several special permits will be required, including:
 - A special permit pursuant to ZR Section 74-743 for bulk modifications for height, setback, and yards;
 - A special permit under ZR Section 74-512 to permit a public parking garage in excess of 150 spaces;
 - A special permit under ZR Section 74-53 to permit an increase in accessory parking above that permitted by the Zoning Resolution; and
 - A special permit under ZR Section 74-744 for signs not otherwise permitted under the Zoning Resolution;
- Waivers and modifications of the waterfront regulations will be required as follows:
 - A special permit under ZR Section 62-736 for bulk waivers on waterfront blocks;
 - Authorization under ZR Section 62-722 for modification of public access and visual corridors; and
 - Certification for a zoning lot subdivision under ZR Section 62-712;
- Elimination of portions of the following City streets will be required:



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Figure 1
Site Plan

BRONX TERMINAL MARKET

- East 150th Street between River Avenue and Exterior Street;
- East 151st Street between River and Cromwell Avenues; and
- Cromwell Avenue between Exterior Street and the Metro North Rail Road Tracks.

In addition to the above, the project sponsor will seek financing for the Proposed Project from the New York City Industrial Development Agency (NYCIDA). The project is expected to qualify for inclusion in the Brownfield Cleanup Program of the New York State Department of Environmental Conservation (NYSDEC), and an application to participate in that program has been submitted to NYSDEC. The project may require a NYSDEC State Pollution Discharge Elimination System (SPDES) permit for stormwater discharges associated with construction activities; however, it will not require a SPDES permit for operations, as all wastewater will be discharged through the New York City Department of Environmental Protection's (NYCDEP) permitted sewer system. The project may also require NYCDEP permits for de-watering activities associated with construction. The project will require a Tidal Wetlands permit from NYSDEC, and may also require a Protection of Waters permit and water quality certification from NYSDEC and a permit from the U.S. Army Corps of Engineers (USACOE) for shoreline-related work. The Proposed Project is within the boundaries of the coastal zone and will require a NYSDOS determination of consistency with New York City's Local Waterfront Revitalization Program. The project may also involve a land transfer from the New York State Department of Transportation (NYSDOT) to New York City, and a revocable consent for utility lines underneath Exterior Street. The potential widening of the 149th Street exit ramp from the Major Deegan Highway may require approval from the Federal Highway Administration.

As described below, the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) recently determined that several buildings on the project site are eligible for listing on the State and National Registers of Historic Places. The buildings determined eligible for listing on the Registers are the Bronx House of Detention and the buildings of the Bronx Terminal Market, with the exception of Building A, the 6-story refrigerated warehouse building. Because the Proposed Project will involve discretionary actions by a federal agency, it will include a review under Section 106 of the National Historic Preservation Act of 1966 (NHPA), as implemented by federal regulations appearing at 36 Code of Federal Regulations (CFR) Part 800. Because the Proposed Project may involve a discretionary action by the FHWA, the EIS may also include an evaluation under Section 4(f) of the Department of Transportation Act of 1966.

B. CITY ENVIRONMENTAL QUALITY REVIEW

Because the Proposed Project requires discretionary approvals from the New York City Planning Commission (CPC), it is subject to City Environmental Quality Review (CEQR) as well as the New York State Environmental Quality Review Act (SEQRA). The Proposed Project also requires discretionary approvals from the New York City Industrial Development Agency and the New York State Department of Environmental Conservation, and thus is also subject to SEQRA. The Office of the Deputy Mayor for Economic Development and Rebuilding is the CEQR lead agency for the Proposed Project and is expected to be the SEQRA lead agency, and thus the lead agency for the overall CEQR/SEQRA process. As described in the EAS, the Proposed Project may potentially result in significant adverse environmental impacts, particularly in the areas of neighborhood character, traffic, and air quality, requiring that an Environmental Impact Statement (EIS) be prepared.

SCOPING

Scoping is the first step in EIS preparation and provides an early opportunity for the public and other agencies to be involved in the EIS process. It is intended to determine the range of issues and considerations to be evaluated in the EIS. This EIS scope has therefore been prepared to describe the proposed actions, outline a reasonable worst-case development scenario, present the proposed content of the EIS, and discuss the analytical procedures to be followed.

A public scoping meeting was held on September 9, 2004 at 6:00 pm at the Bronx Borough President's Office, 198 East 161st Street, 2nd Floor, Bronx, New York. The period for submitting written comments remained open until September 20, 2004, 10 days after the close of the scoping meeting. The final Scope of Analyses for an EIS incorporates all relevant comments made on the scope and revises the extent or methodologies of the studies, as appropriate, in response to comments made during scoping. The Draft EIS will be prepared in accordance with the final Scope of Analyses for an EIS.

C. PROPOSED SCOPE OF THE ENVIRONMENTAL IMPACT STATEMENT

The EIS will be prepared in conformance with all applicable laws and regulations, including SEQRA (Article 8 of the New York State Environmental Conservation Law) and its implementing regulations found at 6 NYCRR Part 617, New York City Executive Order No. 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review (CEQR), found at Title 62, Chapter 5 of the Rules of the City of New York. The EIS will follow the guidance of the *CEQR Technical Manual*, dated October 2001.

The EIS will contain:

- A description of the proposed action and its environmental setting;
- A statement of the environmental impacts of the proposed action, including its short- and long-term effects and typical associated environmental effects;
- An identification of any adverse environmental effects that cannot be avoided if the project is implemented;
- A discussion of reasonable alternatives to the proposed action;
- An identification of irreversible and irretrievable commitments of resources that would be involved in the proposed action should it be implemented; and
- A description of mitigation proposed to minimize any significant adverse environmental impacts.

The analysis of the potential impacts of the Proposed Project will be performed for two build years: 2009, when construction of the project is expected to largely be in place with completion of the retail development, parking, public park and waterfront esplanade, and 2014, when construction of the hotel will be complete. The analysis will include the cumulative impacts of other projects that would affect conditions in the study area, including any development plans related to Yankee Stadium or potential improvements to Metro North service to the study area expected to be completed within the timeframes analyzed in this EIS. The specific tasks are described below.

TASK 1: PROJECT DESCRIPTION

The first chapter of the EIS introduces the reader to the project and sets the context in which to assess impacts. The chapter will contain a project identification (brief description and location of the proposed Gateway Center at Bronx Terminal Market project); description of current uses of the site; the background and/or history of prior development proposals; a statement of purpose and need for the proposed actions; a detailed description of the proposed actions necessary to achieve the project; a description of the development program and project siting and design; and a discussion of approvals required, procedures to be followed, and the role of the EIS in the process. The chapter is the key to understanding the Proposed Project and its impacts, and gives the public and decision-makers a base from which to evaluate the project against both the Build and the No Build options.

The project description will consist of a discussion of key project elements, such as land use plans, site plans and elevations, access and circulation, and other project commitments. The section on required approvals will describe all public actions required to develop the project.

The role of public agencies and public benefit corporations, such as NYCEDC and the New York City Department of City Planning (NYCDCP), in the approval process will also be described. The role of the EIS as a full disclosure document to aid in decision-making will be identified, and its relationship to any other approval procedures will be described.

TASK 2: LAND USE, ZONING, AND PUBLIC POLICY

As described in the EAS, the project site is currently used for wholesale food markets, a farmer's market (on weekdays), and parking. A portion of the project site is used seasonally as parking for games at Yankee Stadium. The project site also contains a number of vacant buildings and the Bronx House of Detention, which is currently not housing an inmate population. The zoning of the project site is M2-1. The area surrounding the project site is bounded by the Harlem River to the west and includes Macombs Dam Park, Yankee Stadium, and the Metro North Rail Road tracks to the north; small residential areas, gas stations, storage facilities, and the Bronx General Post Office to the east; and Hostos Community College, Hostos Lincoln Academy, storage and manufacturing facilities, and the 145th Street Bridge to the south. The zoning districts in the surrounding area include manufacturing, commercial, and residential districts, specifically M1-1, M2-1, C4-4, C8-3, R6, and R8.

According to the *City Environmental Quality Review (CEQR) Technical Manual*, a detailed assessment of land use, zoning, and public policy is appropriate if an action would be expected to result in a significant change in land use. The Proposed Project would require a number of discretionary actions, including the disposition of a 26-acre parcel of land (a long-term lease); rezoning the site from M2-1 to C4-4; modification of the City Map; the declaration of a General Large-Scale District and special permits to modify the site's underlying bulk regulations and parking requirements, to permit a public parking garage in excess of 150 spaces, and to provide for signs not otherwise permitted under the Zoning Resolution; and a waterfront authorization. The Proposed Project would develop the existing industrial waterfront site with more than one million square feet of new commercial retail space; approximately 3,251 parking spaces; a hotel approximately 217,500 gsf in size, with approximately 250 rooms and a banquet facility of approximately 30,000 gsf; and a public park and waterfront esplanade totaling approximately 2 acres. This development would displace the current uses on the site. These actions and the

anticipated development would result in a major change in land use and zoning on the project site, and therefore warrant a detailed assessment. The EIS will:

- A. Provide a brief development history of the project site and surrounding area, including a discussion of previous proposals for the site and study area. Describe conditions on the project site, including the current use of the Bronx Terminal Market and the Bronx House of Detention and the underlying zoning. For the purpose of environmental analysis, the land use study area will extend approximately ¼-mile from the borders of the project site.
- B. Describe predominant land use patterns, including a description of recent development trends. Existing land use patterns will be highlighted.
- C. Describe the existing zoning and recent zoning actions in the study area.
- D. Describe other public policies that apply to the project site and the study area, including specific development projects and plans for public improvements. Discuss the status of any development plans related to Yankee Stadium or potential improvements to Metro-North service to the study area expected to be completed within the timeframes analyzed in this EIS.
- E. Prepare a list of future projects in the study area and describe how these projects might affect land use patterns and development trends in the study area in the future without the project. Also, identify pending zoning actions (including those associated with the proposed No Build projects) or other public policy actions that could affect land use patterns and trends in the study area as they relate to the Proposed Project.
- F. Assess impacts of the Proposed Project on land use and land use trends, zoning, and public policy. Discuss potential changes associated with the addition of this large-scale retail and hotel development to the area.

TASK 3: SOCIOECONOMIC CONDITIONS

Socioeconomic impacts may occur when a proposed action would directly or indirectly change economic activities in an area. The purpose of the socioeconomic assessment is to disclose changes that would be created by the proposed action and identify whether they rise to a significant level. The *CEQR Technical Manual* provides guidelines to determine whether a socioeconomic assessment is appropriate. Typically a socioeconomic assessment is required if a proposed action meets one or more of the following tests: (a) the action would directly displace residential population so that the socioeconomic profile of the neighborhood would be substantially altered; (b) the action would displace substantial numbers of businesses or employees, or would displace a business that plays a critical role in the community; (c) the action would result in substantial new development that is markedly different from existing uses in a neighborhood.

As described above, the project site is currently used for wholesale food markets, a farmer's market, and parking, including seasonal parking for games at Yankee Stadium. These uses would be displaced by the Proposed Project. The project would also displace the Bronx House of Detention, which is currently not housing an inmate population. These uses would be replaced by retail, hotel, and parking uses, which could have indirect displacement effects on the surrounding area. The direct displacement of the wholesale food markets could also affect economic conditions in that industry. According to the *CEQR Technical Manual*, a commercial

development of 200,000 square feet or more might result in significant socioeconomic impacts. As the Proposed Project would create more than one million square feet of retail, it could result in significant socioeconomic impacts, particularly direct and indirect displacement impacts. Therefore, a detailed socioeconomic conditions analysis is required.

As recommended in the *CEQR Technical Manual*, the preliminary socioeconomic assessment will consider the potential for: (a) direct residential displacement; (b) direct business and institutional displacement; (c) indirect residential displacement; (d) indirect business and institutional displacement; and (e) adverse effects on specific industries. The proposed development would displace the current uses on the site. Therefore, a detailed analysis of the socioeconomic effects of direct displacement will be provided. The Proposed Project would introduce a substantial amount of new retail commercial activity to the area, which may have the potential to affect existing commercial retail establishments. Therefore, a detailed analysis of the socioeconomic effects of indirect business displacement will be provided.

Direct Displacement

The analysis of direct business displacement will:

- A. Identify the businesses that would be displaced, including a description of the type of business, and estimate of the number of employees;
- B. Determine if any of the businesses to be displaced are a defining element of the character of the study area, or if they have an important economic value to the City;
- C. Assess whether the businesses to be displaced would be able to relocate within the study area or elsewhere in the City, such as the Hunts Point Terminal Market;
- D. Identify any possible relocation resources;
- E. Assess conditions on the site in the future without the Proposed Project; and
- F. Describe the likely effects on businesses to be displaced, and on the character of the study area.

Indirect Business Displacement

The analysis of indirect business displacement will determine the potential for significant adverse impacts with respect to indirect business displacement. The approach to analyzing the potential for indirect business displacement is based on an assessment of the demand for retail space by retail sector, comparing it to the available and future supply of retail space by retail sector, and presenting a quantitative analysis of existing versus potential expenditures. The analysis will:

- G. Present general data on the retail environment in New York City and Bronx County, including trends in overall retail and department store sales, retail trade employment, and comparisons with other general retail statistics.
- H. Provide a description of the project's anticipated retail uses. This description will be based on the anticipated stores, and for the remaining space, a projected retail mix will be established that will enable evaluation of the potential consequences of the retail program.

- I. Establish a trade area for the Proposed Project. Based on the nature and size of tenants that have committed to or are likely to occupy the proposed retail space, establish a reasonable primary trade area for the project.
- J. Develop a demographic profile of the trade area to estimate retail demand. Conduct a demographic analysis of the population within the study area using Census data. This analysis will include a delineation of population, household, income, auto-ownership, and other characteristics. Income data will be adjusted to current dollars using the consumer price index for the New York area. Research household spending expenditure potential found in the trade area for the range of goods likely to be offered at the proposed retail center. Based on these data, estimate retail demand by retail sector for the study area population. Assess the retail environment of the trade area in terms of the proportion of retail expenditure potential being captured by the current retail supply.
- K. Develop a profile of the retail uses in the trade area. Within the study area, conduct land use inventories of retail uses and concentrations of such uses, categorized by the retail sectors they currently serve. Supplement retail surveys with discussions with local merchants, business groups, and/or planning and economic development officials to obtain a more complete picture of the retail market conditions and trends. Retail sales in the trade area will be estimated from on-line national planning data services, such as Claritas, Inc.
- L. Estimate sales of comparable goods at existing retail facilities in the trade area, and estimate the percentage of trade area expenditures captured by the existing retail inventory.
- M. Identify changes that may be expected in the future without the Proposed Project. Identify any large-scale projects within the trade area that could be expected to increase the population and expenditure potential of the trade area or any proposals for other large-scale retail developments. This information will be developed in conjunction with the Bronx office of DCP and with other relevant public agencies.
- N. Establish the future with the proposed action conditions by applying relevant sales per square foot from published sources, such as *Dollars & Cents of Shopping Centers* (ULI) and *Chain Store Age*, to square footage data for the Proposed Project. This scenario will be presented in the same format as that for the No Build condition.
- O. Assess the potential for impacts. Conduct an analysis of the demand (expenditures) versus the supply (sales) within appropriate retail sectors, and assess impacts on major existing retail anchors or groups of stores that serve as an anchor for neighborhood shopping. If, in the future with the Proposed Project, the retail supply is significantly greater than the analyzed demand, the analysis would then assess the potential for the Proposed Project to affect neighborhood character in the vicinity of major retail concentrations.

Economic Benefits

- P. Additional economic effects can be expected from the project's proposed retail and hotel components, including new permanent jobs, sales tax revenues for the City and state, and hotel occupancy tax for the city. The analysis will also assess the benefits of the Proposed Project in terms of employment, total effect on the local economy, and tax revenues realized by the City and state during the construction and operation of the retail

space. Overall economic activity associated with future uses will be estimated using the RIMS II model from the U.S. Department of Commerce, Bureau of Economic Activity.

TASK 4: COMMUNITY FACILITIES AND SERVICES

Community facilities are public or publicly-funded facilities such as schools, hospitals, libraries, day care centers, and fire and police protection. As the Proposed Project would not involve the creation of any new residential units, it does not meet the thresholds recommended in the *CEQR Technical Manual* for preliminary analysis of public schools, libraries, health care facilities, or day care centers. In addition, it would not involve the direct displacement of any fire or police facilities, and therefore would not meet the thresholds for preliminary analysis of these services. However, the project would physically displace a New York City Department of Correction facility, the Bronx House of Detention, which is currently not housing an inmate population. Therefore, the analysis will consider the potential impact of this displacement on community facilities.

TASK 5: OPEN SPACE AND RECREATIONAL FACILITIES

The project area does not currently contain any public open space. Therefore, the Proposed Project would not be expected to have a direct effect on open space or recreational facilities. However, it would provide new public open space in the form of a public park and waterfront esplanade along the Harlem River, and it would bring new shoppers, visitors, and workers to the area. As described in the EAS, the *CEQR Technical Manual* recommends a detailed assessment of a project's effects on open space if a proposed action is expected to generate more than 500 employees, or a similar substantial number of other users. Given that the project will create more than one million square feet of retail, in addition to other uses, it is expected to generate more than 500 employees as well as a larger number of shoppers and visitors. Therefore, the Proposed Project will have an effect on the utilization of open space and recreational facilities in the surrounding area, and on the new public park to be created. A detailed assessment of the project's effect on open space will be provided. This analysis will determine whether the Proposed Project will affect the quantitative and qualitative measures of open space adequacy within the 1/4-mile study area recommended for commercial projects in the *CEQR Technical Manual*. The open space analysis will:

- A. Inventory existing open space and recreational facilities within a 1/4-mile radius of the project site. Tally open space acreage for passive, publicly-accessible recreational facilities.
- B. Estimate employment in the open space study area using reverse journey-to-work data.
- C. In conformance with *CEQR Technical Manual* methodologies, assess the adequacy of existing publicly-accessible open space facilities.
- D. Assess expected changes in future levels of open space supply and demand in the Build years based on other planned development projects within the study area and public open space expected to be developed. Develop open space ratios for future conditions and compare them with existing ratios to determine changes in future levels of adequacy.

- E. Based on the worker population added by the Proposed Project and the public park provided as part of the development, assess the project's effects on open space supply and demand. The assessment of project impacts will be based on a comparison of open space ratios with the project for the worker population only, as well as for the combined worker and residential populations, and open space ratios in the future without the project.

TASK 6: SHADOWS

The Proposed Project would create a new public park and waterfront esplanade on a portion of the project site adjacent to the Harlem River. As described in the EAS, the *CEQR Technical Manual* guidelines indicate that an action could have shadows impacts if the proposed development would be more than 50 feet in height. The buildings to be developed on the project site would be up to 75 feet above average curb elevation in height, which is taller than the mainly 2-story buildings that currently exist on the project site. In addition, signage for the retail tenants would be created above the proposed buildings. Therefore, shadows from the Proposed Project would be greater than the shadows from the existing structures, and the shadows-related impact on surrounding resources—such as Macombs Dam Park and the new public park and waterfront esplanade to be created—needs to be assessed. The analysis performed for this task will follow the methodology recommended in the *CEQR Technical Manual*, and focus on the relation between the Proposed Project's incremental shadow and any sun-sensitive landscape elements or activities. The analysis will:

- A. Identify sun-sensitive landscape elements and activities in the public open spaces within the path of the Proposed Project's shadows. Map and describe any sun-sensitive areas in coordination with an open space survey of the existing public open spaces.
- B. Prepare shadows diagrams up to two times for the four analysis days, March 21, May 6, June 21, and December 21. Diagrams will differentiate between the shadows increment created by the project and shadows from other structures.
- C. Calculate the hours that the project's shadows will fall on the open space on the analysis dates. Determine whether the project's shadows will fall on sun-sensitive uses or vegetation. Describe the duration of the shadows on such uses and the percent coverage for each of the analysis dates.
- D. If sun-sensitive vegetation or activity areas will be covered by the project's shadows for a significant amount of time, calculate the duration of the project's shadows on the sensitive use and compare it with the existing amount of sunlight on these areas.

TASK 7: HISTORIC AND ARCHAEOLOGICAL RESOURCES

The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) has recently determined that several buildings on the project site are eligible for listing on the State and National Registers of Historic Places. The buildings determined eligible for listing on the Registers are the Bronx House of Detention and the buildings of the Bronx Terminal Market, with the exception of Building A, the 6-story refrigerated warehouse building. The Bronx House of Detention was determined eligible under Criterion C, as an outstanding example of WPA-era architecture. The buildings of the Bronx Terminal Market were determined eligible under Criteria A and C, for their association with the commercial, political, and social history of New

York City and as an intact example of a terminal market plan. The determinations of eligibility are included as Appendix B.

There are several known historic resources—properties listed on or determined eligible for listing on the State and National Registers of Historic Places (S/NR, S/NR-eligible), or properties designated or pending designation as New York City Landmarks or Historic Districts (NYCL, NYCHD)—in the area surrounding the project site, including the Macombs Dam Bridge and 155th Street Viaduct over the Harlem River, which is a New York City Landmark and has been determined eligible for listing on the State and National Registers of Historic Places; and Public School 31, located at 425 Grand Concourse, which is a New York City Landmark. The area surrounding the project site may also contain potential historic resources. As the Proposed Project would result in the demolition of the existing buildings on the project site and the construction of new buildings, which could affect known or potential historic resources on the project site or in the surrounding area, a detailed assessment of historic resources will be provided as per the guidelines of the *CEQR Technical Manual*.

Portions of the project site have already been either created by landfill in the late 19th century or disturbed through the construction of buildings/bulkheads on the site. However, the full extent of historic disturbances across the site is unclear. Since the Proposed Project would result in subsurface disturbance on the project site and the extent of historic fill and disturbance episodes in this area is unclear, the *CEQR Technical Manual* guidelines recommend a detailed assessment of archaeological resources. OPRHP has determined that a Stage 1A Archaeological Assessment will be required to assess the potential for the project site to contain undisturbed archaeological resources.

The historic resources analysis will:

- A. In concurrence with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) and New York City Landmarks Preservation Commission (LPC), prepare a Stage 1A Archaeological Assessment to assess the potential for the project site to contain undisturbed archaeological resources, identify categories of resources that may be present and their potential to remain undisturbed on the site. Summarize the conclusions of the Stage 1A Archaeological Assessment in the EIS.
- B. Determine through research if any of the buildings on the project site meet criteria for NYCL designation. Prepare Historic Resource Inventory Forms (“blue forms”) for properties that appear to meet NYCL eligibility criteria for submission to LPC for determinations of eligibility.
- C. Map and briefly describe known architectural resources within 400 feet of the project site. These comprise New York City Landmarks and Historic Districts, properties pending NYCL designation, and properties and districts listed or determined eligible for listing on the State and National Registers of Historic Places, including National Historic Landmarks (NHLs).
- D. Field survey the study area to determine whether there are any potential architectural resources that could be impacted by the proposed action. Potential architectural resources comprise properties that appear eligible for listing on the S/NR and/or designation as a NYCL or NYCHD. Map and briefly describe any potential architectural resources. Prepare Historic Resource Inventory Forms (“blue forms”) for properties that

appear to meet S/NR and/or NYCL eligibility criteria for submission to OPRHP and LPC for determinations of eligibility.

- E. Describe the potential for any changes in the study area and its architectural and archaeological resources in the future without the proposed actions.
- F. Assess the project's impacts on any known or potential architectural resources, including visual and contextual impacts as well as any direct physical impacts. Assess any direct physical impacts of the Proposed Project on architectural and archaeological resources. In conjunction with the urban design task and the traffic task, assess the project's potential to result in any visual and contextual impacts on architectural resources.
- G. If applicable, develop mitigation measures to avoid any adverse effects on architectural resources in consultation with OPRHP and LPC.

TASK 8: URBAN DESIGN AND VISUAL RESOURCES

As described in the EAS, the Proposed Project would alter the appearance of the project site by replacing the existing low-scale industrial buildings and the Bronx House of Detention with a series of retail establishments, a multi-level parking garage, a hotel, and a public park and waterfront esplanade. It would also eliminate East 150th Street between River Avenue and Exterior Street, East 151st Street between River and Cromwell Avenues, and Cromwell Avenue between Exterior Street and the Metro North Rail Road Tracks. The Proposed Project would develop a signage program consistent with a retail development of this size. The project would require special permits for bulk modifications for height, setback, and yards, and a special permit for bulk waivers on waterfront blocks. As described in the EAS, the *CEQR Technical Manual* recommends a detailed assessment of urban design and visual resources when a proposed action would demap an active street, would change block form, or would result in structures substantially different in height, bulk, size, scale, use or arrangement than what exists. The Proposed Project meets this threshold for analysis, and therefore would be expected to affect the urban design character of the site and of the surrounding area. Therefore, this analysis will consider the effects of the Proposed Project on the character of the surrounding area. The urban design and visual resources analysis will:

- A. Based on field visits, describe the site and the urban design and visual resources of the surrounding area, using photographs and text as appropriate. The study area for urban design and visual resources will be 400 feet from the boundary of the project site; however, the analysis will also consider views across the Harlem River from Manhattan. A description of existing natural features, block forms, streetscape elements, street patterns and street hierarchy, as well as building bulk, use, type, and arrangement of the study area will be included as per the *CEQR Technical Manual*. A description of visual resources in the area will also be provided.
- B. Based on planned development projects, describe the changes expected in the urban design and visual character of the study area that are expected in the future without the project.
- C. Assess the changes in urban design characteristics and visual resources that are expected to result from the project on the project site and in the study area and evaluate the significance of the change.

TASK 9: NEIGHBORHOOD CHARACTER

The character of a neighborhood is established by numerous factors, including land use patterns, the characteristics of its population and economic activities, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include noise levels, traffic, and pedestrian patterns. As described in the EAS, the *CEQR Technical Manual* recommends a detailed assessment of neighborhood character if a proposed action could: substantially change land use character; result in substantially different building bulk, form, size, scale, or arrangement; result in substantially different block form, street pattern, or street hierarchy; create a substantial addition to employment or businesses; or create substantial changes in the character of businesses. The identification of significant adverse impacts in the areas of land use, urban design, visual resources, historic resources, socioeconomic conditions, traffic, or noise could also warrant a detailed analysis of neighborhood character.

By replacing a wholesale food market with a major new retail development, the Proposed Project would represent a dramatic change in the land use, building bulk and scale, and street patterns of the project site, and thus would be expected to affect the character of the surrounding West Haven neighborhood. It would also result in a substantial increase in employment in the area, and would create a large amount of retail space, which would represent a change from the predominantly wholesale character of the businesses currently on the project site. Therefore, the Proposed Project could have neighborhood character impacts, and a detailed analysis of neighborhood character will be prepared. Therefore, the EIS analysis will:

- A. Based on the other EIS sections, summarize the predominant factors that contribute to defining the character of the neighborhood.
- B. Based on planned development projects, public policy initiatives, and planned public improvements, describe changes that can be expected in the character of the neighborhood in the future without the project.
- C. Assess and summarize the project's impact on neighborhood character.

TASK 10: NATURAL RESOURCES AND WATER QUALITY

The purpose of the Natural Resources and Water Quality chapter is to assess potential effects of the Proposed Project on natural resources within the project area, such as birds, small mammals, and other terrestrial animals, terrestrial plants, wetlands, fish, benthic invertebrates and other aquatic organisms, and threatened, endangered, or other sensitive species and their associated habitats within the project area. The project site is located on the east side of the Harlem River north of 149th Street. The existing natural resources within the project vicinity may include aquatic organisms, terrestrial organisms, threatened, endangered, or other sensitive species, and their associated habitats, such as wetlands and uplands. As described above, the *CEQR Technical Manual* recommends a detailed assessment of natural resources if the site of a proposed action is near or contiguous to natural resources and activities associated with the proposed action would disturb those resources, either directly or indirectly. Because the project site is located on the Harlem River waterfront and the project would involve shoreline construction, the Proposed Project may have the potential to result in short-term effects on natural resources and/or water quality during construction, and potential long-term effects during operations. Therefore, a detailed assessment of natural resources and water quality is warranted.

The description of existing conditions will be based on sources, such as the *New York-New Jersey Harbor Estuary Program*, NYSDEC, and the New York City Department of Environmental Protection (NYCDEP). Issues specific to water quality include the effect of storm water runoff during and after construction and possible increases in suspended sediment and sediment contaminants during in-water construction activities. The assessment will:

NATURAL RESOURCES

- A. Describe the existing terrestrial and aquatic resources on the project site and in the vicinity based on existing information on the river's aquatic organisms prepared by the U.S. Fish and Wildlife Service, NYSDEC, NYCDEP, and other sources. Contact the New York State Heritage Program (NYSHP) to determine if there is the potential for threatened, endangered, or other sensitive species to occur within the project area.
- B. Identify and briefly describe the city, state, and federal regulatory programs that would apply to the Proposed Project; and describe those planktonic, fish and benthic resources within the Harlem River that may be impacted by the proposed in-water activities.
- C. Assess the future conditions for the natural resources within the project area without the Proposed Project.
- D. Assess the potential effects of the project to the aquatic and terrestrial biota within the project area. Identify from a generic perspective, any potential planting features that can be incorporated into the project design to improve potential upland habitat for terrestrial resources such as birds and butterflies.

WATER QUALITY

- E. Summarize the existing water quality and sediment conditions within the project area based on published data.
- F. Assess the future conditions for water and sediment quality within the project area without the Proposed Project.
- G. Assess the potential effects of the Proposed Project on water quality within the project area. The assessment will consider potential water quality effects from storm water runoff derived from the Proposed Project. This assessment will consider both potential construction and project operational effects.
- H. Assess sediment quality that would be potentially affected by any in-water construction and the potential for adverse effects on aquatic biota.
- I. Develop mitigation measures to minimize any significant effects to water quality.

TASK 11: HAZARDOUS MATERIALS

As described in the EAS, a draft Phase I and Phase II Environmental Site Assessment (ESA) Report has been prepared for the project site. The executive summary of the report was included as Attachment A of the EAS for the Proposed Project. As described in this report, historical on-site operations included a foundry, coal yards, rail yards, a fireproofing manufacturing facility, an electric power generation plant, an asphalt paving company, toy and refrigerator manufacturing, a New York City Department of Sanitation facility, fuel oil storage, and the Bronx House of Detention. Adjacent and upgradient to the site are service stations, garages, and

maintenance facilities where underground gasoline oil tanks are indicated, and a ConEd auto and machine repair garage.

The project site also contains 11 closed in-place storage tanks, four active fuel oil underground storage tanks, an underground oil storage tank, an abandoned aboveground storage tank, and the remains of a concrete vault which may contain an underground storage tank. The report also recommended further investigation to identify any additional underground storage tanks that may exist on the site.

Given the location of the market on the Harlem River, it was likely constructed on fill material of unknown origin. The historical on- and off-site uses and conditions indicate the potential for adverse impacts related to hazardous materials. The Proposed Project is the subject of an application to participate in the Brownfield Cleanup Program of the New York State Department of Environmental Conservation. For these reasons, a detailed hazardous materials analysis is warranted.

The hazardous materials chapter for the EIS will include a detailed discussion of current environmental conditions on the project site and will examine how the proposed action will affect these conditions. The discussion of current environmental conditions will rely on information provided in the Phase I and Phase II ESAs that have been prepared for the project site. The hazardous materials chapter will include a discussion of the Proposed Project's potential to result in significant adverse hazardous materials impacts and will include a description of any mitigation measures that would be necessary to avoid significant impacts.

Proposed demolition and construction activities may also involve disturbance of surfaces with lead-based paint and asbestos contaminated material. The handling and remediation of lead and asbestos will be handled in accordance with all applicable rules and regulations of the City, State, and Federal governments.

The chapter will include a description of the draft Remedial Action Plan (RAP) to be developed for the site, to be submitted to NYCDEP and NYSDEC for their review and approval. This plan will include remedial actions to be performed before, during, and following construction of the Proposed Project. Once it has been approved, NYSDEC will monitor its implementation in accordance with the terms of the Brownfields Cleanup Agreement.

TASK 12: WATERFRONT REVITALIZATION PROGRAM

The project site is located along the eastern edge of the Harlem River in the Bronx, and thus is within the State and City's Coastal Zone. Therefore, the Proposed Project must be assessed for its consistency with the City's Local Waterfront Revitalization Program (LWRP). An LWRP consisting of 10 policies was approved by New York State Department of State in May 2002 and concurred by the United States Department of Commerce in August 2002. These policies are used as the basis for evaluation of discretionary actions within the city's designated Coastal Zone. This analysis will review the 10 policies and assess, where applicable, the general consistency of the Proposed Project with the policies. The New York City Waterfront Revitalization Program's Consistency Assessment Form (CAF) was prepared as Attachment B of the EAS for the Proposed Project. As noted on the CAF, the analysis will particularly consider the Proposed Project's consistency with Policies 1, 1.1, 1.2, 2, 2.3, 3.2, 4.2, 4.3, 5.1, 5.2, 5.3, 5.4, 7.2, 7.3, 8.3, 8.4, 9.1, and 10.

TASK 13: INFRASTRUCTURE, SOLID WASTE, AND ENERGY

As described in the *CEQR Technical Manual*, because of the size of the City's water supply system and because the City is committed to maintaining adequate water supply and pressure for all users, few actions would have the potential to result in significant adverse impact on the water supply system. Similarly, an evaluation of potential solid waste or energy impacts is not generally necessary unless a project is unusually large. Therefore, although the Proposed Project's retail, hotel, and parking uses may increase the demand on water supply and energy, and increase the generation of stormwater, sewage, and solid waste, it would not be expected to create an adverse impact on these services. However, as recommended by the *CEQR Technical Manual*, the project's potential demand on water supply and energy and potential generation of stormwater, sewage, and solid waste will be disclosed.

WATER SUPPLY

- A. The existing water supply system will be described, and any planned changes to the system will be discussed. Average and peak water demand for the Proposed Project will be projected. The effects of the incremental demand on the system will be assessed to determine if there is sufficient capacity to maintain adequate supply and pressure.

STORM WATER

- B. Describe the existing storm water drainage system on the project site and amount of storm water generated by the site.
- C. Describe the Proposed Project's storm water plan, including the method of discharge and the proposed drainage area. Assess future storm water generation from the Proposed Project and assess its potential for impacts.

SEWAGE

- D. The existing sewer system serving the development site will be described based on information obtained from NYCDEP. The existing flows to the water pollution control plant (WPCP) that serves the site will be obtained for the latest 12-month period. The average monthly flow rate will be presented.
- E. Sanitary sewage generation for the project will be estimated. The effects of the incremental demand on the system will be assessed to determine if there will be any impact on operations of the WPCP.

SOLID WASTE

- F. Existing and future New York City solid waste disposal practices will be described, including the collection system and status of landfilling, recycling, and other disposal methods.
- G. The impacts of the project's solid waste generation on the City's collection needs and disposal capacity will be assessed.

ENERGY

- H. The energy systems that would supply the project with electricity and/or natural gas will be described.

- I. The energy usage for the project will be estimated, based on square footage. The effect of this new demand on the energy supply systems will be assessed.

TASK 14: TRAFFIC AND PARKING

As described in the EAS, the existing uses of the project site generate auto and truck trips. However, as the Proposed Project is expected to draw customers from a large area, many of whom would travel by car, the project would create an increase in vehicular traffic in the neighborhood and increased demands for parking. In particular, conditions in the area bounded by East 161st Street to the north, Grand Concourse to the east, East 138th Street to the south, and the approaches to the 145th Street and Macombs Dam Bridges to the west could be affected. The *CEQR Technical Manual* guidelines indicate that a detailed assessment of traffic and parking should be provided if a proposed action would generate more than 50 vehicles in a peak hour. As the Proposed Project would create more than one million square feet of new retail development, as well as parking, hotel, and public park uses, it would exceed this threshold, and consequently could have significant impacts relating to traffic. Therefore, a detailed analysis of the potential traffic and parking impacts of the Proposed Project will be required.

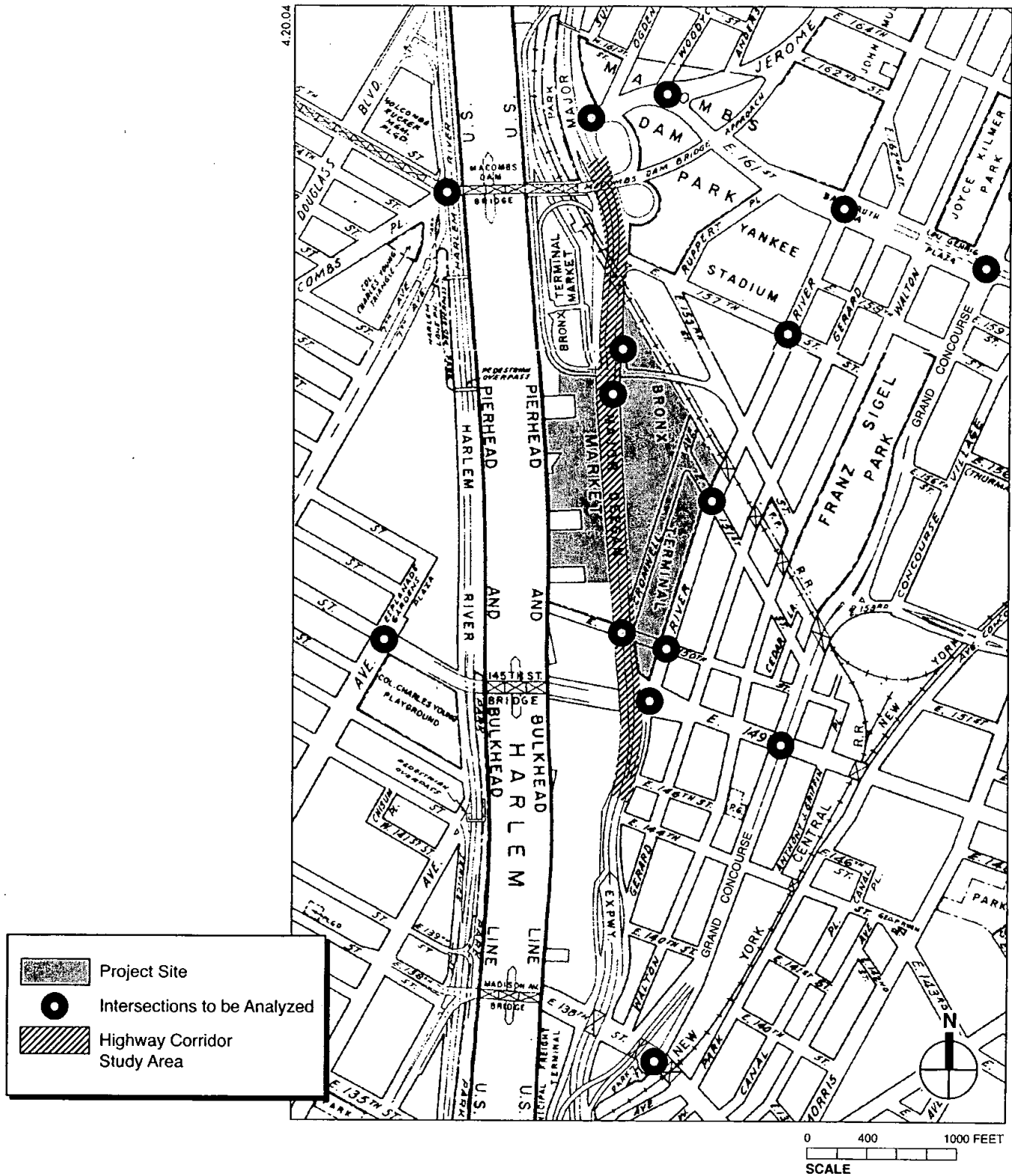
Given the site's proximity to Yankee Stadium and the traffic generated to and from a Yankee game, the analysis will consider the combination of Yankee trips and retail trips generated from the Proposed Project as well as typical conditions without a Yankee Stadium event. The project site is well-situated relative to the Major Deegan Expressway and the Expressway's entrance and exit roadway network. Since the Expressway is a major traffic carrier during peak commute-to-work hours (particularly northbound in the weekday PM peak hour) as well as a major route to and from Yankee Stadium, it will be an important consideration in the analysis.

The traffic and parking studies will:

- A. Define a local street traffic study area (see Figure 2) comprising the intersections most likely to be affected by project traffic. The study area will include:
- 138th Street and the Grand Concourse;
 - 149th Street at the Grand Concourse and at River Avenue;
 - 145th Street and Lenox Avenue (Manhattan side of the 145th Street Bridge);
 - 150th Street at Exterior Street (under the Major Deegan Expressway) and at River Avenue;
 - Exterior Street and the ramp to the northbound Major Deegan Expressway and the Expressway's service road;
 - River Avenue at 153rd, 157th, and 161st Streets;
 - 161st Street at the Grand Concourse and at Jerome Avenue;
 - The northbound Major Deegan Expressway's service road at 153rd Street and at Jerome Avenue; and
 - 155th Street and Macombs Place (Manhattan side of the Macombs Dam Bridge).

The local street traffic study area also will include access driveways at the proposed parking garage.

- B. Define a highway corridor traffic study area extending from south of 149th Street to the vicinity of the Macombs Dam Bridge. Critical highway mainline segments, on- and off-ramps, and weaving sections will be analyzed.
- C. Conduct traffic counts at each of the analysis locations using a blend of 24-hour Automatic Traffic Recorder (ATR) machine counts and manual counts of through and turning movements at intersections. ATR machines will be installed at five local street locations and at six highway locations covering weekday and weekend conditions with and without Yankee games. The intersection counts will be conducted for the following six traffic analysis periods:
 - Weekday midday peak hour for retail (no Yankee game);
 - Weekday PM peak hour for retail (no Yankee game);
 - Weeknight pregame stadium arrival hour with Yankee game and retail activity included (e.g., 6-7 PM period);
 - Saturday midday peak hour for retail (no Yankee game);
 - Saturday pregame stadium arrival hour with Yankee game and retail activity included (e.g., 12-1 PM); and
 - Saturday postgame stadium departure hour with Yankee game and retail activity included (e.g., 4-5 PM).
- D. Tabulate intersection traffic count data and 24-hour ATR data and create balanced traffic volume networks for the six traffic analysis periods.
- E. Collect physical street information needed for the subsequent capacity analyses: street directions, street and lane widths, turn prohibitions (if any), parking regulations, and signal phasing and timing data.
- F. Determine intersection capacities, volume-to-capacity (v/c) ratios, average delays, and levels of service for existing conditions using 2000 Highway Capacity Manual (HCM) procedures.
- G. Conduct travel time and delay runs along the following corridors: Major Deegan Expressway; Exterior Street under the Expressway; River Avenue; and 149th Street. This will be used for air quality and noise analysis purposes.
- H. Assess highway level of service along the Major Deegan Expressway and its critical ramp and weave areas within the area south of 149th Street and just north of the Macombs Dam Bridge in a highway capacity study (HCS) analysis, using 2000 HCM procedures.
- I. Apply an annual background traffic growth rate and the volume of trips expected to be generated by other significant proposed development projects in the immediate vicinity of the project site, to determine future No Build traffic volume networks for the six traffic analysis periods in the years 2009 and 2014.
- J. Determine intersection capacities, volume-to-capacity (v/c) ratios, average delays, and levels of service as well as highway corridor levels of service for projected future No Build conditions.



Traffic Study Area

Figure 2

- K. Estimate the volume of trips generated by the Proposed Project. Person trip estimates, by mode of travel, and vehicle trip estimates will be prepared for each of the analysis hours.
- L. Assign Build generated vehicle trips to the highway and local street traffic analysis locations, and determine intersection v/c ratios, average delays, and levels of service and highway corridor levels of service. Significant traffic impacts will be identified as per *CEQR Technical Manual* guidelines.
- M. Identify and evaluate traffic improvements needed to mitigate significant traffic impacts including, for example, signal phasing and timing changes, traffic and parking regulation modifications, intersection geometric changes, and ramp or roadway widenings.
- N. Develop projected travel speed and delay data to be used for air quality and noise analysis purposes.
- O. Inventory off-street parking lots and garages within a quarter-mile and a half-mile from the edges of the project site, including their capacities and utilization levels during the traffic analysis hours, and inventory on-street parking regulations and their utilization as well.
- P. Develop hourly in/out projections for each of the parking garages to be built as part of the Proposed Project, and develop hour-by-hour accumulation profiles for each of the traffic analysis conditions. Identify the adequacy of the amount of parking proposed to serve generated traffic trips.

TASK 15: TRANSIT AND PEDESTRIANS

The existing uses of the project site generate some transit and pedestrian trips. However, the Proposed Project is expected to create an increase in transit and pedestrian trips in the area, particularly at the 149th Street-Grand Concourse and 161st Street-Yankee Stadium subway stations and along the Bx19 bus route, which runs along 149th Street. As described in the *CEQR Technical Manual*, a detailed analysis of transit and pedestrian trips should be provided if a proposed action is projected to result in more than 200 rail or bus transit riders in the peak hour. The Proposed Project would exceed this threshold, and consequently could have significant transit and/or pedestrian impacts. Therefore, a detailed analysis is warranted.

The transit and pedestrian analysis will assess the potential impacts of the Proposed Project on public transportation facilities and services (specifically on existing bus and subway services) and on pedestrian flows. This section of the EIS will analyze the existing conditions for these services and assess the incremental impact of the project-generated trips in the years 2009 and 2014, when each phase of the project is scheduled for completion. The transit and pedestrian study will:

- A. Identify nearest subway lines (149th Street-Grand Concourse and the 161st Street-Yankee Stadium subway stations) serving the project site, frequency of service, ridership and existing levels of service.
- B. For both transit and pedestrian analyses, original data would be gathered to develop existing baseline conditions. Detailed future conditions analyses would be conducted for two analysis scenarios accounting for different background conditions with and without a concurrent Yankees home game. Under a “no-game” condition, the typical weekday

PM and Saturday midday peak periods would be evaluated. Under a “dual-event” condition, the weekday evening pre-game, Saturday midday pre-game and Saturday PM post-game peak periods would be assessed.

- C. The transit analysis would include a description of nearby transit facilities and a characterization of subway and bus ridership levels. Transit service to the project site is available via NYCT subways and buses. Based on the *CEQR Technical Manual*, detailed analyses would be required if the proposed action generates 200 or more peak hour trips at a particular subway station or bus route. Based on an understanding of the proposed action, a detailed assessment, including operational analyses of stairways and control areas, will be required for the 149th Street-Grand Concourse and the 161st Street-Yankee Stadium subway stations. In addition, bus loading of nearby routes (Bx1, Bx6, Bx13 and Bx19) would be assessed in terms of their capability to accommodate additional riders from the project site. In particular, detailed analyses may be conducted for the cross-town Bx19 bus route, which connects to the 149th Street-Grand Concourse subway station and provides direct access to the southern portion of the project site.
- D. The Proposed Project would generate pedestrian traffic along likely routes between the project site and connecting transit service and the adjacent neighborhoods. It is assumed that a quantified analysis of sidewalk, crosswalk and corner conditions would be conducted at key intersections, including the 149th Street and Grand Concourse intersection, which has also been identified as a high vehicle-pedestrian accident location by the *CEQR Technical Manual* (Appendix I: Traffic and Parking).
- E. As appropriate, potential mitigation measures, such as station improvements, widening crosswalks, and increasing frequency of nearby bus routes, would be recommended.

TASK 16: AIR QUALITY

As described in the EAS, according to *CEQR Technical Manual* guidelines an action that would result in the placement of air intakes or intake vents generally within 200 feet of an atypical source of vehicular pollutants (such as a highway) or would generate more than 100 or more peak hour auto trips, could potentially have mobile-source air quality impacts and would require a detailed assessment. The project site is bisected by the Major Deegan Expressway, a multi-lane highway; therefore, the air intakes/intake vents for the proposed buildings could potentially be within 200 feet of an atypical source of vehicular pollutants. In addition, the Proposed Project could generate more than 100 auto trips in a peak hour. Therefore, the project could have significant mobile source air quality impacts, and a detailed analysis is warranted.

For stationary sources, the *CEQR Technical Manual* indicates that actions that would result in a sensitive use—such as a park—within 400 feet of industrial/manufacturing facilities, and actions that would use fossil fuels for their HVAC systems, could result in significant air quality impacts. There are industrial/manufacturing uses in the area surrounding the project site, and thus these uses could potentially have impacts on project users, including users of the proposed public park. The Proposed Project is expected to use fossil fuels for its HVAC systems, and thus could potentially have impacts on buildings in the surrounding area. Therefore, a detailed stationary source air quality analysis is warranted and will be provided.

The air quality analysis will address the following issues with respect to the potential for air quality impacts: impacts from vehicular traffic and the proposed parking facilities (“mobile sources”); and the effects of the project’s HVAC system on buildings in the surrounding area,

and the potential for impacts on project users from industrial/manufacturing activities in neighboring buildings ("stationary sources" and "industrial sources").

MOBILE SOURCE ANALYSES

- A. Gather existing air quality data. Collect and summarize existing ambient air quality data for the study area.
- B. Determine receptor locations for microscale analysis. Select critical intersection locations in the study area, and outside the study area, based on data obtained from the project's traffic analysis. At each intersection, analyze multiple receptor sites in accordance with CEQR guidelines.
- C. Select dispersion model. EPA's CAL3QHC screening model will be used for less congested locations. Where appropriate, EPA's CAL3QHCR refined intersection carbon monoxide model will be used. Five years (1998-2002) of meteorological data from La Guardia Airport and concurrent upper air data from Brookhaven, New York will be used for the simulation program.
- D. Select emission calculation methodology and "worst-case" meteorological conditions. Vehicular cruise and idle emissions for the dispersion modeling will be computed using EPA's MOBILE6.2 model. For the "worst-case" analysis (at screening locations), conservative meteorological conditions to be assumed in the dispersion modeling are a 1 meter per second wind speed, Class D stability, and a 0.70 persistence factor. Temperature data will be determined using the general recommended procedures in EPA's *Guideline for Modeling Carbon Monoxide from Roadway Intersections*, based on information provided by NYCDEP. In addition, a summer temperature will be determined for input to the development of summer emission estimates.
- E. At each mobile source microscale receptor site, calculate maximum 1- and 8-hour carbon monoxide concentrations for existing conditions, the future conditions without the project, and the future conditions with the project. It is assumed the peak traffic periods analyzed may include a weekend summertime peak. No field monitoring will be included as part of these analyses.
- F. Assess the potential impacts associated with proposed parking facilities. The analysis will use the procedures outlined in the *CEQR Technical Manual* for assessing potential impacts from proposed parking facilities. Cumulative impacts from on-street sources and emissions from the parking lots will be calculated where appropriate. Compare future carbon monoxide pollutant levels with standards and applicable *de minimis* criteria, to determine potential significant adverse project impacts.
- G. If analysis with the screening-level CAL3QHC model results in *de minimis* impacts or exceedances of the carbon monoxide standard, use the refined CAL3HCR model.
- H. Examine mitigation measures. Analyses will be performed to examine and quantify ameliorative measures to minimize any significant adverse impacts of the Proposed Project.
- I. Determine the consistency of the Proposed Project with the strategies contained in the SIP for the area.
- J. If the net estimated number of heavy duty trucks from the Proposed Project is greater than the City's screening threshold for determining whether a PM_{2.5} analysis is

warranted, an analysis of PM_{2.5} will be conducted using the CAL3QHCR model. Mobile source PM_{2.5} impacts will be evaluated against currently available NYCDEP and NYSDEC guidance criteria, and where necessary, combined with stationary source PM_{2.5} impacts to determine whether the criteria are exceeded.

STATIONARY SOURCE ANALYSES

- K. Assess the potential impacts associated with the emissions from the Proposed Project's buildings. The *CEQR Technical Manual* screening methodology will be used to determine the potential for significant impacts.
- L. If potential impacts are identified, perform detailed stationary source analysis using EPA's Industrial Source Complex (ISC3) dispersion model. Five years of meteorological data (1998-2002) with surface data from La Guardia Airport and upper air data from and Brookhaven, New York, will be used for the simulation modeling. Concentrations of nitrogen dioxide, sulfur dioxide, carbon monoxide and particulate matter will be determined. In the event that violations of standards or significance thresholds are predicted, examine design measures to reduce pollutant levels to within these levels.

INDUSTRIAL SOURCE ANALYSES

- M. A field survey will be performed to determine if there are any manufacturing or processing facilities within 400 feet of the site. Copies of emissions permits for each facility will be obtained from the NYCDEP Bureau of Environmental Compliance (BEC).
- N. If necessary, based upon information on emissions from manufacturing or processing facilities within 400 feet of the Proposed Project, a screening analysis of potential impacts from permitted industrial sources on the proposed actions will be performed. The NYCDEP-BEC files will be examined to determine if there are permits for any industrial facilities that are identified. A review of federal and state permits will also be conducted. The ISC3 dispersion model screening database will be used to estimate the short-term and annual concentrations of critical pollutants at the potential receptor sites. Predicted worst-case impacts on the project will be compared with the short-term guideline concentrations (SGC) and annual guideline concentrations (AGC) reported in the NYSDEC's *DAR-1 AGC/SGC Tables* (December 2003) to determine the potential for significant impacts. In the event that violations of standards are predicted, measures to reduce pollutant levels to within standards will be examined.

TASK 17: NOISE

According to *CEQR Technical Manual* guidelines, a detailed noise analysis is recommended if a proposed action would be within 1,500 feet of existing rail activity and would have a direct line of sight to that rail facility; or would cause a stationary source to be operating within 1,500 feet of a receptor (such as a park), with a direct line of sight to that receptor; or would generate vehicular traffic; or would be located near a heavily trafficked thoroughfare. The Proposed Project meets all of these thresholds, and therefore could have potential noise impacts on sensitive land uses. The project site is within 1,500 feet of two rail lines: the rail freight line along the Hudson River, and the Metro North Rail Road, which forms the northern boundary of the site. The Proposed Project would create a new public park—a sensitive receptor—located

within 1,500 feet of existing industrial uses; therefore, there is the potential that high ambient noise levels from stationary sources, such as unenclosed manufacturing uses, could affect the project site. The project site is located near several heavily trafficked thoroughfares, most notably the Major Deegan Expressway, which runs through the middle of the site. Finally, the Proposed Project would increase the volume of vehicular traffic in the area. Therefore, a detailed noise analysis is warranted and will be provided.

The noise study will examine impacts on sensitive land uses (including nearby residences, parks, and schools) that would be affected by changes in traffic resulting from the Proposed Project. The proposed scope of work includes: selection of receptor sites, measurement of existing noise levels, prediction of future noise levels both with and without the Proposed Project, impact evaluation, specifying building attenuation needed to satisfy CEQR building attenuation requirements, and the examination of noise abatement measures (where necessary). The methodologies used for this analysis would be consistent with the methodologies contained in the *CEQR Technical Manual*. The traffic noise model (TNM) will be utilized where appropriate.

- A. *Selection of appropriate noise descriptors.* Appropriate noise descriptors to describe the noise environment and the impact of the Proposed Project will be selected. Current city criteria regarding noise descriptors will be followed. Consequently, the 1-hour equivalent ($L_{eq(1)}$), and where appropriate, the L_{10} noise levels will be examined.
- B. *Selection of reception locations for detailed analysis.* Receptor sites analyzed would include locations where the Proposed Project would have the greatest potential to affect ambient noise levels.
- C. *Determination of existing noise levels.* Existing noise levels will be determined primarily based on noise monitoring. Measurements will be made during the following time periods: weekday midday, PM, and nighttime, and weekend midday and PM, or nighttime. Hourly L_{eq} , L_1 , L_{10} , L_{50} , and L_{90} values will be recorded. Measured noise levels will be supplemented by mathematically modeled values where necessary.
- D. *Determination of future noise levels without the Proposed Project.* At each receptor location identified above, noise levels without the Proposed Project will be determined using existing noise levels, acoustical fundamentals, and mathematical models. The methodology used will allow for variations in vehicle/truck mixes.
- E. *Comparison of noise levels with standards, guidelines, and other impact evaluation criteria.* Existing noise levels and future noise levels, both with and without the Proposed Project, will be compared with various noise standards, guidelines, and other noise criteria, including the New York City Ambient Noise Quality Criteria. In addition, future noise levels with the Proposed Project will be compared with future noise levels without the Proposed Project to determine project impacts (i.e., based on the criteria contained in the *CEQR Technical Manual*, a change of 3-5 dBA or more would be considered a significant impact).
- F. *Examine mitigation measures.* When and if necessary, recommendation of measures to attain acceptable interior noise levels and to reduce noise impacts to acceptable levels will be made.
- G. *Building Attenuation.* Measures to be utilized to obtain interior noise levels that satisfy CEQR requirements will be identified.

TASK 18: CONSTRUCTION IMPACTS

The *CEQR Technical Manual* indicates that a project may result in potential construction impacts if a project site is located near a sensitive natural resource, as construction impacts may result from the disruption of such areas. Projects located on the waterfront may also result in construction impacts on water quality relating to construction work in or near the water. In addition, because soils are disturbed during construction, any action proposed for a site that has been found to have the potential to contain hazardous materials should also consider the possible construction impacts that could result from that contamination.

The project site is located on the Harlem River waterfront, and therefore the Proposed Project could have construction impacts relating to work in or near the water. As described above, the historical uses and conditions of the project site and the surrounding area indicate the potential for adverse impacts related to hazardous materials; thus, the Proposed Project could have hazardous materials-related construction impacts. The potential construction impacts on these areas, as well as on historic and archaeological resources, transportation, air quality, and noise, will be assessed. The likely construction schedule for development at the site and an estimate of activity on-site will be described. The analysis will include the following technical areas:

- A. *Historic and Archaeological Resources.* Any potential construction-period impacts on historic resources will be considered.
- B. *Transportation Systems.* This assessment will consider losses in lanes, sidewalks, and other transportation services during the various phases of construction, and identify the increase in vehicle trips from construction workers and equipment. In consultation with the project's construction manager, review the construction plan and prepare a qualitative discussion for inclusion in the EIS.
- C. *Air Quality.* The construction air quality impact section will contain a qualitative discussion of both mobile air source emissions from construction equipment and worker and delivery vehicles, and fugitive dust emissions. It will discuss measures to reduce impacts.
- D. *Noise.* The construction noise impact section will contain a qualitative discussion of noise from each phase of construction activity.
- E. *Hazardous Materials.* Summarize actions to be taken during project construction to limit exposure of construction workers to potential contaminants, including the preparation of a site-specific construction health and safety plan (Construction HASP).
- F. *Other Technical Areas.* As appropriate, discuss the other areas of environmental assessment for potential construction-related impacts.

TASK 19: PUBLIC HEALTH

According to the guidelines of the *CEQR Technical Manual*, public health concerns for which a public health assessment may be warranted include: increased vehicular traffic or emissions from stationary sources resulting in significant adverse air quality impacts; increased exposure to heavy metals and other contaminants in soil/dust resulting in significant adverse hazardous materials or air quality impacts; the presence of contamination from historic spills or releases of substances that might have affected or might affect ground water to be used as a source of drinking water; solid waste management practices that could attract vermin and result in an increase in pest populations; potentially significant adverse impacts to sensitive receptors from

noise and odors; and actions for which the potential impact(s) result in an exceedance of accepted federal, state, or local standards. As described in the EAS, depending on the results of the hazardous materials, air quality, and noise assessments, a public health analysis may be warranted. If so, this analysis will be provided.

TASK 20: MITIGATION

Where significant project impacts have been identified in the analyses discussed above, measures will be assessed to mitigate those impacts. This task summarizes the findings and prepares the mitigation chapter for the EIS. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

TASK 21: ALTERNATIVES

The specific alternatives to be analyzed are typically finalized with the lead agency as project impacts become clarified. However, they would at least include the No Build Alternative, an alternative that reduces any significant adverse unmitigated impacts, and an alternative accounting for the provision of wholesale market uses on the western side of the development site, which would move the project's entire retail program to the east side of Exterior Street. In addition to the alternatives mentioned above, as development of the west side of the project site would be dependent on approvals from ACOE and NYSDEC, the EIS would consider an alternative in which only the east side of the site (i.e., east of Exterior Street) would be developed. The alternatives analysis is qualitative, except where impacts of the project have been identified

TASK 22: ENVIRONMENTAL JUSTICE

As an appendix to the EIS, an analysis will be provided that considers the potential for disproportionately high and adverse human health or environmental effects of the project on minority or low-income populations. This analysis will be conducted in accordance with Executive Order 12898 and the latest guidance, including USEPA's Guidance for Incorporating Environmental Justice Concerns in USEPA's NEPA Compliance Analyses (April 1998) and the U.S. Department of Transportation's (USDOT) Final Order on Environmental Justice, April 1997 and FHWA Actions to Address Environmental Justice in Minority Populations and Low Income Populations, December 2, 1998. The environmental justice analysis will identify any disproportionate adverse impacts on minority and low-income populations. It will focus on potential significant adverse impacts, and consider the population affected by those impacts as well as the population benefiting from the project.

- A. Based on the assessments conducted in the EIS technical chapters, identify all potential significant adverse project impacts. These impacts may be either direct or indirect.
- B. In coordination with the analysis of socioeconomic conditions, compile relevant data from the 2000 U.S. Census of Population and Housing related to the populations that could be affected by these potential significant adverse impacts. These data include demographic (racial and ethnic) and socioeconomic (income) composition.
- C. Identify whether the project's potential significant adverse impacts are distributed equitably, that is, whether the same population that would experience its impacts would receive its benefits. Determine whether the project's impacts would disproportionately

affect low-income and minority populations. The demographic and socioeconomic composition of affected populations will be compared to the composition of a larger, regional control group (i.e., an entire county or the metropolitan area population). Data collected for the Land Use, Neighborhood Character, and Socioeconomic Conditions analyses will be augmented as necessary to identify control group characteristics. This larger control group will be used to determine if affected populations are disadvantaged. Affected populations that are disadvantaged will be identified. To determine the proportionality of impacts, affected disadvantaged populations will be compared to unaffected disadvantaged populations, and affected disadvantaged populations will be compared to other affected populations.

- D. If disproportionate impacts are identified, discuss appropriate avoidance measures, mitigation measures and enhancements for the affected population.

TASK 23: EXECUTIVE SUMMARY

Once the EIS technical sections have been prepared, a concise executive summary will be drafted. The executive summary will utilize relevant material from the body of the EIS to describe the Proposed Project, its environmental impacts, measures to mitigate those impacts, and alternatives to the proposed action. *

Appendix A:
Response to Comments

A. INTRODUCTION

This appendix summarizes and responds to substantive comments received during the public comment period on the Draft Scope of Analyses for the Gateway Center at Bronx Terminal Market project. Public review of the scope began on August 5, 2004 with the publication and distribution of the Positive Declaration and the Environmental Assessment Statement (EAS) and Draft Scope of Analyses. A public scoping meeting was held on September 9, 2004 at the Bronx Borough President's Office, 198 East 161st Street, 2nd Floor, Bronx, New York to accept oral comments on the EAS and Draft Scope. The oral comments and written comments on the Draft Scope received through September 20, 2004, the close of the public comment period, were considered in the preparation of the Final Scope.

Section B identifies the agencies, organizations, and individuals who commented on the Draft Scope. Section C summarizes and responds to relevant comments. After each comment is a reference to the person who made the comment. Where relevant, these changes have been incorporated into the Final Scope. Revisions to the Scope are indicated by double-underlining.

B. AGENCIES, ORGANIZATIONS, AND INDIVIDUALS WHO COMMENTED ON THE SCOPE**MUNICIPAL AGENCIES**

1. New York City Department of Environmental Protection, written submissions from Darryl H. Cabbagestalk dated September 20, 2004 and September 29, 2004 (NYCDEP)

ELECTED OFFICIALS AND COMMUNITY BOARDS

2. Community Board 4, oral comments presented by Greg Bell, Sr. (CB4)
3. Community Board 4, oral comments presented by Bill Pachaco (CB4-2)

ORGANIZATIONS AND INTERESTED PUBLIC

4. Ad-Hoc Committee on the Bronx Terminal Market, written submission dated September 18, 2004 (ACBTM)
5. The Bronx Terminal Market Preservation Association, Inc., written submission from Susan S. Fainstein dated September 23, 2004 (BTMPA)
6. Inner City Press / Community on the Move, Inc., oral comments presented by Matthew Lee and written submission from Matthew Lee dated September 19, 2004 (also received via e-mail on September 19, 2004) (ICP)
7. Mario Rodriguez, oral comments (Rodriguez)
8. Mid-Bronx Council, written submission from Jeanette Puryear dated September 20, 2004 (MBC)

C. RESPONSE TO COMMENTS

GENERAL/PUBLIC REVIEW PROCESS

Comment 1: There is a need for greater disclosure, greater transparency, and substantively, more for the Bronx and Bronx residents. How and why did the sole source selection of Related Companies come about? If Related was selected because of its power and experience, these would have to bring benefit to Bronxites. How can Bronxites know if another developer might have offered four acres of waterfront park, or mitigation of raising rents for small businesses and residential housing in the area, or a provision for maintaining the unique cultural and small business uses at the site, or advancing the arts and cultural life of the Bronx? How meaningful will the public review be, with the land already leased to Related, and the pressure to relocate already on? (ICP)

Mid-Bronx Council would like to reiterate the need for greater public involvement and transparency in the development and planning stages of any proposed project of such significance. Few residents that will be directly and indirectly affected by the redevelopment of Bronx Terminal Market even know of the proposed project, and neither residents nor community organizations participated in either the selection of a developer or the genesis of a proposal. We ask that a community liaison person be established to assist communication with the community. (MBC)

There should have been transparency so the community could dialogue with you prior to having all these things thrust in front of us. (CB4)

Response: The selection of a developer for the site is not a subject of the Draft Environmental Impact Statement (DEIS). In conjunction with ULURP and CEQR, there will be numerous opportunities for public review and input on the project, including a Community Board public hearing, a City Planning Commission public hearing, and a City Council public hearing.

Comment 2: There are very few activities in the park that seniors or people with disabilities have to participate in. Efforts should be made to integrate the needs of seniors and the disabled in the project's design. Will there be sufficient elevators, ramps, and escalators? Many residents of the Bronx suffer from diabetes and full or partial blindness; will their needs be incorporated in the design? For instance, a dog walk area could be proposed for the visually impaired. (CB4, MBC)

Response: The project description and open space analysis of the DEIS will describe the anticipated program of the public open space. All project elements will be ADA-compliant.

Comment 3: Contract documents between the City of New York and the developers should provide for minimum targets on workforce participation, as well as resources to monitor contractors' performance toward meeting the following goals: 1. A minimum of 25 percent of the construction workforce and related construction vendors should be committed in advance

to Bronx residents in the surrounding zip codes, with a special emphasis on the unemployed. Prospective retail businesses should also be encouraged to meet these minimum targets with regards to operation/service jobs. Whether these are union vs. non-union positions should also be specified; 2. The vendors for said jobs should commit to involving community job development, resource, and labor-training agencies in order to bring unemployed Bronx residents back into the labor market; 3. The most appropriate job vendors are community-based agencies with experience and expertise working in job development and training organizations that possess knowledge of the surrounding community that is rooted in decades of involvement. (MBC)

Response: Comment noted.

Comment 4: There are a lot of industrial parks in the US that start as retail building complexes and in the long run ask the government for tax-free status zone. Is that where this is going? (CB4-2)

Response: The application is for a retail project with parking and public open space. The Project is pursuant to a series of discretionary actions, including a disposition of property, special permits, a rezoning, and a change to the City map. These actions are required to facilitate the Proposed Project. Any change to the Proposed Project, such as to accommodate an industrial park, would be subject to additional approvals and public review.

Comment 5: A way should be found to make the new information on historic resources available prior to September 20th so people can comment on it. (ICP)

Response: Draft determinations of eligibility by the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for the buildings on the project site were received just prior to the public scoping meeting. The Final Scope has been revised to reflect the official determinations of eligibility by OPRHP for the buildings on the project site, which were received after the public scoping meeting. The DEIS will consider the determinations of eligibility in the analysis of historic resources.

Comment 6: Accept comments over a website. (ICP)

Response: Comments on the draft scope of analyses were accepted electronically by e-mail, as well as by fax or hard copy. The Final Scope, the DEIS, and the Final EIS will be posted on a website for public review.

Comment 7: In the late 1930s there was a project that built Exterior Avenue over the water, so there's not a foundation under Exterior Avenue. How is it going to support all of what you're putting on top of it? (CB4)

Response: Construction issues for the Proposed Project will be described in the Project Description of the DEIS and will be assessed in the Construction Impacts chapter.

Comment 8: One of the things that concerns me is the construction and the type of construction that's being used when we're talking about putting garages under buildings where we may have 250,000 people on Sunday, 50,000 at Yankee Stadium, and a whole slew of people using the park. I hope that's being factored into the process in terms of construction, egress, emergency access in and out of the area and to ensure that NYPD and the Fire Department are able to get in and out of there fast. (Rodriguez)

Response: The DEIS will consider the potential effects of the Proposed Project on community services such as police, fire, and emergency services.

SOCIOECONOMIC CONDITIONS

Comment 9: The Market continues to serve a large number of wholesale and retail customers, over one million people in the metropolitan area, and to employ about 750 people in 23 firms. Approximately 50 percent of the employees live in the Bronx. The market provides stable employment for individuals with relatively low levels of education, many of them immigrants lacking language skills. Its competitive advantage rests on the clustering of similar businesses, allowing patrons the convenience of one-stop shopping, and its proximity to the bridges to Manhattan and to public transit. Clustering of the various providers allows them to supplement each other. Customers seek out the market for its specialty ethnic products and its convenience of access and scale, as compared to the Hunt's Point Market. Any sacrifice of these locational advantages could prove severely injurious to the market merchants. In the analysis of direct displacement, the wholesale and farmer's market owners and workers that currently occupy the Bronx Terminal Market should be directly consulted and involved in the decision-making process regarding possible relocation and offered fair mitigation and a reasonable timetable. Residents who frequent these businesses should also be consulted and involved in the process. What specific mitigation will be offered to residents, business owners, and workers who will be affected by the relocation of the wholesale area of the Bronx Terminal Market? (MBC)

The Bronx Terminal Market is known nationwide for rare African food and other products. ICP has spoken with a number of the Market's tenants, who have told ICP that the relocation that has been offered to them has been "you better move fast," with no attempt made to keep them together. Related is already telling all tenants to leave. (ICP)

The current Bronx Terminal Market provides fresh produce that specializes in the ethnic foods of the peoples in our community. The market is a key source of fresh produce for our community at large and at reasonable prices. This is important to the health of a community of minority peoples, and this issue should be addressed in the planning of the Gateway Center. (ACBTM)

Response: The DEIS will assess dislocation and relocation issues. The analysis of direct displacement will consider any unique employment, locational, or collective characteristics of the businesses currently located on the project site and how those characteristics could affect the relocation of the businesses.

Comment 10: The scope of this section should be widened to include the effects on the labor market. A project that will offer substantial profits to businesses and developers, as well as tax revenue to the City of New York, ought to provide significant job opportunities to local residents. (MBC)

Response: The DEIS will provide information on the employment and fiscal benefits of the Proposed Project.

Comment 11: The secondary displacement discussion seems limited to the potential effect on retail space in the area. It's quite possible for commercial development to result in secondary displacement by raising rents. Secondary displacement on housing should be more fully addressed. (ICP)

The analysis of indirect residential displacement should include the possibility of rising residential costs and subsequent displacement, based on statistics showing the impact of large-scale economic development, such as the Bronx Terminal Market and potential Yankee Stadium plan, on surrounding neighborhoods. What specific mitigation will be offered to residents who may face rising housing/rent costs? (MBC)

Response: As described in the Draft Scope, the preliminary socioeconomic assessment will consider the potential for indirect residential displacement. A detailed socioeconomic analysis will be performed for this topic if the preliminary analysis indicates that the Proposed Project would exceed thresholds described in the *CEQR Technical Manual*.

Comment 12: The Bronx House of Detention was used as a homeless shelter in the quite recent past. What's being lost arguably is a housing resource. If housing resources are being demolished, they should be replaced. (ICP)

It was mentioned to the Mayor previously that the Bronx House of Detention might become a MetroTech so it would benefit the students in the community. How would the replacement of the Bronx House of Detention address this? (CB4)

Response: The Bronx House of Detention is not a housing resource. The Bronx House of Detention was used briefly in 2002 as a temporary, emergency homeless shelter, but such use should not be deemed a housing resource. The DEIS will include an assessment of the closing of the Bronx House of Detention.

Comment 13: The analysis of indirect business displacement should enlarge upon the potential for impacts on "major existing retail anchors or groups of stores that serve as an anchor for neighborhood shopping." Small, family-run businesses should be included in these assessments, as well as mitigation for loss of sales revenue and the burden of rising rents. Representatives from area businesses and business organizations should be directly involved in the process of evaluation and analysis. What specific mitigation will be offered to small business owners who may lose revenue or face rising rents? (CB4, MBC)

Response: The project's potential to create indirect business displacement will be assessed in the DEIS.

HISTORIC RESOURCES

Comment 14: The Bronx Terminal Market is of historical significance, which the Proposed Project and EAS sidestep and ignore. (ICP)

Response: The EAS describes the buildings of the Bronx Terminal Market as being of potential interest as historic resources. The Final Scope has been revised to reflect the determinations of eligibility for listing on the State and National Registers of Historic Places by the New York State Office of Parks, Recreation and Historic Preservation for some of the buildings on the project site, which was received after the public scoping meeting. The determinations of eligibility are included as Appendix B to the Final Scope. The DEIS will consider the determinations of eligibility in the analysis of historic resources.

NEIGHBORHOOD CHARACTER

Comment 15: There should be a detailed analysis of the possibility of rising residential and commercial rents, as well as a loss of profitability in small, family-run businesses, and the effects this will have on neighborhood character and issues of affordability. Also, what will be the impact of an increased presence of middle-income consumers and subsequent increases in traffic on the surrounding neighborhood? Mitigation should be explored and proposed based on these studies. (MBC)

Response: As described in the *CEQR Technical Manual*, changes to socioeconomic conditions and traffic are taken into consideration in the analysis of neighborhood character. The neighborhood character analysis will also consider changes to socioeconomic conditions and traffic.

NATURAL RESOURCES/WATER QUALITY

Comment 16: A natural resources inventory should be conducted at the site and an assessment made to determine potential impacts. The assessment should include configuration of the existing and proposed shoreline and a discussion of potential impacts as a result of shoreline reconfiguration. The natural resources inventory and impact assessment report should be submitted to DEP for review. (NYCDEP)

Response: The EIS will identify the natural resources on the project site and assess the project's potential for impacts on natural resources, water quality, and the shoreline. Any changes to the shoreline are anticipated to be in-kind replacements.

HAZARDOUS MATERIALS

Comment 17: DEP is currently reviewing the Phase I and Phase II Environmental Site Assessment Reports. Comments regarding these reports are forthcoming. (NYCDEP)

Response: Comments on these reports were received in a letter dated September 29, 2004.

Comment 18: It's been told to me that there's asbestos from the Bronx Terminal Market. Hostos Community College and a high school are in the area. How will remediation be dealt with? (CB4)

Response: The hazardous materials analysis will describe the environmental conditions on the project site, including the potential for asbestos, and will describe any required remediation. The project would comply with all applicable City, State, and Federal regulations and requirements regarding environmental remediation generally, and asbestos abatement in particular.

Comment 19: As a result of the contamination levels detected at the site, a Remedial Action Plan (RAP) should be developed for the subject site and submitted to DEP for review and approval. The RAP should specify that all excavated soils and fill materials will be removed from the site and properly disposed of at an appropriate landfill facility in accordance with all applicable NYSDEC regulations. Note that additional testing of the soils may be required by the disposal and/or recycling facility. Surface soils and/or fills should not be utilized for backfilling and/or grading purposes. (NYCDEP)

Response: A Remedial Action Plan will be developed for the project site and submitted to NYCDEP for review and approval.

Comment 20: An appropriate vapor barrier, which would sustain long-term exposure to petroleum constituents (SVOCs), should be incorporated into the design plans for all structures during the proposed construction project. The conceptual design of the vapor barrier system should be submitted to NYCDEP for review and approval. (NYCDEP)

Response: It is expected that the RAP to be developed for the project site will include the use of appropriate vapor barriers.

Comment 21: For all areas which will either be landscaped or covered with grass (not capped), a minimum of two (2) feet of existing soil/fill material must be removed and replaced with clean soil. Excavated soils, which are temporarily stockpiled on-site, must be covered with polyethylene sheeting while disposal options are determined. Additional testing may be required by the disposal/recycling facility. If any petroleum-impacted soils (which display petroleum odors and/or staining) are encountered during the excavation/grading activities, the impacted soils should be removed and properly disposed of in accordance with all NYSDEC regulations. (NYCDEP)

Response: It is expected that the RAP to be developed for the project site will include a discussion of the treatment of excavated soils and petroleum-impacted soils, and will provide for an appropriate soil cover of areas that are not capped.

Gateway Center at Bronx Terminal Market

Comment 22: All known or found USTs and ASTs (including dispensers, piping, and fill-ports) must be properly removed/closed in accordance with all applicable NYSDEC regulations. (NYCDEP)

Response: All USTs and ASTs on the project site will be properly removed/closed in accordance with applicable NYSDEC regulations.

INFRASTRUCTURE, SOLID WASTE, AND ENERGY

Comment 23: It is recommended that the consultant coordinate with DEP's Bureau of Water and Sewer Operations early in the project schedule to determine if existing water, sewer, and stormwater conveyances are sufficient to support the proposed project. (NYCDEP)

Response: The applicant will coordinate with DEP's Bureau of Water and Sewer Operations for this determination.

Comment 24: How are sanitation and sewage going to be dealt with. Is there going to be a treatment plan coming up? (CB4)

Due to substantial increases in solid waste and sewage, there should be a detailed disclosure of how the waste will be removed and where it will be taken. Will sanitation services be frequent and sustained in order to keep the surrounding area clean? (MBC)

Response: The DEIS will include estimates of the project's solid waste and sewage generation and any related impact on infrastructure systems.

Comment 25: Energy alternatives should be fully considered, in light of the particular vulnerability of South Bronx communities to air quality and other forms of pollution. Clean and renewable sources of energy should be given a priority during the design of energy systems. (MBC)

Response: The DEIS will include estimates of the project's energy demand and any related impact on infrastructure systems.

TRAFFIC AND PARKING

Comment 26: This section should explain the traffic corridor analysis in more detail. Please indicate whether the proposed method will be a simulation study or a highway capacity study (HCS) analysis for the ramps. (NYCDEP)

Response: The Final Scope has been revised to reflect that an HCS analysis will be undertaken for the Major Deegan Expressway ramps.

TRANSIT AND PEDESTRIANS

Comment 27: The analysis should take into consideration the special accessibility needs of seniors and people with disabilities. Proposals should be offered that facilitate access for these individuals through public transportation and other likely routes and methods. What specific mitigation will be offered to the elderly and disabled, who should have equal access to new facilities? (MBC)

Response: The project's elements will be ADA-compliant. The DEIS will describe public transportation routes to the site.

AIR QUALITY

Comment 28: EPA's MOBILE 6.2 emission model should be implemented as part of the analysis. EPA's MOBILE 6.2 emission model should be used to calculate the emissions for CO and PM_{2.5}. (NYCDEP)

Response: The Final Scope has been revised to reflect that the MOBILE 6.2 emission model will be used.

Comment 29: Please provide justification for using a summer temperature as part of the analysis. (NYCDEP)

Response: The worst-case condition for the air quality analysis is a condition that includes both a Yankees game and operations at the project site. This condition would occur during the summer months.

NOISE

Comment 30: This section should include a discussion regarding how noise from mobile sources will be addressed. Please indicate whether the traffic noise model (TNM) will be implemented. (NYCDEP)

Response: The Final Scope has been revised to reflect that the TNM will be implemented in the noise analysis.

CONSTRUCTION IMPACTS

Comment 31: Pest control during and after construction is very important. There is an infestation of rats at the current site. During the demolition, the vermin could disperse throughout the community, especially in Highbridge. (ACBTM)

Response: The construction impacts assessment will describe pest control measures to be implemented on the project site during construction.

Comment 32: During construction of the project, adequate air monitoring should be done to prevent excessive pollutants in the air. (ACBTM)

Response: All necessary measures would be implemented to ensure that the project complies with New York City Air Pollution Control Code regulating construction-related emissions. As described below, the project will also follow a Construction Health and Safety Plan (Construction HASP), and the Construction HASP is expected to include requirements for dust suppression.

Comment 33: As a result of elevated concentrations of SVOCs and heavy metals exceeding NYSDEC guidance levels, a site-specific construction health and safety plan (Construction HASP) should be prepared on the basis of workers exposure to contaminants during construction-related activities. The Construction HASP should be submitted to DEP for review/approval. Soil disturbance should not occur without DEP's written approval of the site-specific Construction HASP. (NYCDEP)

Response: A site-specific Construction HASP will be prepared for the project, and will be submitted to NYCDEP for review and approval. Soil disturbance during construction-related activities will not occur without NYCDEP's written approval of the site-specific Construction HASP.

Comment 34: The contractor must maintain dust suppression during the excavating and grading activities at the site. (NYCDEP)

Response: It is expected that the site-specific Construction HASP will include requirements for dust suppression.

Comment 35: If de-watering into NYC storm/sewer drains will occur during the proposed construction project, then a NYCDEP sewer discharge permit must be obtained prior to the start of any de-watering activities at the site. In this case, groundwater sampling for NYCDEP sewer discharge criteria should also be completed in any areas where de-watering is expected. (NYCDEP)

Response: As described in the Draft Scope, the Proposed Project may require a NYSDEC State Pollution Discharge Elimination System (SPDES) permit for stormwater discharges associated with construction activities. The Proposed Project may also require NYCDEP permits for de-watering activities associated with construction. If so, these permits will be obtained prior to the start of any de-watering activities at the site, and groundwater sampling for NYCDEP sewer discharge criteria will also be completed in any areas where de-watering is expected.

Comment 36: As a result of suspect lead-containing paint, and Asbestos Containing Material (ACM) associated with on-site structures, we recommend that a thorough ACM survey (including testing of deteriorated materials, wraps, insulations, etc.) be completed prior to starting the proposed construction activities. Once the survey/testing is completed, an appropriate

HASP for the handling and removal of these materials should be implemented prior to demolition of the existing building. (NYCDEP)

Response: As described above, a site-specific Construction HASP will be prepared for the project. It is expected that the Construction HASP will include requirements for the proper handling and removal of ACMs. An ACM survey of on-site structures will be completed prior to the commencement of construction activities.

PUBLIC HEALTH

Comment 37: The scope of work does not mention the Bronx's well-documented epidemic of asthma. (ICP)

No serious analysis or consideration of air quality, construction, or public health would be complete without explicit consideration of the public health crisis of the South Bronx. South Bronx residents suffer from the highest rates of asthma and emphysema in the city as well as the nation. Any analysis of air quality should begin with a study of the rates of asthma/emphysema and the risk factors that are specific to certain populations and the surrounding community. The potential effects on the public health of a vulnerable community due to additional emissions, pollutants, particulate matter, and lead/asbestos dispersion from construction traffic increases and eventual operations should be analyzed. What specific mitigation will be offered to those residents (including elderly and children) with vulnerable health and increased susceptibility to asthma and other respiratory diseases, those who are most sensitive to increases in air pollution? (MBC)

Response: As described in the Draft Scope, a public health analysis may be warranted depending on the results of the hazardous materials, air quality, and noise assessments. If so, this analysis will be provided.

ALTERNATIVES

Comment 38: The residents of the surrounding community deserve more choices and more of a role in planning the redevelopment of the Bronx Terminal Market. "No Build" and "Reduced Unmitigated Impacts" alternatives are insufficient. Residents would like to see more proposals, including ones that may offer more park and waterfront space (like the Related development in East Brooklyn) and more amenities for the surrounding community (including recreational, sports, educational, ecological). Effort should be made to fully integrate the proposed development with the needs, desires, and diverse character of the surrounding community. Community involvement is integral to this process. (MBC)

Response: The analysis will consider alternatives that reduce any identified significant adverse unmitigated impacts of the project. The Final Scope has been revised to include an alternative that accounts for the provision of wholesale market uses on the western side of the development site, which would move the project's entire retail program to the east side of Exterior Street.

Gateway Center at Bronx Terminal Market

Comment 39: Retaining the current market, placing it in a modern facility on the west side of the highway, and improving Exterior Street would permit the construction of all but the big box store and would allow the market merchants to retain their customer base without displacement or interruption. Improvements in the facility would enhance businesses. The number of trucks that would service the market would not exceed the number of trucks that would service the proposed "big box" stores envisioned by the developers. The spatial requirements of a rebuilt, modern market are: $\pm 500,000$ square feet, of which 200,000 would be refrigerated, with room for expansion; a wide central street corridor; good night lighting; secure boundaries, loading docks above street level, contiguity along the platform; large, uninterrupted open storage areas; high-capacity, high load-carrying flat concrete floors; adequate floor drainage; industrial three-phase electric service; high ceilings; strong poured concrete, steel-reinforced walls that are rodent resistant. (BTMPA)

Response: As described above, the Final Scope has been revised to include an alternative that accounts for the provision of wholesale market uses on the western side of the development site, which would move the project's entire retail program to the east side of Exterior Street.

ENVIRONMENTAL JUSTICE

Comment 40: The scope of work does not mention environmental justice. Context in the Bronx and environmental justice should be more fully addressed. (ICP)

Response: An environmental justice analysis will be included as an appendix to the DEIS.



DEPARTMENT OF
ENVIRONMENTAL
PROTECTION

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Post-It® Fax Note	7671	Date	9/20/04	# of pages	2
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September 20, 2004

Meenakshi Varandani
New York City Economic Development Corporation
110 William Street
New York, New York 10038

Re: Gateway Center at Bronx Terminal Market
04DME017X/ 05DEPTECH41X

Dear Ms. Varandani:

The New York City Department of Environmental Protection, Office of Environmental Planning and Assessment (DEP) has reviewed the August 2004 Environmental Site Assessment (EAS)/Draft Scope of Work (DSOW), submitted by Wachtel & Masyr, LLP, on behalf of BTM Development Partners LLC (BTM), for the above-referenced project. It is our understanding that BTM seeks to redevelop a portion of the Bronx Terminal Market and Bronx Men's House of Detention with a series of retail establishments, a multi-level parking garage and at-grade parking, a hotel, and a public park and waterfront esplanade. The proposed development parcels are located on the block and lots bounded by the Metro North Rail Road tracks to the north, 149th Street the south, Harlem River to the west and River Avenue to the east (Block 2356, Lot 20; Block 2539, Lot 32 and parts of Lots 2 and 60; Block 2357, Lots 1, 86), on a 26-acre parcel in the West Haven neighborhood of the Bronx. The proposed project includes five one-story retail buildings (approximately 23,800 gross square feet (gsf)), with an adjacent surface parking lot (37 spaces); a three-story building with 413,644 gsf of retail and 262 parking spaces at ground floor; a six-level parking garage (2,355 spaces) and 17,111 gsf of retail on Exterior Street and 8,053 gsf of retail on River Avenue; a three-story retail building (468,636 gsf); a hotel with 250 rooms, a 30,000 gsf banquet facility, and approximately 225 parking spaces; a public park and waterfront esplanade (2 acres); a two-story retail (141,771 gsf) and ground floor parking (372 spaces) building. The proposed project involves disposition of City-owned land to a private developer and will require ULURP approval and discretionary actions related to zoning and land use. The project will require approvals from the New York City Industrial Development Agency (NYCIDA) in its application for financing and New York State Department of Environmental Conservation (NYSDEC) for inclusion in the Brownfields Cleanup Program. We have the following comments:

Task 10 Natural Resources

- A natural resources inventory should be conducted at the site and an assessment made to determine potential impacts. The assessment should



include configuration of the existing and proposed shoreline and a discussion of potential impacts as a result of shoreline re-configuration. The natural resources inventory and impact assessment report should be submitted to DEP for review.

Task 13 Infrastructure, Solid Waste, and Energy

- It is recommended that the consultant coordinate with DEP, Bureau of Water and Sewer Operations, early in the project schedule to determine if existing water, sewer and stormwater conveyances are sufficient to support the proposed project.

Task 11 Hazardous Materials

- DEP is currently reviewing the Phase I and Phase II Environmental Site Assessment Reports. Comments regarding these reports are forthcoming.

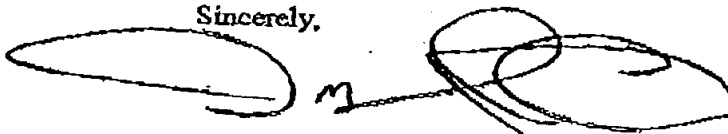
Task 16 Air Quality

- This section should explain the traffic corridor analysis in more detail. Please indicate whether the proposed method will be a simulation study or a highway capacity study (HCS) analysis for the ramps.
- EPA's MOBILE 6.2 emission model should be implemented as part of the analysis.
- Please provide justification for using a summer temperature as part of the analysis.
- EPA's MOBILE 6.2 emission model should be used to calculate the emissions for CO, and PM2.5.

Task 17 Noise

- This section should include a discussion regarding how noise from mobile sources will be addressed. Please indicate whether the traffic noise model (TNM) will be implemented.
- If you have any comments or questions, please contact Amy Ma at (718) 595-6658.

Sincerely,



Darryl H. Cabbagestalk
Director
Project Management - NYC Projects

cc: G. Heath, A. Ma, C. Chan, S. Vafadari, J. Wuthenow, I. Taziva, J. McLaughlin
J. Masyr, Wachtel & Masyr

Post-it* Fax Note	7671	Date	9/29/04	# of pages	4
To	Meenakshi Varandani		From	A. Ma	
Co./Dept.	NYCEDC		Co.	NYC DEP	
Phone #	212.312.3861		Phone #	212.595.6658	
Fax #	212.312.3911		Fax #		

September 29, 2004

Meenakshi Varandani
New York City Economic Development Corporation
110 William Street
New York, New York 10038

Re: Gateway Center at Bronx Terminal Market
04DME017X/ 05DEPTECH41X

Dear Ms. Varandani:

The New York City Department of Environmental Protection, Office of Environmental Planning and Assessment (DEP) has reviewed the January 2004 Phase I Environmental Site Assessment (Phase I ESA) and Phase II reports both prepared by Langan Engineering and Environmental Services, P.C. (LE), on behalf of BTM Development Partners LLC (BTM), for the above-referenced project. It is our understanding that BTM seeks to redevelop a portion of the Bronx Terminal Market and Bronx Men's House of Detention with a series of retail establishments, a multi-level parking garage and at-grade parking, a hotel, and a public park and waterfront esplanade. The proposed development parcels are located on the block and lots bounded by the Metro North Rail Road tracks to the north, 149th Street to the south, Harlem River to the west and River Avenue to the east (Block 2356, Lot 20; Block 2539, Lot 32 and parts of Lots 2 and 60; Block 2357, Lots 1, 86), on a 26-acre parcel in the West Haven neighborhood of the Bronx. The proposed project includes five one-story retail buildings (approximately 23,800 gross square feet (gsf)), with an adjacent surface parking lot (37 spaces); a three-story building with 413,644 gsf of retail and 262 parking spaces at ground floor; a six-level parking garage (2,355 spaces) and 17,111 gsf of retail on Exterior Street and 8,053 gsf of retail on River Avenue; a three-story retail building (468,636 gsf); a hotel with 250 rooms, a 30,000 gsf banquet facility, and approximately 225 parking spaces; a public park and waterfront esplanade (2 acres); a two-story retail (141,771 gsf) and ground floor parking (372 spaces) building. The proposed project involves disposition of City-owned land to a private developer and will require ULURP approval and discretionary actions related to zoning and land use. The project will require approvals from the New York City Industrial Development Agency (NYCIDA) in its application for financing and New York State Department of Environmental Conservation (NYSDEC) for inclusion in the Brownfields Cleanup Program.

The January 2004 Phase I ESA conducted by Langan Engineering and Environmental Services, revealed historical land uses that have predominantly consisted of a variety of residential, industrial and commercial uses including a foundry, coal yards, rail yards, lumber yard, saw mill, fire proofing manufacturing facility, electric power generation plant, asphalt paving company, toy and refrigerator manufacturing, NYC Department of Sanitation facility, fuel



oil storage and correctional facility. Adjacent land uses include an auto and machine repair garage, fuel service stations, garages and maintenance facilities.

The New York State Department of Environmental Conservation (NYSDEC) spill database indicates that there are a total of five spill incidents listed within a ½-mile radius of the subject site. Two spills (numbers 9912518 and 01035214), are classified "active" and the remaining three are classified "closed." In addition, NYSDEC database revealed that 15 Underground Storage Tank (UST) sites were identified within ¼-mile radius of the property. Based on the age of the on-site structures, lead-based paint and asbestos containing material (ACM) could be present in the onsite structures.

In November and December 2003, LE conducted a Phase II subsurface investigation at the subject site. Twelve soil borings, four observation wells, and ten test pits were completed to evaluate subsurface conditions at this site. One soil sample was collected at each soil boring and test pit location. A total of seven groundwater samples were also collected, one at each observation well, two from TP-2 and TP-5 and one from boring location, B-12. The soil and groundwater samples were analyzed for Target Compound List (TCL) volatile and semi-volatile compounds, Target Analyte List (TAL) metals and PCBs. In addition, groundwater samples were also analyzed for NYCDEP sewer discharge parameters. Based on soil boring logs prepared by LE, subsurface soils consist of fill material comprising of medium to coarse sand, gravel, concrete, bricks and asphalt overlying silt and sand. Groundwater was encountered at five feet below grade during the November 2003 sampling activities.

The soil analytical results revealed VOC concentrations which were either non-detect (ND) or below the NYSDEC TAGM 4046 Guidance Levels. Seven SVOCs constituents from boring B-11, B-6A, B-OW-1, B-10, B-7, B-12, B-13, and test pits TP-3 TP-10 through TP-13 exceeded NYSDEC TAGM 4046 Guidance Levels. These concentrations ranged from 500 - 14,000 ppb for Benzo (a) anthracene, 490 - 13,000 ppb for Benzo (a) pyrene, 440 - 13,000 ppb for Benzo (b) fluoranthene, 460 - 11,000 ppb for Benzo (k) fluoranthene, 3,200 - 3,900 Indeno (1,2,3-cd) pyrene and 300 - 1,100 ppb for Dibenzo (a,h) anthracene.

Several heavy metals exceeded TAGM 4046 Guidance Levels and/or Eastern USA Background Concentrations. Metals of concern in soils exceeded levels ranging from 12.3 - 35.6 ppm for arsenic, 0.348 - 1.6 ppm for mercury and 631 - 2,230 ppm for lead. The groundwater analytical data revealed that benzene (8 ppb) exceeded the NYSDEC groundwater standards and guidance values from well GW11. Several heavy metal constituents also exceeded the NYSDEC groundwater standards and guidance values from wells GW1, GW2, GW9 and GW11. These concentrations ranged from 560 - 5,770 ppb for iron; 71.9 ppb for lead; 52,700 - 178,000 ppb for magnesium; 421 - 3,580 ppb for manganese and 213,000 - 713,000 ppb for sodium.

Based on our review of the aforementioned documentation, DEP has the following comments /recommendations:

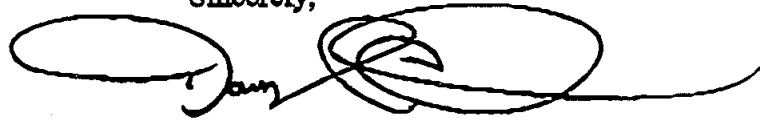
- As a result of the contamination levels detected at the subject site, a Remedial Action Plan (RAP) should be developed for the subject site and submitted to DEP for review and approval. The RAP should specify that all excavated soils and fill materials will be removed from the site and properly disposed of at an appropriate landfill facility in accordance with all applicable NYSDEC Regulations. Note that additional testing of the

soils may be required by the disposal and/or recycling facility. Surface soils and/or fills should not be utilized for backfilling and/or grading purposes.

- As a result of elevated concentrations of SVOCs and heavy metals exceeding NYSDEC Guidance Levels, a site-specific construction Health and Safety Plan (Construction HASP) should be prepared on the basis of workers exposure to contaminants during construction related activities. The Construction HASP should be submitted to DEP for review/approval. Soil disturbance should not occur without DEP's written approval of the site-specific construction HASP.
- An appropriate vapor barrier, which would sustain long-term exposure to petroleum constituents (SVOCs), should be incorporated into the design plan for all structures during the proposed construction project. The conceptual design of the vapor barrier system should be submitted to NYCDEP for review and approval.
- For all areas, which will either be landscaped or covered with grass (not capped), a minimum of two (2) feet of existing soil/fill material must be removed and replaced with clean soil.
- Excavated soils, which are temporarily stockpiled on-site, must be covered with polyethylene sheeting while disposal options are determined. Additional testing may be required by the disposal/recycling facility.
- If any petroleum-impacted soils (which display petroleum odors and/or staining) are encountered during the excavation/grading activities, the impacted soils should be removed and properly disposed of in accordance with all NYSDEC Regulations.
- All known or found USTs and ASTs (including dispensers, piping, and fill-ports) must be properly removed/closed in accordance with all applicable NYSDEC Regulations.
- The contractor must maintain dust suppression during the excavating and grading activities at the site.
- If de-watering into NYC storm/sewer drains will occur during the proposed construction project, then a NYCDEP Sewer Discharge Permit must be obtained prior to the start of any de-watering activities at the site. In this case, groundwater sampling for NYCDEP Sewer Discharge Criteria should also be completed in any areas where de-watering is expected.
- As a result of suspect lead-containing paint, and Asbestos Containing Material (ACM) associated with on-site structures, we recommend that a thorough ACM survey (including testing of deteriorated materials, wraps, insulation, etc.) be completed prior to starting the proposed construction activities. Once the survey/testing is completed, an appropriate HASP for the handling and removal of these materials should be implemented prior to demolition of the existing building.

If you have any comments or questions, please contact Amy Ma at (718) 595-6658 or myself at (718) 595-4451.

Sincerely,

A handwritten signature in black ink, appearing to read "Darryl H. Cabbagestalk", with a large, stylized loop at the end.

Darryl H. Cabbagestalk
Director
Project Management - NYC Projects

cc: G. Heath; A. Ma; J. Wuthenow; I. Taziva; D. Rice-EDC; J. Masyr-Wachtel & Masyr

AD-HOC COMMITTEE ON THE BRONX TERMINAL MARKET

c/o

L. Perkins

**2575 Sedgewick Avenue, #4F
Bronx, New York 10468**

**Meenakshi Varandani
New York City Economic Development Corporation
110 Williams Street
New York, NY 10038**

September 18, 2004

Dear Mr. Meenakshi Varandani

The AD-HOC Committee on the Bronx Terminal has concerns with the environmental and health impact of the Gateway Center at Bronx Terminal Market on the Community. The current Bronx Terminal Market provides fresh produce that specializes in the ethnic foods of the peoples in our Community. The Market is a key source of fresh produce for our Community at large and at reasonable prices. This is important to the health of a Community of minority peoples. Therefore, it is a concern that this issue be addressed in the planning of the Gateway Center.

Our Community suffers from one of the highest rates of asthma in children. There is a great concern that during the construction of this project that adequate air monitoring is done and the prevention of excessive pollutants in the air is implemented.

Pest control during construction and after is very, very important to us. There is an infestation of rats at the current site. The fear is that during the demolition of the buildings those vermin will disperse throughout the Community, especially in Highbridge. This matter needs especial attention from the developers and the Department of Health.

There are other concerns that the Community has with the redevelopment of the Bronx Terminal Market. We would appreciate the opportunity to express those concerns to you.

Ad-Hoc Committee on the Bronx Terminal Market

LOWENSTEIN SANDLER PC
Attorneys at Law

ANDREW R. TULLOCH
Of Counsel

Tel 646.414.6792 Fax 973.422.6859
atulloch@lowenstein.com

September 20, 2004

Ms. Meenakshi Varandani, Director, Planning
New York City Economic Development Corporation
110 Williams Street
New York, NY 10038

Re: **Comments in Response to Positive Declaration Notice of Intent to Prepare Draft
Environmental Impact Statement and Environmental Assessment Statement**

Project: Gateway Center at Bronx Terminal Market
Borough of the Bronx
CEQR: 04DME017X
ULURP: PENDING

Dear Ms. Varandani:

We represent The Bronx Terminal Market Preservation, Inc., a non-profit organization composed of tenants at the Bronx Terminal Market.

Pursuant to Section 5-07 (b) of the Rules of Procedure for City Environmental Quality Review (CEQR), annexed to this transmittal letter please find the public comments submitted by The Bronx Terminal Market Preservation, Inc.

We submit these comments to be included in and made part of the permanent and public record of CEQR #04DME017X and to be considered in the preparation of the Draft Environmental Impact Statement (DEIS).

Further, we request that these comments be included in and made part of the permanent and public record of the Uniform Land Use Review Process (ULURP).

Respectfully submitted,


Andrew R. Tulloch

ART:eap

September 17, 2004

cc: Robert R. Kulikowski, Ph.d
Lead Agency Contact
Office of the Deputy Mayor for Economic Development and Rebuilding

Honorable Adolfo Carrion, Bronx Borough President

Honorable Melinda Katz, Chair
Committee on Land Use, New York City Council

Honorable Joel Rivera, Majority Leader
Member, Committee on Land Use,
New York City Council

Rafael A. Salaberrios, President
The Bronx Economic Overall Development Corporation

Honorable Jose E. Serrano, M.C.,
Congressman, 17th C.D.

Honorable Aurelia Greenc
Assemblywoman, 77th A.D.

Enclosure(s)

17094/1
09/20/04 1606812.01



September 23, 2004

**Comments in Response to Positive Declaration Notice of Intent to Prepare Draft
Environmental Impact Statement and Environmental Assessment Statement**

**Project: Gateway Center at Bronx Terminal Market
Borough of the Bronx
CEQR: 04DME017X
ULURP: PENDING**

**Prepared by Susan S. Fainstein
Submitted on behalf of The Bronx Terminal Market Preservation Association, Inc.
Professor and Director, Program in Urban Planning
Columbia University**

The Bronx Terminal Market, constructed in the 1920s, was originally located to take advantage of access to waterborne transportation on the Harlem River. Subsequently it was benefited by the construction of I-95 and the Major Deegan Expressway, which provided convenient access for large tractor trailer trucks. Although currently the market structures are not fully occupied and in a serious state of disrepair, the market continues to serve a large number of both wholesale and retail customers and to employ a substantial number of people. Its competitive advantage rests on the clustering of similar businesses, allowing patrons the convenience of one-stop shopping, and its proximity to the bridges to Manhattan and to public transit. Any sacrifice of these locational advantages could prove severely injurious to the market merchants.

The Related Company's plan for the market site involves construction on either side of the Deegan. Consequently it really consists of two separate projects—a big box store to the west and a shopping mall, hotel, and garage to the east. The highway would constitute a barrier between the two parts. Retaining the current market, placing it in a modern facility on the west side of the highway, and improving the street (Exterior Street) under the highway would permit the construction of all but the big box store and would allow the market merchants to retain their customer base without displacement or interruption. At the moment the market occupies approximately 425,000 square feet of space. Much of it is inconveniently laid out, and the surroundings are very unattractive. Improvements in the facility would undoubtedly enhance business. The number of trucks that would service the market would not exceed the number of trucks that would service the proposed "big box" stores envisioned by the Gateway Center's developers.

The following facts indicate the importance of the market to the Bronx economy:

1. Currently there are 23 firms operating in the market, employing about 750 people. Approximately 50 percent of them live in the Bronx. The market provides stable employment for individuals with relatively low levels of education, many of them

immigrants lacking language skills. It serves over one million people in the metropolitan area and offers highly competitive pricing.

2. Clustering of the various providers allows them to supplement each other. There is a high level of cooperation among the tenant firms—they share customers and provide each other with assistance. Customers who do not find what they are looking for in one establishment can find the items nearby.
3. The market offers customers both wholesale and bulk retail goods. Customers seek out the market for its specialty ethnic products and its convenience of access and scale as compared to the Hunt's Point Market.

The spatial requirements of a rebuilt, modern market are as follows:

4. A modern facility, with space for expansion. It would encompass about a half million square feet, of which 200,000 would be refrigerated.
5. An improved facility that would allow:
 - a. A wide central street corridor that allows easy access to all establishments
 - b. Good night lighting
 - c. Secure boundaries with controlled entrances
 - d. Room for expansion for both existing and new tenants
 - e. Loading docks above street level, at the height of trailer tailgates
 - f. Contiguity along the platform from one establishment to another
 - g. Large, uninterrupted open storage areas that would facilitate mechanized stocking and order picking
 - h. High-capacity, high load-carrying flat concrete floors
 - i. Adequate floor drainage
 - j. Industrial three-phase electric service
 - k. High ceilings
 - l. Strong pouted concrete, steel-reinforced walls that are rodent resistant

Inner City Press Community on the Move

September 19, 2004

Via fax (212) 312- 3911 / e-mail mvarandani@nycedc.com

New York City Economic Development Corp.
Attn: Meenakshi Varandani, AICP, Director
110 William Street
New York, NY 10038

Re: Timely comments on the proposed Gateway Center at [or
on] Bronx Terminal Market, CEQR Ref. No. 04DME017E

Dear Ms. Varandani:

On behalf of the Bronx-based non-profit organization Inner City Press / Community on the Move, Inc. (along with its members and affiliates, "ICP"), this is a timely comment on the proposed long-term lease and destructive re-development of the Bronx Terminal Market and environs, CEQR Ref. No. 04DME017E.

In the first instance, this supplements ICP's oral testimony at the public hearing held on September 9, 2004, at which an Environmental Assessment Statement (the "EAS") was distributed. Even a quick review of the EAS, and of the testimony offered at the beginning of the hearing by the proponents of the Proposed Project led ICP to raise, in the record, the following questions and issues:

The Bronx has a tattered history of its land being given away or disposed of with little transparency or input. As simply one example, The Harlem River Yards in Port Morris was leased to the Galesi Group for 99 years; now includes an ever-growing waste transfer station, and few to

*PO Box 580188, Mt. Carmel Station, Bronx, NY 10458 TEL: (718) 716-3540; FAX: (718) 716-3161
Web: <<http://www.innercitypress.org>>*

none of the amenities that were initially promised. There is a need for greater disclosure, greater transparency, and substantively, more for The Bronx and Bronx residents.

What must first be addressed in this now-beginning public process on the Proposed Project is how and why the sole source selection of Related Companies came about. The current plan is praised, by the City's EDC and Office of the Deputy Mayor for Economic Development, as providing two acres of waterfront park. But how can Bronxites know if another developer might have offered, for example, four acres? Or mitigation of raising rents for small businesses and residential housing in the area? Or a provision for maintaining the unique cultural and small business uses at the site? Or advancing in some way the arts and cultural life of The Bronx?

The Environmental Assessment Statement scope of work does not mention environmental justice, nor the Bronx's well-documented epidemic of asthma. While it speaks of indirect displacement, it considers only rising rents for stores, and the effect on residential rents. There is, for now, no mitigation of any of these effects being proposed. ICP has spoken with a number of the Market's tenants, who have told ICP that the relocation that has been offered to them has been "you better move fast," with no attempt made to keep them together. Related Companies, well prior to any public hearing, was given a 63-month lease, and is already telling all tenants to leave. While there was talk, at the hearing, of a relocation consultant, this is a term you'll find in Robert Caro's seminal *The Power Broker*, about Robert Moses and the Cross Bronx. What's in a word?

When the Proposed Project -- technically, or publicly, the adoption by Related of Arol Development's 1972 lease of the property from the City -- was announced in April, various observers questioned why there had been no public bidding. See, e.g., "Terminal Solution," Village Voice, April 20, 2004, Pg. 18, regarding *inter alia* a transaction that predated city service "by four days. As the board's letter laid out the chronology, on December 27, 2001, M&T Bank agreed to assume the new \$3.2 million loan for NYC2012." Now, belatedly, a public process about the proposal has begun. But how meaningful will the review be, with the land already leased to Related, and the pressure to relocate, now-fast-today, already on?

Unnamed "development sources" have been quoted, calling it a "give away." See, e.g., "Jeers for Bx. market deal," N.Y. Daily News, April 4, 2004: "One development source, who asked not to be identified, was stunned that the city would 'give away 1 million square feet' of retail space to Related without any bidding process." There was talk of an inquiry by the city council's Contracts Committee. See, e.g., "QUESTIONS ARISE OVER NEW DEAL AT BRONX MARKET," New York Sun, April 6, 2004, Pg. 1, also quoting the representative of named developers that "Were there 10 or 12 other developers who could have made as good a bid or better? I would say yes but we won't know until it's opened up" -- and naming developers who say they would have bid more, presumably not only in money but in benefits to Bronxites. (As simply one example, The Bronx remains the most under-banked county in New York City and State, see the statistics on www.innercitypress.org/bronx.html,

incorporated herein by reference. If Related was selected because of its power and experience, these would have to bring benefit to Bronxites.

After ICP's oral testimony at the September 9 hearing, an EDC official shepherded ICP's speaker out into the hall. He emphasized his view that this Proposed Project would be entirely different than the Harlem River Yards. The example he gave is that the proposal would "go to the Community Board." But the Port Morris medical waste incinerator, for example, "went through" Community Board One. While ICP had been told that CB4, or at least its staff, has over the summer indicated some support for the proposed project, at the September 9 hearing a member of CB4's Economic Development committee expressed concern about what types of businesses would occupy the land under the Bronx Terminal Market, if it is demolished. He was told that the hearing was not the time to raise questions, only comments. The question is a good one, however. Beyond the Harlem River Yards, the Bronx has a history of purportedly community development projects subsequently including destructive or predatory elements. For example, subsidized mall in Crotona Park East was, after approval, slated to include a high-cost outlet of Rent-A-Center, a business much sued in New York, including by government. See, <http://citylimits.org/content/articles/weeklyView.cfm?articlenumber=142>, incorporated herein by reference, along with this background:

The Bronx Terminal Market was begun in the 1920s with a refrigerated warehouse (which EDC immediately targeted for demolition, EAS at 1a). In 1935, Mayor LaGuardia expanded the Market along Exterior Street. Like the Arthur

Avenue Retail Market, and the Essex Street Market in Manhattan and other LaGuardia-era public markets, the BTM is of historical significance, which the Proposed Project and EAS sidestep and ignore.

Some of the wholesales moved to Hunts Point in the mid-70s, after which the Market became known regionally for specialty Hispanic foods. Now, even at half capacity, it is known nationwide, including for rare African food and other products. See, simply to establish this matter for the record, "In the Bronx, a Last Call for Goat Legs and 99-Cent Toothpaste," N.Y. Times, May 9, 2004, and the statistics in "The Market Will Be Missed," N.Y. Times, May 3, 2004, B1:

"Nigerians and Ghanaians, along with West Indians, come to the Bronx Terminal Market from near and far, in cars and taxis, by bus and subway to stock up on foods they either cannot get elsewhere, or would have to spend much more to buy.... Census figures show that the city's Nigerian and Ghanaian population grew to about 30,000 in 2000 from 11,000 in 1990, and that 44 percent live in the Bronx."

These issues are not, to put it mildly, sufficiently addressed in the EAS, nor in the Proposed Project. There is more to say, but ICP will wait to see how and if the issues raised above are addressed in the forthcoming written presentations of the Proposed Project's proponents (copies of which should be sent to ICP, at P.O. Box 580188, Mount Carmel Station, Bronx NY 10458 and/or [BronxTerminalWatch\[at\]innercitypress.org](mailto:BronxTerminalWatch[at]innercitypress.org). As currently

configured and presented, the Proposed Project could not
legitimately be approved.

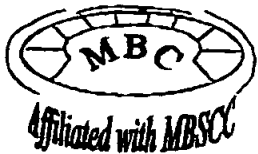
Respectfully submitted,

Matthew Lee

Matthew Lee, Esq.

Executive Director

Inner City Press / Community on the Move
and members and affiliates



MID-BRONX COUNCIL

900 Grand Concourse Bronx, NY 10451

Tel: (718) 588-8200

Fax: (718) 681-3824

September 20, 2004

Meenakshi Varandani
New York City Economic Development Corporation
110 William Street
New York, NY 10038
FAX: 212-312-3911

Dear NYCEDC,

The Mid-Bronx Council, a not-for-profit community development and social service provider representing residents of Community Board #4, would like to submit the following recommendations for consideration in the Scope of Analyses of a potential Environmental Impact Statement.

The Gateway Center at the Bronx Terminal Market is a redevelopment plan with significant potential impact on the health, environment, businesses, and residents of the surrounding community. While most residents would welcome the transformation of Bronx Terminal Market area, Mid-Bronx Council would like to reiterate the need for greater public involvement and transparency in the development and planning stages of any proposed project of such significance. Few residents that will be directly and indirectly affected by the redevelopment of Bronx Terminal Market even know of the proposed project, and neither residents nor community organizations participated in either the selection of a developer or the genesis of a proposal. We ask that a community liaison person be established to assist communication with the community.

The following are our recommendations:

Task 1, Project Description

When discussing the project's design, efforts should be made to integrate the needs of seniors and the disabled. What design components specifically address the special needs of seniors and the disabled? Will there be sufficient elevators, ramps and escalators? Many residents of the Bronx suffer from diabetes and full or partial blindness. Will their needs be incorporated in the design? For instance, a dog walk area could be proposed for the visually impaired.

Task 3, Socioeconomic Conditions

We suggest widening the scope of this section to include the effects on the community labor market. A lucrative project that will offer substantial profits to businesses and developers, as well as tax revenue to the city of New York, ought to provide significant job opportunities to local residents. The Bronx, as is well known, has an unemployment rate that is double the national average. We ask that contract documents between the City of New York and the developers provide for minimum targets on workforce participation, as well as resources to monitor contractors' performance toward meeting the following goals:

- A minimum of 25% of the construction workforce and related construction vendors should be committed in advance to Bronx residents in the surrounding zip codes, with a special emphasis on the unemployed. Prospective retail businesses should also be encouraged to meet these minimum targets with regards to operation/service jobs.

Whether these are Union vs. non-union positions should also be specified. It should be noted here that in previous development projects in the near vicinity (Bronx Criminal Court), there was no firm commitment or accountability to the community on resident employment.

- The vendors for said jobs should commit to involving community job development, resource, and labor-training agencies in order to bring unemployed Bronx residents back into the labor market.
- The most appropriate job vendors are community-based agencies with experience and expertise working in job development and training, organizations that possess knowledge of the surrounding community that is rooted in decades of involvement.

Also,

(C,D,F):

In the analysis of displaced businesses (Direct Displacement), the wholesale and farmer's market owners and workers (est. 250-300) that currently occupy the Bronx Terminal Market should be directly consulted and involved in the decision-making process regarding possible relocation and offered fair mitigation and a reasonable timetable. Also, residents who frequent these businesses should also be consulted and involved in the process.

And,

(Indirect Residential Displacement)

Analysis should include the possibility of rising residential costs and subsequent displacement, based on statistics showing the impact of large-scale economic development, such as the Bronx Terminal Market and potential Yankee Stadium plan, on surrounding neighborhoods.

Finally,

(Indirect Business Displacement):

Analyses in this domain should enlarge upon themes in sub-paragraph O: potential for impacts "on major existing retail anchors or groups of stores that serve as an anchor for neighborhood shopping." Small, family-run businesses should be included in these assessments, as well as mitigation for loss of sales revenue and the burden of rising rents. Representatives from area businesses and business organizations should be directly involved in the process of evaluation and analysis.

Task 9, Neighborhood Character

There should be a detailed analysis of the possibilities of rising residential and commercial rents, as well as a loss of profitability in small, family-run businesses, and the effects this will have on neighborhood character and issues of affordability. Also, what will be the impact of an increased presence of middle-income consumers and subsequent increases in traffic on the surrounding neighborhood? Mitigation should be explored and proposed in Task area 20 based on these studies.

Task 13, Infrastructure, Solid Waste, and Energy

Due to substantial increases in solid waste and sewage, there should be a detailed disclosure of how the waste will be removed and where it will be taken. Will sanitation services be frequent and sustained in order to keep the surrounding area clean?

Energy alternatives should be fully considered, in light of the particular vulnerability of South Bronx communities to air quality and other forms of pollution (see below). Therefore,

clean and renewable sources of energy should be given a priority during the design of energy systems.

Task 15, Transit and Pedestrians

While considering accessibility, we suggest that this analysis take into consideration the special needs of seniors and people with disabilities. Proposals should be offered that facilitate access for these individuals through public transportation and other likely routes and methods.

Task 16, 18, 19, Air Quality, Construction Impacts, Public Health

No serious analysis or consideration of air quality, construction, or public health would be complete without explicit consideration the public health crisis of the South Bronx. South Bronx residents have been seriously affected by past negligence, and as a result, suffer from the highest rates of asthma and emphysema in the city as well as the nation. Therefore, any analysis of air quality should begin with a study of the rates of asthma/emphysema and the risk factors that are specific to certain populations in the surrounding community. It should analyze the potential effect on the public health of a *vulnerable community* due to additional emissions, pollutants, particulate matter, and lead/asbestos dispersion from construction traffic increases, and eventual operations.

Task 20, Mitigation

What specific mitigation will be offered to:

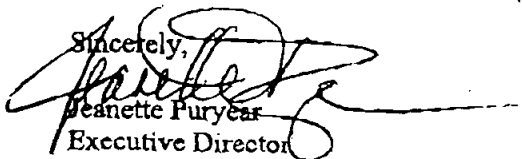
- Residents, business owners, and workers that will be affected by the relocation of the wholesale area of the Bronx Terminal Market?
- Residents who may face rising housing/rent costs?
- Small business owners who may lose revenue or face rising rents themselves?
- The elderly and disabled who should have equal access to new facilities?
- Those residents (including elderly and children) with vulnerable health and increased susceptibility to asthma and other respiratory diseases, those who are most sensitive to increases in air pollution?

Task 21, Alternatives

The residents of the surrounding community deserve more choices and more of a role in planning the redevelopment of the Bronx Terminal Market. 'No build' and 'reduced unmitigated impacts' alternatives are insufficient. Residents would like to see more proposals, including ones that may offer more park and waterfront space (like the Related development in East Brooklyn), and more amenities for the surrounding community (including recreational, sports, educational, ecological). Effort should be made to fully integrate the proposed development with the needs, desires, and diverse character of the surrounding community. Therefore, community involvement is integral to this process.

Thank you for taking serious consideration of our comments.

Sincerely,


Jeanette Puryear
Executive Director

Appendix B:
OPRHP Determinations of Eligibility

RESOURCE EVALUATION

DATE: 8/30/04

STAFF: Kathy Howe

PROPERTY: Bronx House of Detention for Men

MCD: Bronx

(former Bronx County Jail)

ADDRESS: 653 River Avenue (SW corner of E. 151st St.)

COUNTY: Bronx Co.

PROJECT REF: 04PR02034

USN: 00501.001340

- I. ☐ Property is individually listed on SR/NR:
name of listing:
- ☐ Property is a contributing component of a SR/NR district:
name of district:
- II. ☒ Property meets eligibility criteria.
- ☐ Property contributes to a district which appears to meet eligibility criteria.

Pre SRB: ☐ Post SRB: ☐ SRB date

Criteria for Inclusion in the National Register:

- A. ☐ Associated with events that have made a significant contribution to the broad patterns of our history;
- B. ☐ Associated with the lives of persons significant in our past;
- C. ☒ Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or possess high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction;
- D. ☐ Have yielded, or may be likely to yield information important in prehistory or history.

STATEMENT OF SIGNIFICANCE:

The Bronx House of Detention for Men, formerly the Bronx County Jail, was constructed in 1938 as a WPA project to the design of prominent architect Joseph H. Freedlander. The building meets Criterion C as an outstanding example of WPA-era institutional architecture.

The 8-story building is clad in gray brick and stone and has pavilions at each end and a prominent 10-story center pavilion. The pavilions have distinctive truncated, stepped pyramidal roofs. Of special note at the center pavilion is the wide stone frieze with classical bas relief ornamentation. The façade is articulated by the repetition of the long dark window slots which rise uninterrupted above the base of the building. A non-historic addition (1963) has been built at the rear of the building.

The architect of the building, Joseph H. Freedlander (1870-1943) received his architectural training at the Massachusetts Institute of Technology and the Ecole des Beaux-Arts in Paris. His New York architectural designs include the Bronx County Building (also known as the Bronx County Courthouse; National Register-listed), the Museum of the City of New York, the new Harlem Hospital, and the French Institute Building.

Freedlander's design for the Bronx House of Detention features bold geometric massing on a monumental scale with minimal ornamentation. The use of long vertical window openings reinforces the verticality of this Modernistic or vaguely Art Deco design. The stepped pyramidal pavilion roofs represent a nod to Egyptian form. The building retains a high degree of integrity of location, design, setting, materials, workmanship, feeling, and association.

If you have any questions concerning this Determination of Eligibility, please call Kathy Howe at (518) 237-8643, ext. 3266.

RESOURCE EVALUATION

DATE: 8/30/04

STAFF: Kathy Howe

PROPERTY: Bronx Terminal Market

MCD: Bronx

ADDRESS: East 149th-East 151st Streets, River and

Cromwell Avenues at Harlem River

COUNTY: Bronx Co.

PROJECT REF: 04PR02034

USN: 00501.001339

- I. ☐ Property is individually listed on SR/NR:
name of listing:
- ☐ Property is a contributing component of a SR/NR district:
name of district:
- II. ☒ Property meets eligibility criteria.
- ☐ Property contributes to a district which appears to meet eligibility criteria.

Pre SRB: ☐ Post SRB: ☐ SRB date

Criteria for Inclusion in the National Register:

- A. ☒ Associated with events that have made a significant contribution to the broad patterns of our history;
- B. ☐ Associated with the lives of persons significant in our past;
- C. ☒ Embodies the distinctive characteristics of a type, period or method of construction; or represents the work of a master; or possess high artistic values; or represents a significant and distinguishable entity whose components may lack individual distinction;
- D. ☐ Have yielded, or may be likely to yield information important in prehistory or history.

STATEMENT OF SIGNIFICANCE:

The Bronx Terminal Market is located along the west shore of the Harlem River roughly bounded by East 149th and East 151st Streets and River and Cromwell Avenues in the West Haven Section of the Bronx.

Planning for the market began in 1917 under Mayor John F. Hylan's administration. Construction on the large wholesale market & cold storage warehouse (Building A on attached map) began in 1924 and the power house/refrigeration plant (Building J) was added in 1925. Bronx Terminal Market officially opened in 1929 but it did not become successful until it expanded in the 1930s thanks to Mayor Fiorello LaGuardia's drive to eliminate pushcart vendors in the city. The expanded market opened in 1935 and included four, long two-story reinforced concrete buildings (Buildings B, F, G, H) containing 48 wholesale stores (each 40' x 90') with cantilevered canopies projecting over loading docks; a one-story concrete

block building (1935; Building E); and a two-story stucco-clad building (1934-35) designed to serve as a bank, restaurant and farmers' hotel. The site once had a steel-truss farmers' shelter that accommodated 300 trucks on the east side of Cromwell Street, that has since been razed.

The Bronx Terminal Market meets National Register Criterion A for its association with the commercial, political, and social history of New York City. As one of the first markets of its type the Bronx Terminal Market is nationally significant for serving as a model for similar terminal markets in other cities.

"The City's involvement in the construction, ownership, and operation of the Market reinforced the era's notion of big government as a potent force for addressing the society's needs" (R. Thomson, 1). It was the City's goal to consolidate food storage and inspection, and to link food distribution to all modes of transportation. Progressive reformers considered the terminal market a critical step in improving food distribution for the city and the Bronx Terminal Market served as a model market. "Using his strong ties to President Franklin Roosevelt, LaGuardia attracted millions of dollars in New Deal support to bring the farmer back into New York City" (H. Tangires, 5). Construction funds, labor and architectural services were provided by the Civil Works Administration (Tangires, 5).

The market also meets Criterion C as an intact example of the terminal market plan. The design of the buildings and their layout on the site strictly follows function. The site provided excellent rail, road and water proximity making it accessible by barge, carfloats, trucks and trains. The linear arrangement of the long, low market structures directly adjacent to the tracks and street streamlined the loading and unloading of produce. The streamlined function of the market buildings was further expressed in by the smooth concrete surfaces, industrial sash, and simple horizontal corbel tables.

The BTM retains integrity of location, design, setting, materials, workmanship, feeling and association. All of the remaining buildings on the site retain their period integrity and contribute to the significance of the site with the exception of the original 1925 wholesale market & cold storage warehouse which has suffered a significant loss of structural and design integrity.

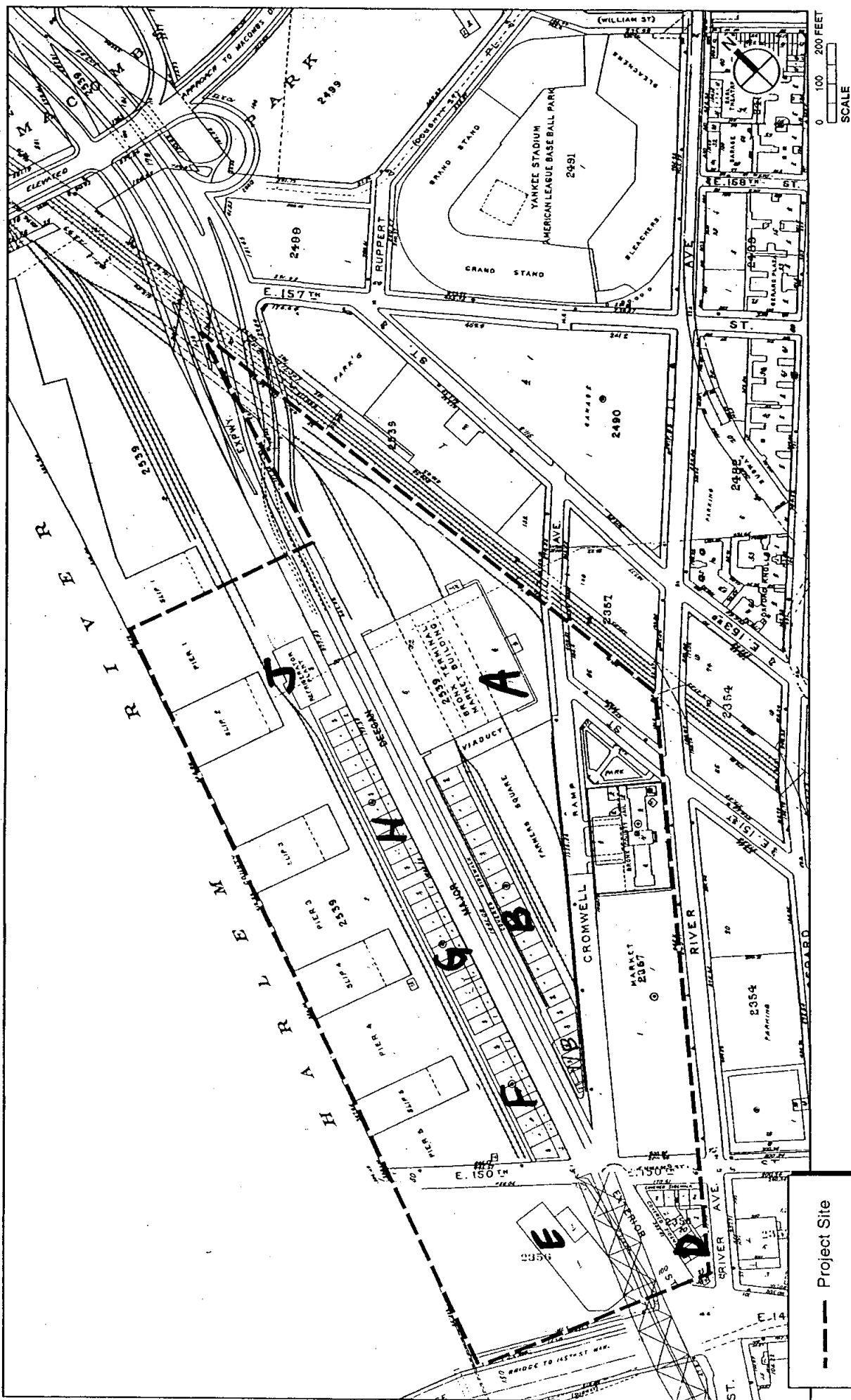
Today, the Bronx Terminal Market still operates as a wholesale market, though on a much smaller scale, mostly serving the City's West African and Latin communities.

If you have any questions concerning this Determination of Eligibility, please call Kathy Howe at (518) 237-8643, ext. 3266.

Sources

Helen Tangires, "Wholesale Produce Markets and the Agricultural Landscape of New York City, 1912-1945." A paper presented at the 57th Annual Meeting of the Society of Architectural Historians, April 15, 2004, Providence, Rhode Island.

Rob Thomson, Report on the "New" Bronx Terminal Market Buildings - 1935. Student paper prepared as part of the "Harlem River Preservation Plan", Columbia University Historic Preservation Program, Fall 2003-Spring 2004.



Sanborn Map

BRONX TERMINAL MARKET