



THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, N. Y. 10007

**NOTICE OF COMPLETION
FINAL ENVIRONMENTAL IMPACT STATEMENT
GATEWAY CENTER AT BRONX TERMINAL MARKET**

Date Issued: December 8, 2005
CEQR No. #04DME017X
SEQRA Classification Type I
Lead Agency Office of the Deputy Mayor
for Economic Development and Rebuilding
100 Gold Street, 2nd Floor
New York, NY 10038
Location Block 2356, Lot 20; Block 2357, Lots 1 and 86; and Block 2359, Lots 2, 32, and 60 (part) in the West Haven neighborhood in the Borough of the Bronx, generally bordered by the Metro North Rail Road tracks to the north, River Avenue to the east, 149th Street to the south, and Exterior Street to the west.

Pursuant to City Environmental Quality Review, Mayoral Executive Order 91 of 1977, as amended, and the City Environmental Quality Review Rules of Procedure found at Title 62, Chapter 5 of the Rules of the City of New York (CEQR), the State Environmental Quality Review Act, Article 8 of the State Environmental Conservation Law, and its implementing regulations found in part 617 of 6 NYCRR (SEQRA), the Office of the Deputy Mayor for Economic Development and Rebuilding has issued a Final Environmental Impact Statement (FEIS) for the Gateway Center at Bronx Terminal Market project, as described below. The FEIS is available for public inspection at the office listed on the last page of this notice. The Draft Environmental Impact Statement (DEIS) for the project was issued by the Office of the Deputy Mayor for Economic Development and Rebuilding on July 6, 2005. A public hearing on the DEIS was held in conjunction with the City Planning Commission's public hearing pursuant to the Uniform Land Use Review Procedure (ULURP) on November 2, 2005. The public comment period, during which written comments on the DEIS were requested, remained open until November 14, 2005. All comments received by that date were incorporated into the FEIS's Chapter 27, *Response to Comments on the DEIS*.

1. DESCRIPTION AND LOCATION OF THE PROJECT

The Gateway Center at Bronx Terminal Market is a proposal to redevelop a 18-acre portion of the current Bronx Terminal Market site along with an adjacent parcel currently housing the Bronx House of Detention (BHOD), with approximately 957,700 gross square feet (gsf) of retail establishments, 2,835 parking spaces in a multi-level parking garage and at-grade parking, and a 250-room hotel (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 2359, Lots 2, 32, and 60 (part). The site is bordered by the Metro-North Railroad tracks to the north, River Avenue to the east, 149th Street to the south, and Exterior Street (the street under the Major Deegan Expressway) to the west. The parcels would be merged with portions of 150th and 151st Streets and Cromwell Avenue to form the project site. The project site is owned by the City of New York.

The proposed project would include the renovation and reuse of an existing building on the site, Building D, for retail (the first and second floors of the building would be combined, for a total of approximately 20,304 gsf), to be renamed Retail Building E.1; a 1-story, approximately 7,576 gsf retail building (Retail Building E.2) with an adjacent surface parking lot of approximately 12 spaces; a 4-story, approximately 542,218-gsf building with 434,272 gsf of retail and 256 parking spaces at the ground floor (Retail Building B/F); a six-level, approximately 915,065-gsf parking garage with a capacity of approximately 2,342 spaces and 20,739 gsf of retail on Exterior Street (Retail Building C) and 8,238 gsf of retail on River Avenue (Retail Building D); a 3-story, approximately 474,409-gsf retail building (Retail Building A); and a hotel approximately 247,500 gsf in size, with 250 rooms, a 30,000-gsf banquet facility, and approximately 225 parking spaces. At each level of the parking garage would be galleria spaces, totaling 45,706 gsf, leading to either Retail Building A or Retail Building B/F. A fee would be charged for parking in the proposed parking garage. In total, the project would comprise approximately 2,252,778 gsf of new development on the site. The proposed project is expected to be complete and operational in 2009, except for the hotel, which would not be completed until 2014.

The project site originally included a portion of the Bronx Terminal Market area west of Exterior Street. However, since the issuance of the DEIS, the project sponsor has returned its leasehold interest in the area west of Exterior Street, the actions relating to the area west of Exterior Street have been withdrawn, and only the part of the site originally proposed for development that is east of Exterior Street is now proposed for development. Therefore, the proposed project does not include the development of a public open space, waterfront esplanade, or retail building in this area. Instead, it is anticipated that the City, with contributions from the project sponsor, would develop a portion of this area with a 2-acre public open space. The programming of this open space and required actions for its development are yet to be determined; however, the City has committed to developing the open space by the project's 2009 build year. The City would be responsible for developing the remainder of the area west of Exterior Street. The project sponsor retains the option to renew the leasehold interest in the portion of the Bronx Terminal Market area north of the proposed 2-acre open space in the future. Should the City determine that retail development of this area is in its best interest, the project sponsor could renew its leasehold interest and develop the western portion of the site. The scenario in which the area west of Exterior Street is developed by the project sponsor is analyzed in the FEIS as the Alternative Including Area West of Exterior Street.

2. REQUIRED APPROVALS

Actions requiring discretionary approval for the proposed project include the following:

The disposition of City-owned property (a long-term lease) by the New York City Department of Citywide Administrative Services (NYCDCAS) and the New York City Department of Small Business Services (NYCSBS) to a private developer. The following City-owned properties would be disposed of, first to the New York City Economic Development Corporation (NYCEDC), and then to BTM Development Partners: Block 2356, Lot 20; Block 2357, Lots 1 and 86; Block 2539, Lots 2 (part), 32, and 60 (part); and portions of East 150th Street, East 151st Street and Cromwell Avenue. Once disposition is approved, DCAS and DSBS intend to dispose of these properties to the NYCEDC. NYCEDC intends to

dispose of Tax Block 2356, Lot 20; Block 2357, Lots 1 and 86; Block 2539, Lots 32, p/o 50 and p/o 60 to BTM Development Partners. The disposition of Block 2539, p/o Lot 2 is requested to convey authority to grant any required subsurface easement(s) to BTM Development Partners. The disposition requires approval by the Borough Board pursuant to Section 384(b) of the City Charter.

In addition, the project site includes Block 2539, part of Lot 60, the area under ramp D of the Major Deegan Expressway. This parcel is owned by the New York State Department of Transportation (NYSDOT). The City of New York retains an easement to utilize the property underneath the ramp. The easement under the ramp will be included in the disposition. The current market lease includes portions of the State-owned property under ramp A (portions of Block 2539, Lot 50). The continuation of this lease is included in the disposition. The disposition requires approval through the Uniform Land Use Review Procedure (ULURP) under City Charter Section 197(c).

A number of other discretionary actions subject to ULURP will be required, as follows:

1. A zoning map amendment from M2-1 to C4-4;
2. Elimination of portions of the following City streets:
 - 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 Railroad tracks.
3. A special permit pursuant to ZR Section 74-512 to permit a public parking garage in excess of 150 spaces;
4. A General Large-Scale District will be declared for the area east of Exterior Street. Several special permits will be required, including:
 - A special permit pursuant to Zoning Resolution (ZR) Section 74-743 for bulk modifications for height and setback waivers along River Avenue and Exterior Street and distribution of floor area within the general large-scale district;
 - A special permit pursuant to ZR Section 74-744(c) for signs not otherwise permitted under the Zoning Resolution.

BTM Development Partners will initiate each of the above actions as a co-applicant with EDC.

In addition to the above, the disposition of the long term lease and the below-grade disposition will require approval pursuant to Section 384(b)(4) of the City charter, which requires Borough Board and mayoral approval. The proposed actions are limited and restricted by the terms and conditions of these approvals. The project sponsor will seek financing for the proposed project from the New York City Industrial Development Agency (NYCIDA). The project has applied for and been accepted into the Brownfield Cleanup Program (BCP) by the New York State Department of Environmental Conservation (NYSDEC). The project would also require a NYSDEC State Pollution Discharge Elimination System (SPDES) permit for stormwater discharges associated with construction activities. An amendment of the City's SPDES permit would be required for a new outfall for stormwater discharge into the Harlem River, as well as Tidal Wetlands and Protection of Waters permits from NYSDEC, a U.S. Army Corps of Engineers (USACOE) permit, and an amendment to the City's drainage plan. This activity is expected to qualify for a Nationwide Permit from USACOE. The proposed project is within the boundaries of the coastal zone and may require a New York State Department of State (NYSDOS) determination of consistency with New York City's Local Waterfront Revitalization Program and a Water Quality Certification from NYSDEC with regard to such Nationwide permit. The new outfall may also require an approval from the New York State Office of General Services (NYSOGS) for the use of land under water. The project may also involve a land transfer from NYSDOT to the City of New York, and a revocable

consent for utility lines underneath Exterior Street. The potential widening of the 149th Street exit ramp from the Major Deegan Expressway may require approval from NYSDOT. To the extent the new outfall for stormwater discharge to the Harlem River will involve discretionary actions by the USACOE, it may 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.

3. PROBABLE IMPACTS OF THE PROJECT

LAND USE

The proposed project would represent a dramatic change in land use on the project site, replacing underutilized and dilapidated buildings with a major shopping center of approximately 957,700 gross square feet (gsf) of retail and a multi-level parking garage and at-grade parking totaling approximately 2,835 spaces. The new, approximately 247,500 gsf hotel would be the only hotel in this area of the city. The lots comprising the project site would be merged with portions of 150th and 151st Streets and Cromwell Avenue to form a superblock. The current tenants of the Bronx Terminal Market would be required to relocate. Relocation assistance would be provided to the tenants. The Bronx House of Detention would be closed as a result of the proposed project. A new site for the Bronx House of Detention has not been selected.

The City—with contributions from the project sponsor—would develop an approximately 2-acre waterfront public open space on a portion of the Bronx Terminal Market area west of Exterior Street. The City is committed to developing the off-site public open space by the Proposed Project's 2009 Build year. It is anticipated that this public open space would be maintained by the New York City Department of Parks and Recreation (NYCDPR). The programming of this open space and the actions required for its development are yet to be determined.

The change in primary use of the project site from predominantly wholesale commercial to retail with parking would not result in a significant adverse impact on the adjacent land uses. The proposed project continues the mixed-use quality of the study area by introducing retail uses in close proximity to residential areas and to Yankee Stadium—a major attraction drawing visitors to the area. The retail center would act as a transitional area between the existing residential uses to the north and east of the project site and the remaining heavy commercial and light industrial uses to the south. The New York Yankees recently announced a proposal to construct a new Yankee Stadium to the north of the site with four new parking garages and a capacity for 54,000 spectators. The proposed project would be compatible with and complement the proposed new Yankee Stadium, as the proposed retail uses would likely be used by visitors to the stadium.

A portion of the project site is currently used for parking and the site would continue to have a large parking element with the completion of the first phase of the proposed project. The existing streets that would be closed as a result of the proposed actions (150th Street between River Avenue and Exterior Street; 151st Street between River and Cromwell Avenues; and Cromwell Avenue between Exterior Street and Metro-North Railroad tracks) are currently not through streets and are used almost exclusively by workers and patrons of the Bronx Terminal Market and the workers maintaining the Bronx House of Detention, and would be used by workers at the Bronx House of Detention if it were to be reactivated, and therefore would receive minimal additional traffic. The elimination of these streets would therefore have no major impact on area visitors or residents and would allow for a cohesive site plan.

The proposed project would provide a major retail facility that would serve the local residents and workers as well as residents and workers in surrounding communities and would be compatible with the surrounding residential and commercial land uses. The hotel would be compatible with surrounding residential and

commercial uses as well as with the proposal to construct a new Yankee Stadium to the north of the site. The proposed project would be compatible with and complement the proposed new Yankee Stadium. The hotel component of the proposed project would likely serve users of the proposed new stadium. The City-created, off-site public open space would provide substantial new open space and access to the waterfront and would improve the visual quality of the Harlem River shoreline. The proposed project is compatible with the proposed roadway infrastructure improvements planned for the study area that would improve access to the area, as well as with the planned community facility projects described above, including the expansions of Hostos Community College and Lincoln Hospital. It is not expected that the proposed project would result in additional changes to land use. Given the overall compatibility of land uses, the project would not result in significant adverse land use impacts in 2009.

ZONING AND PUBLIC POLICY

The proposed project requires a number of discretionary actions including a zoning map change, declaration of a General Large Scale District, special permits related to the creation of the General Large Scale District, and the elimination of sections of several streets. Together, the proposed actions would allow development of commercial uses and waterfront public access on the project site.

The proposed actions, if approved, would represent a change in zoning on the project site from an M2-1 medium manufacturing district to a C4-4 general commercial district. C4 districts are major commercial centers. The zoning change would be compatible with land use designations in the area, including the R8 and R6 districts to the east. The C4-4 district would also be compatible with the M1-2 district to the east, which typically borders residential and commercial districts, as it currently does in this case to the north, south, and east.

The New York City Zoning Resolution allows the City Planning Commission to permit bulk modifications for height, setback, and yards within a general large-scale development. The proposed actions include special permits that would allow greater height and distribution of floor area on the project site than would otherwise be permitted under zoning regulations. The requested special permits would allow the modification of the underlying height and setback requirements on the River Avenue frontage to permit Retail Building B/F and the public parking garage to be constructed without the required setback at 71 feet above curb level. Retail Building B/F would rise without setback to a height of approximately 96 feet along River Avenue, and the parking garage would rise without setback to approximately 84 feet along its River Avenue frontage. The height and setback modifications would allow a greater portion of the retail development to occur on the widest portion of the project site and are necessary to provide floor plates that are regular in configuration to meet the needs of the proposed large- and medium-scale retail tenants. The distribution of floor area to the portion of the project site north of the Major Deegan Expressway ramp would allow a hotel of sufficient size to accommodate the project program while complying with required height and setback requirements on this portion of the site.

The proposed actions would include a special permit pursuant to ZR Section 74-512 to allow a parking garage with approximately 2,342 spaces. This exceeds the 150 spaces permitted in a parking garage by the Zoning Resolution without the special permit. The remaining spaces in the garage would be accessory parking spaces.

These changes do not constitute a significant adverse impact to the City's framework for zoning within large scale developments. Furthermore, the project site currently contains several large paved areas that are used for parking for Yankee Stadium, as well as 50 parking spaces adjacent to the Bronx House of Detention and approximately 423 rooftop parking spaces. The proposed parking would therefore be a continuation of uses that currently exist on the site.

In addition, the proposed actions include a special permit that would increase the permitted surface area of accessory signs and allow them to be located above a height of 40 feet. Along River Avenue, signs on the proposed parking garage would reach a height of approximately 100 feet. Along the eastern side of Exterior Street on the proposed Retail Building B/F, signage would rise on stanchions to a maximum height of approximately 155 feet. The increased height and area of the signs is necessary due to the presence of the elevated structure of the Major Deegan Expressway over Exterior Street and the change in elevation of approximately 29 feet from Exterior Street to River Avenue.

The proposed project would be consistent with the public policies that govern the site and surrounding area. The proposed project would be consistent with the goals of the Bronx Borough President's new Bronx Waterfront Plan, as it would create a year-round commercial center that would employ Bronx residents and would complement the waterfront public open space to be built to the west of the project site by the City with contributions from the project sponsor. Finally, the proposed amendments to the City Map that would eliminate portions of 150th Street, 151st Street, and Cromwell Avenue would follow the procedures of the City's ULURP process, which permits such amendments. The proposed map changes would not conflict with public policy.

SOCIOECONOMIC CONDITIONS

DIRECT RESIDENTIAL DISPLACEMENT

The project site currently contains no residential units. Therefore, the proposed actions would not directly displace any residential population, and no significant adverse impacts would result from direct residential displacement.

INDIRECT RESIDENTIAL DISPLACEMENT

Indirect residential displacement is the involuntary displacement of residents that can result from a change in socioeconomic conditions created by a proposed action. In most cases, the issue for indirect residential displacement is whether an action would increase property values, leading to higher rents throughout the study area, making it difficult for some residents to afford their homes. The proposed project would not directly displace a residential population, nor would it introduce new housing or residents to the study area. Considering that physical barriers separate the project site from surrounding residential areas, and that rents in the study area are similar to rents in neighborhoods bordering the ¼-mile boundary, it appears that the presence of the Bronx Terminal Market has not had a blighting effect on the value of residential properties in the study area. In addition, the ¼-mile study area is fully developed with no vacant land available for redevelopment, and zoning regulations in the manufacturing areas restrict as-of-right residential development or conversions without a discretionary action from the New York City Department of City Planning (NYCDCP). Finally, many of the residential units within the study area are either owner-occupied or rent-regulated, which means their tenants would not be affected by potential increases in market rate rents. In total, approximately 98 percent of the residential units found in the study area are protected against any unregulated or market-driven rental increases. The proposed actions would not have a substantial influence on residential property values, and no significant adverse impacts would result from indirect residential displacement.

DIRECT BUSINESS DISPLACEMENT

The *CEQR Technical Manual* defines direct business displacement as the involuntary displacement of businesses from the site of (or a site directly affected by) a proposed action. The analysis of direct business displacement examines the employment and business value characteristics of the affected businesses to determine the significance of the potential impact. A significant direct displacement impact may occur if the businesses in question have substantial economic value to the City or region, are the

subject of regulations or publicly adopted plans to preserve, enhance, or otherwise protect them, or substantially contribute to a defining element of the neighborhood character. As set forth in the *CEQR Technical Manual*, the consideration of the economic value of a business is based on: (1) its products and services, (2) its location needs (particularly whether those needs can be satisfied at other locations), and (3) the potential effects on business or consumers of losing the displaced business as a product or service.

The analysis finds that the proposed actions would not result in significant adverse impacts due to the direct business displacement. All of the businesses that are currently operating within the Bronx Terminal Market are engaged either in food wholesaling or sale of related restaurant or grocery products and would be displaced by the proposed project. The displaced businesses represent about 4 percent of the wholesale food employment in the Bronx and only 1 percent of the wholesale food employment in New York City. In addition, all of the foods sold at the Bronx Terminal Market, including West African, Caribbean, and Hispanic specialty items, are available through other wholesale distributors and retailers in New York City, as well as in New Jersey. The analysis also finds that there is sufficient available industrial space such that the displaced businesses and their employees could relocate without great difficulty within the Bronx or other parts of New York City. As of September 2004, the Bronx Terminal Market tenants leased approximately 396,930 square feet of space, comprising ground-floor space as well as second-floor space used for storage. As of March 2005 there was approximately 472,500 sf of ground-floor industrial space available throughout the Bronx. Additional data on available industrial space in the Bronx was provided by another source, Costar, in November 2005. According to CoStar, as of November 2005 there was approximately 851,000 square feet of industrial space available in the Bronx, of which approximately 331,000 square feet was vacant ground-floor industrial space. There is also approximately 13.5 million square feet of industrial space available within New York City, including 8.5 million square feet in Brooklyn and Queens and 4.5 million square feet in Manhattan.

The impact of displacing existing merchants in Bronx Terminal Market on local businesses and consumers is also not expected to be significant. Many of the West African businesses and grocery stores in northern Manhattan and the South Bronx either directly import their goods from West Africa or use other wholesale distributors to stock their inventories. In addition, online research and telephone interviews confirmed that there are at least 16 African grocery stores located in the Bronx that deal in both wholesale and retail of West African specialty food items, as well as the two wholesale/retail purveyors of African foods and specialty products in Brooklyn and Queens. Although there are some restaurants and retailers of African foods who use the Bronx Terminal Market, it is not their only supply source. Thus, the direct displacement of African food merchants in the Bronx Terminal Market will not completely eliminate sources of African food products in the Bronx and other parts of New York City. All of the above factors combined with the availability of industrial space within the Bronx and New York City as a whole show that the Bronx Terminal Market businesses do not have a unique or substantial economic value to the city or regional area and can be relocated without great difficulty.

EDC has hired a relocation consultant to provide assistance to the current market tenants of the project site. This is being done independently of the proposed project and is not subject to any discretionary approvals. EDC, Bronx Empowerment Zone, and the project sponsor will provide various benefits to assist tenants in their relocation efforts.

INDIRECT BUSINESS AND INSTITUTIONAL DISPLACEMENT

Indirect Displacement Due to Changes in Property Values and Rent

One issue for indirect business and institutional displacement is whether an action would increase property values and thus rents in the study area, making it difficult for some categories of business or institutions to remain at their current locations.

The ¼-mile study area would not result in significant indirect business displacement as a result of increased property values and rents. Despite the decline in manufacturing employment between 1990 and 2000, the real estate market for industrial properties within the Bronx has been strong. According to real estate firm CB Richard Ellis, prices for industrial properties over the past few years have been increasing with the vacancy rate currently at approximately 8 percent. Current industrial rents in the study area are about \$8-10 per square foot, which is comparable to other industrial areas in the Bronx. The low vacancy rate combined with high industrial rents makes it unlikely that the proposed project would create indirect displacement of industrial properties within the ¼-mile study area. In addition, the potential for development of additional retail uses similar or complementary to the proposed project is severely limited by the presence of institutional uses east of the project site, Yankee Stadium to the north, the Hudson River to the west, the development constraints imposed by highway ramps, as well as the existing zoning in the study area which would limit any potential impacts by the need for a discretionary action by the City Planning Commission.

Indirect Displacement Due to Competition (Primary Trade Area and 3-Mile Trade Area)

The issue of competition as described in the *CEQR Technical Manual* is whether the proposed project could affect neighborhood character by affecting the viability of neighborhood shopping areas through competition, thereby becoming an environmental concern. A detailed competition analysis was performed for two areas: a Primary Trade Area defined as the borough of the Bronx as well as Manhattan north of 110th Street, and a smaller 3-Mile Trade Area, from which the proposed project would be expected to draw a large portion of its repeat business as a result of more convenient access, shorter travel time and distance, and propensity to take advantage of a major shopping resource close to home.

The analysis, which includes a capture rate analysis, an identification of overlap between the existing retail base, and the anticipated retail uses, finds that the proposed project would not result in a significant adverse impact due to competition. Because the proposed project may include a supermarket, department store, or wholesale club, special attention was given to food stores and department stores.

The capture rate analysis concluded that within the Primary Trade Area and 3-Mile Trade Area the proposed project would increase the food store capture rate by only 2.7 percentage points and 2.6 percentage points, respectively, compared to the future without the proposed project. Within the Primary Trade Area, the department store capture rate would increase by less than the capture rate for all shopping goods, increasing from 26.7 percent in the future without the proposed project to 29.4 percent in the future with the proposed project. In the 3-Mile Trade Area, the department store capture rate would increase from 34.3 percent to 37.0 percent. Given that the proposed project would not substantially raise retail capture rates within the Primary Trade Area or 3-Mile Trade Area, it would not have the potential to adversely affect competitive stores in the trade areas. To the contrary, the proposed actions would help retain retail sales dollars, tax revenues, and employment opportunities in the Bronx and New York City while enhancing the retail section available to trade area residents.

The capture rate analysis is supplemented with a detailed examination of the potential for the proposed project to affect local shopping centers in a way that would impact neighborhood character. If new stores have the potential to negatively affect the operations of competitive stores located on neighborhood commercial strips, and if these competitive stores are the anchor stores on neighborhood commercial strips, there would be the potential for neighborhood character impacts. The analysis concludes that the amount of indirect business displacement in the 3-Mile Trade Area due to competition would be minimal, is not anticipated to jeopardize the viability of any neighborhood retail strips, is not expected to diminish the level of services provided, and therefore is not anticipated to result in significant adverse impacts due to competition.

ADVERSE EFFECTS ON SPECIFIC INDUSTRIES

According to the *CEQR Technical Manual*, a significant adverse impact may occur if an action affects the operation and viability of a specific industry that has substantial economic value to the City's economy. The analysis of this proposed project focuses on the project's implications for the wholesale food industry in New York City and concludes that the project would not result in a significant adverse impact to the industry.

This conclusion is based on the findings that the proposed project would not substantially reduce employment in the wholesale food industry in the city or impair the economic viability of the wholesale food industry in the Bronx or the city as a whole. Employees currently working at businesses on the project site represent only 4 percent of all wholesale food employees in the Bronx and roughly 1 percent of wholesale food employees in New York City. Furthermore, all of the products sold at the Bronx Terminal Market are available through other wholesale distributors and retailers in New York City that do not depend solely on the Bronx Terminal Market for their supply, as well as through two major wholesalers in New Jersey (one of which supplies the Bronx Terminal Market).

COMMUNITY FACILITIES

The proposed actions include the disposition of the Bronx House of Detention for redevelopment. This action would reduce the New York City Department of Correction's (NYCDOC) reserve capacity by approximately 30 percent. Fewer beds would be available to be reopened when NYCDOC eventually replaces the 4,800 temporary beds on Rikers Island that are approaching the end of their useful lives. Therefore, the proposed project would reduce the options available to NYCDOC as it chooses among several capacity replacement configurations. The proposed project would also reduce the number of jail beds available in Bronx County, where 22 percent of the City-wide inmate population is now arraigned. Given the need for a continued presence in the Bronx and the need to dry-dock the Vernon C. Bain Center in the near future, NYCDOC would need a new site in the Bronx to build a new facility to replace the existing Bronx House of Detention and to provide improved access to jail facilities to families of inmates, defense attorneys, and other members of the community.

The introduction of new retail and hotel uses to the project site may necessitate the assignment of additional NYPD personnel, resources, and equipment to the area. Typically, a commitment of resources would be based on demonstrated need. Overall, the role of NYPD in providing effective, efficient service is not expected to be adversely affected by the proposed project.

The proposed project would be constructed in accordance with all applicable fire and safety codes. Therefore, there would be no direct effects to the physical operations of, or access to, Fire Department facilities. Overall, the response time of local emergency services is not expected to be significantly affected by the proposed project in either 2009 or 2014. The Fire Department would continue to provide adequate fire protection services to the project area and surrounding neighborhoods.

OPEN SPACE

The proposed project would not displace any existing open space resources. The ratio of passive open space for the daytime population would remain above the CEQR guideline of 0.15 acres per 1,000 workers for the daytime population in both the 2009 and 2014 Build years; therefore, there would be no significant adverse impact to passive open space for the daytime population. The passive open space ratio per 1,000 residents and workers combined would increase from No Build conditions, and would remain above the recommended weighted average (of CEQR guidelines) ratio per 1,000 residents and workers.

As the passive open space ratio for workers would remain above CEQR guidelines and the combined passive open space ratio for workers and residents would increase from the No Build condition and remain above guidelines, the proposed project would not result in significant adverse impacts to open space. In the future with the proposed project, the City—with contributions from the project sponsor—would develop an approximately 2-acre waterfront public open space on a portion of the Bronx Terminal Market area west of Exterior Street. The City has committed to develop this off-site open space by the proposed project's 2009 Build year.

SHADOWS

Overall, the proposed project would have no significant adverse shadow impacts. The proposed buildings would cast shadows on Macombs Dam Park, but these shadows would be cast during the midday hours of the winter months and would mostly fall on paved areas, and thus would not affect park usage or vegetation growth. The open space to be created by the City would receive incremental shadows throughout the year; however, it would be only covered by project-generated shadows in the early morning hours. In summary, incremental shadows would not meet any of the criteria that would lead to a significant adverse impact based on shadow coverage.

HISTORIC RESOURCES

ARCHAEOLOGICAL RESOURCES

The study area for archaeological resources is the Area of Potential Effect (APE), the area of planned construction and disturbance on the project site. At the request of the New York State Office of Parks, Recreation and Historic Preservation (OPRHP), a Phase IA Archaeological Assessment was prepared for the project site by Historical Perspectives, Inc.

Portions of the APE at the northern end of the project site contain the potential for precontact archaeological resources to be located beneath the layer of peat found under fill deposits and river mud. However, project specifications indicate that future excavation would only extend to the depth of these potential resources (i.e., to below the peat layer) in the form of building pilings. Due to the depth of the potential precontact resources and the difficulty in accessing the potentially sensitive strata, which are well below the water table, no archaeological field investigations are recommended for precontact resources at this time. Full excavation for the proposed buildings would only extend approximately three to four feet below grade, for the construction of pile caps within the proposed buildings' footprints; this depth would not reach the peat layer or below. Future utilities planned for the site would not be located any deeper than existing utilities on the property.

The future hotel site falls within the area of precontact archaeological sensitivity. While construction specifications for the proposed hotel have not yet been determined, it is expected that the excavation for the hotel would be consistent with that of the other proposed buildings. Therefore, the project is not expected to have any significant adverse impacts on archaeological resources. If future project specifications for the proposed hotel indicate it would require deep excavation instead (i.e., excavation that would penetrate/impact the peat layer or below the peat layer), then archaeological field investigations or monitoring for the recovery of precontact resources would be undertaken.

Historic period archaeological sensitivity for the project APE is low, and no archaeological field investigations are recommended for historic period resources. Therefore, the project is not expected to have any significant adverse impacts on archaeological resources.

It is anticipated that the City—with contributions from the project sponsor—would develop an approximately 2-acre waterfront public open space on a portion of the Bronx Terminal Market area west of Exterior Street. The City has committed to develop this off-site open space by the proposed project's 2009 Build year. This construction would occur in an area determined not to have archaeological sensitivity.

ARCHITECTURAL RESOURCES

All of the buildings on the project site—with the exception of Building D—would be demolished for the proposed project. The demolition of the buildings identified as historic resources—Buildings B and the Bronx House of Detention—would constitute a significant adverse impact. Measures to mitigate the effect of the proposed project on historic resources are being developed, in consultation with OPRHP. Potential mitigation measures are discussed in the “Mitigation” section.

The project site is located far enough away (i.e. more than 90 feet) from the Bronx Terminal Market buildings on the west side of Exterior Street (Buildings F, G, H, and J) and the other known and potential historic resources in the study area (the 145th Street Bridge, 691 Gerard Avenue/109 153rd Street, and 690 Gerard Avenue) not to have any direct, physical effects on these resources from ground-borne vibrations or other potential construction-related issues.

The construction of the off-site open space to be developed by the City with contributions from the project sponsor would presumably require the demolition of Bronx Terminal Market Buildings F and G.

The new, modern development on the project site would be expected to alter the context of the historic resources in the surrounding area. However, these resources already exist in an environment that is predominantly industrial, and this change is not considered to be a significant adverse impact. In addition, the bulk of the project development would be somewhat less noticeable from the resources along the Grand Concourse, which is at a higher elevation than the project site. While the project site buildings would be more noticeable from the Macombs Dam and 145th Street Bridges, they would not block views from those bridges to any historic resource.

There are no historic resources on the area of the project site to be developed as a hotel by 2014, and there would be no historic resources on the remainder of the project site by 2014. Therefore, the development of the proposed hotel would not affect any historic resources on the project site.

URBAN DESIGN AND VISUAL RESOURCES

The proposed project would alter the street pattern of the project site by demapping East 150th Street between River Avenue and Exterior Street, and eliminating East 151st Street between River and Cromwell Avenues and Cromwell Avenue between Exterior Street and the Metro-North Railroad tracks. This change is not considered to be adverse, as these streets are currently underutilized and are not a defining element of the area's urban design. The proposed project also would substantially alter the appearance of the project site by replacing two of the existing one- and two-story, long, narrow industrial buildings and the 8- and 10-story Bronx House of Detention with a series of retail establishments of up to 96 feet in height, a 6-level parking garage, and a hotel. The proposed buildings would be larger and squarer in form than the existing buildings, and their expected materials, coloration, and style would be different and more modern than those of the existing buildings on the project site. Building materials could include pre-cast concrete and brick, and the buildings are expected to have a warehouse aesthetic incorporating a variety of storefronts with industrial lighting and signage.

While the proposed buildings would be considerably different than the existing buildings, the existing buildings are currently unutilized or underutilized and have a neglected quality, and the proposed buildings would be expected to improve the visual quality of the site. The renovation of Building D and its reuse for retail would also be expected to improve the visual quality of the site. The proposed and retained buildings also would maintain the existing streetwalls on Exterior Street and River Avenue. The proposed retail, hotel, and parking uses would be expected to generate more pedestrian activity than the existing wholesale and retail uses. The signage to be erected on the sides of the proposed buildings and above Retail Building E.1 would include elements intended to create a visual rhythm along the Major Deegan Expressway.

The proposed project would create landscaped passageways between the proposed buildings, allowing for better pedestrian access, and would introduce street lighting and trees to improve the visual appearance of the project site. The landscaped passageways across the project site would not be built upon and would be available for public use, facilitating access to the waterfront public open space to be created by the City. The Belgian block paving on Exterior Street would be removed as part of the proposed project; however, it is possible that the pavers would be incorporated into the design of the public open space. In summary, the proposed project is not expected to have a significant adverse impact on the urban design of the project site.

The proposed project would enhance the vitality of streets in the study area by introducing new commercial, hotel, and parking uses and pedestrian activity to the project site. It would also improve the appearance of the area's streetscape by adding street lighting and landscaping. The lighting of the pedestrian walkways could include industrial light fixtures as well as decorative accent lighting. The proposed project would include signs that would be visible from the surrounding area. Illuminated signs identifying retail tenants would be located on the renovated Building D (aka Retail Building E.1) and Retail Buildings A and B/F and would be located along the public streets that run through and along the project site. Taller backlit signs approaching heights of approximately 155 feet, 87 feet, and 100 feet respectively would be located along Exterior Street at the corners of Retail Buildings B/F and G, and along River Avenue on the proposed parking garage. The proposed signage would draw attention to the retail development and the surrounding recreational space and would create visual interest along the Major Deegan Expressway. The proposed project would not affect other streetscape elements within the Bronx study area, and would not affect streetscape elements in the East Harlem study area.

The proposed project would introduce a land use that is complementary to the surrounding area, as it would create major retail facilities which would serve residents in the Bronx and northern Manhattan. The height of the proposed retail buildings would be similar to that of the residential buildings located along East 153rd Street and along Gerard and Walton Avenues north of East 153rd Street. In addition, Hostos Community College, located at East 145 Street and the Grand Concourse, is comprised of buildings of a similar height and bulk, and Yankee Stadium, to the north of the project site, is approximately 130 feet tall. Therefore, the proposed retail buildings would be in keeping with the height and bulk of some of the existing structures in the study area. The expected design of the buildings could be referential to the surrounding industrial scale buildings along the waterfront. The renovated Building D would be in keeping with the height, bulk, and design of the extant Bronx Terminal Market buildings on the west side of Exterior Street. At approximately 230 feet in height, the hotel would be taller than the buildings currently on the project site and in the study area; however, it would occupy a much smaller footprint than the proposed retail buildings. Therefore, its bulk would be most noticeable from across the Harlem River or along East 153rd Street near the project site.

While the proposed project would result in the demolition of the Bronx House of Detention, this resource is only visible from specific locations within the study area and from the elevated Expressway. Additionally, views of the resource are mainly of the rear or western façade which is not original to the

building. The removal of the Bronx House of Detention could also allow for new views of Yankee Stadium from the study area and the project site; however, the construction of the proposed buildings could eliminate other views of the stadium from the project site. The proposed signage at the corners of the proposed buildings could obstruct some views from the Major Deegan Expressway to the surrounding area; however, because they are available only from passing vehicles, such views are of short duration and are not considered significant. Views from Exterior Street to the Harlem River waterfront would be improved with the development of the off-site public open space to be developed by the City. The restricted views of the Harlem River waterfront, East Harlem, and the 145th Street and Macombs Dam Bridges from the area west of the Bronx Terminal Market Buildings G, H, and J on the west side of Exterior Street would not be affected. Some views of the Bronx County Courthouse from across the Harlem River in Manhattan could be eliminated by the proposed hotel; however, these are very distant views, and other, closer views to the courthouse would not be affected.

NEIGHBORHOOD CHARACTER

The proposed project would result in a major change in land use on the project site. This change is considered to be complementary to the area, as it would create a major retail facility and hotel that would serve the residents, workers, and visitors of surrounding communities and Yankee Stadium. Wholesale commercial uses, vacant space, and an unused detention center would be removed from the site to allow for development of active retail and hotel uses and parking. The project site is currently underutilized, and the proposed project would bring a greater intensity of use to the project site.

The proposed retail buildings would be larger and squarer in form than the existing buildings, and their expected materials, coloration, and style would be different and more modern than those of the existing buildings on the project site. The buildings would, however, be similar in height to the residential buildings located along East 153rd Street and along Gerard and Walton Avenues north of East 153rd Street, the buildings at Hostos Community College, and Yankee Stadium. Therefore, the proposed retail buildings would be in keeping with the height and bulk of some of the existing structures in the study area. At approximately 230 feet in height, the hotel would be taller than the buildings currently on and proposed for the project site, as well as existing buildings in the study area; moreover it would occupy a much smaller footprint than the proposed retail buildings, and therefore its bulk would be most noticeable from across the Harlem River or along 153rd Street near the project site. As the existing buildings on the project site are currently unutilized or underutilized and have a neglected quality, the proposed buildings would be expected to improve the visual quality and the character of the area.

The proposed project would modify the shapes of the project blocks by demapping portions of several streets to create a superblock. These streets are currently underutilized and form blocks with unusual shapes. The change would not result in a negative neighborhood character impact related to urban design, as it would not significantly alter the basic street pattern or block shapes of the study area.

In general, the proposed project is expected to enhance the vitality of the surrounding streets by introducing active retail uses and increasing visitation to the project site. The proposed project would also add to the visual quality of the surrounding area, by creating landscaped passageways between buildings, introducing street lighting and trees, and opening up views from the project site to the Harlem River.

In the future with the proposed project, it is anticipated that the City, with contributions from the project sponsor, would develop a portion of the waterfront area west of Exterior Street with a 2-acre public open space. This new open space would facilitate access to the Harlem River, and views from Exterior Street to the waterfront would be improved. The proposed project's landscaped passageways across the project site would be publicly accessible and would facilitate access to this public open space.

Although the proposed project would require the demolition of two of the historic resources on the project site (Building B and the Bronx House of Detention)—this impact would be lessened by mitigation that is being developed in consultation with OPRHP. The construction of the off-site open space to be developed by the City with contributions from the project sponsor would presumably require the demolition of Bronx Terminal Market Buildings F and G.

The proposed project would displace some existing businesses; however, the businesses on the project site are not dependent upon siting on the waterfront and do not substantially contribute to defining the neighborhood, and thus removal would not result in a significant adverse impact to the neighborhood character of the area. The proposed project would not have the potential to adversely affect competitive stores throughout the study area. The project's destination retail would not compete with local shopping areas that are neighborhood-oriented and would not jeopardize the viability of any retail strips in the study area.

The proposed project would include several improvements to the roadway network. Exterior Street between 149th Street and its northern terminus and River Avenue between 149th and 153rd Streets would be substantially upgraded to include pavement resurfacing, dedicated turning lanes into the site, and widening along certain sections to provide two full travel lanes in each direction. New traffic signals would also be installed at parking garage driveways on Exterior Street in order to facilitate vehicle access in and out of the proposed parking garages. Yankee Stadium parking facilities would be displaced by the proposed project; however, the proposed project's parking facilities would provide capacity for the displaced Yankee Stadium parking activity. Although there would be significant increases in traffic volumes in the surrounding neighborhood, including along the Major Deegan Expressway, street network and Expressway capacities would be sufficient to accommodate traffic from the proposed project with the proposed mitigation measures, which include standard traffic engineering improvements as well as the widening of the northbound Major Deegan Expressway ramp at 149th Street. The proposed project is expected to generate a number of pedestrian trips to and from the site. The neighborhood's sidewalks are expected to have sufficient capacity to accommodate this increase in demand. Therefore, the proposed project should not have a pedestrian-related impact on neighborhood character.

The proposed project is also expected to generate a number of pedestrian trips to and from the site and to increase public transportation demand in the area. All subway station stairways would operate at LOS D or better during all peak periods, with the exception of several stairways at the 161st Street-Yankee Stadium Station during game day peak periods. During Saturday midday game and non-game peak periods, the north crosswalk at 149th Street and River Avenue would experience decreases in levels of service. However, the neighborhood's sidewalks, subways, and buses are expected to have sufficient capacity to accommodate these increases in demand with the mitigation measures proposed. Therefore, the proposed project should not have traffic- or transit-related impacts on neighborhood character. With the proposed project, changes in noise levels would be barely perceptible and there would be no resulting noise-related neighborhood character impacts. In the future with the proposed project, the City would create an off-site public open space, a noise-sensitive receptor, in an area with high ambient noise.

The proposed project would not significantly adversely affect the combined elements contributing to the neighborhood character of the study area. No significant adverse impacts to neighborhood character would result from the proposed project.

NATURAL RESOURCES

The proposed project would add vegetated areas within the landscaped areas of the site that have the potential to provide some limited habitat to bird species and other wildlife. Construction of the proposed project would result in an increase in the amount of green space on the site. The open space to be

developed in the future by the City also would add vegetated areas that have the potential to provide some limited habitat. The proposed project would have no significant impacts on the limited terrestrial natural resources occurring on the site.

A new stormwater outfall would be constructed along the shoreline of the Harlem River, which is a regulated water of the U.S. and a mapped Tidal Wetland. The outfall would not be constructed in any of the interpier areas or in NYSDEC-regulated adjacent area; thus, the only potential short-term impacts would be to the waters of the U.S. and NYSDEC-tidal wetlands in the very limited area associated with outfall construction. No adverse impacts to wetlands are expected to occur from operation of the proposed project. In addition, there are no expected impacts to regulated adjacent areas.

Construction of the new outfall would have the potential to result in temporary impacts to fish and benthic macroinvertebrates due to temporary increases in suspended sediment, potential release of contaminants from disturbed sediments, and noise associated with in-water construction activities. These effects would be localized and would not be expected to significantly impact aquatic biota. The proposed construction of the new outfall would disturb a very small area of benthic habitat. Benthic organisms would be expected to recolonize these areas. Disturbance to benthic communities during construction would be minimal and would not significantly impact the food supply for fish foraging in the area. Under the proposed project, water quality should be improved as a result of the overall improvements to the stormwater management system.

Tidal wetland adjacent area disturbance would occur during construction of the off-site public open space to be developed by the City. The disturbance would include replacement of existing-disturbed sparsely vegetated adjacent area with a landscaped public open space. This activity is expected to have no significant impacts and may have a beneficial ecological effect on the adjacent area. The creation of the off-site public open space by the City could involve improvements to the water's edge; however, the plans for this area have not yet been developed.

NYNHP and USFWS have determined that there are no known occurrences of threatened or endangered species on the project site and there are no areas within the project area that are considered "critical habitat." NMFS has determined that shortnose sturgeon may be present within the Harlem River as possible (likely rare) transients. As transients, the shortnose sturgeon would be unlikely to regularly occur in the area of the proposed stormwater outfall. Under the proposed project, water quality should be improved as a result of the overall improvements to the stormwater management system. The proposed project would employ best management practices to prevent potential disturbances from any work below mean high water, and therefore no significant impacts to endangered, threatened, and special concern species would be expected during construction activities.

As required for construction activities that disturb one acre or more of land, a stormwater pollution prevention plan (SWPPP) would be prepared in accordance with established engineering practices. Implementation of best management practices for erosion and sediment control and other measures of the SWPPP would minimize potential water quality effects associated with the discharge of stormwater during upland construction activities. Best management practices would be used to prevent, or minimize, the potential disturbance from any work below mean high water. The repairs and improvements to the existing stormwater management system, including the elimination of three silted and clogged stormwater outfalls and the construction of a new stormwater outfall, would have a positive impact on water quality.

The proposed project's buildings, roadways, and utilities would be located within the 100-year floodplain. The proposed ground elevations would remain close to the existing elevations, but the buildings would be built to above the floodplain level. Generally, the first floor elevation of the proposed buildings would be approximately 10 feet above Bronx Borough Datum and more than one foot above the 100-year

floodplain elevation, complying with Local Law 33 of 1988. Therefore, operation of the proposed project would not be expected to result in significant adverse impacts to floodplains.

The existing estimated stormwater discharge to the Harlem River is 146 cubic feet per second (cfs), and the estimated stormwater discharge to the Harlem River with the proposed project is 149 cfs. The proposed development would result in a nominal increase in stormwater discharge to the Harlem River. It is also anticipated that due to operational controls incorporated into the design of the proposed facilities, stormwater runoff quality would improve.

The New York City Department of Parks and Recreation implements an Integrated Pest Management (IPM) strategy for the management of all turf within its facilities. The IPM results in healthy grass areas with minimal use of fertilizers, pesticides, and herbicides and thus minimizes the discharge of pesticides to surface water from stormwater runoff generated within these open space areas. Implementation of the IPM strategy within the open space to be developed by the City would minimize potential adverse impacts to surface water quality from the discharge of stormwater generated in this area.

HAZARDOUS MATERIALS

The project sponsor has entered into agreements with NYSDEC under the auspices of the New York State Brownfield Cleanup Program (BCP) to investigate and, where necessary, remediate contamination on large portions of the site as part of its redevelopment. There were initially two Brownfield Cleanup Agreements (BCAs), for two portions of the original project site. One BCA was initially for the Eastern Parcel and Park Area, but was amended to exclude the Park Area in October 2005. This is the BCA that applies to the project site. The second BCA is for the Western Parcel (i.e., the area north of the proposed open space to be developed by the City, and west of Exterior Street), which is no longer part of the proposed project. It is assumed that the off-site area to be developed by the City as a public open space would be remediated as part of that development. Under the BCA for the project site, a draft Remedial Work Plan (RWP) would be submitted to NYSDEC and the New York State Department of Health (NYSDOH) after the completion of an Investigation Report describing and characterizing the environmental conditions of the project site. The RWP would include remedial actions, as necessary, to be performed before, during, and/or after construction of the proposed project.

Without appropriate controls, there would be a potential for adverse impacts resulting from the presence of subsurface contamination, as well as asbestos-containing materials (ACMs) and lead-based paint in the site's buildings, since demolition, excavation and construction activities could disturb hazardous materials and increase pathways for human exposure. However, impacts would be avoided by performing construction activities in accordance with the protocols that will be detailed in a RWP. With the implementation of these measures, no significant adverse impacts related to hazardous materials would result from demolition and/or construction activities on the project site. Following construction, there would be no further potential for the proposed project to have significant adverse hazardous materials impacts.

WATERFRONT REVITALIZATION PROGRAM

The project site is located in the coastal zone designated by New York State and City and is therefore subject to their coastal zone management policies. The proposed project would be consistent with the policies of the city's Local Waterfront Revitalization Program (WRP) and the WRP's guiding principle of maximizing the benefits derived from economic development, environmental preservation, and public use of the waterfront while minimizing conflicts among these objectives. It would also be consistent with the Bronx Waterfront Plan and its objective to improve pedestrian connections to the Harlem River waterfront.

INFRASTRUCTURE

As part of the proposed project, the existing 20-inch main in Exterior Street would be reconstructed. All new water lines would be designed and built to meet NYCDEP requirements. Water mains located within City streets proposed to be demapped would be capped and removed/abandoned in accordance with NYCDEP requirements. The additional demand is not expected to adversely affect the City's water supply or local water pressure. Sanitary sewers also would be constructed within Exterior Street as part of the proposed project. New sewer lines would be designed in accordance with the NYCDEP amended drainage plan for the area and will be built to meet all NYCDEP requirements. The proposed project would not exceed the capacity of the local sewer system. The proposed project is not expected to result in significant adverse impacts on the existing City's sewer system.

The proposed project would include construction of a NYCDEP storm sewer within Exterior Street in accordance with the City's amended drainage plan for the area. The drainage plan would be amended as part of the mapping action associated with the proposed project. At the direction of NYCDEP, the plan also would include a single new outfall into the Harlem River to replace the four existing outfalls from the project site into the Harlem River.

New site storm sewers would be constructed to collect runoff from the buildings, parking areas, and pervious area within the project site. These internal drains would discharge into the newly constructed NYCDEP storm sewer within Exterior Street. Stormwater runoff from the Major Deegan Expressway would also discharge into the new NYCDEP storm sewer in Exterior Street. Runoff from areas served by these stormwater sewers would not enter the combined sewers and would not flow to Ward Island WPCP.

The existing City infrastructure has sufficient capacity to accommodate the proposed project without having a significant adverse impact on other users.

SOLID WASTE

The proposed project would increase the volume of solid waste generation at the site. It would also be required to comply with the City's recycling program. Total weekly solid waste generation with the proposed project would amount to 151,139 pounds per week (about 76 tons), based on the project's size and anticipated uses. All solid waste would be handled by private carters. The proposed project would represent a very small increase in the amount of solid waste generated, and therefore would not have an adverse impact on solid waste handling and disposal systems.

ENERGY

The proposed project, which would use natural gas (for heating) and electrical components (for cooling) for its HVAC systems, would create new energy demands at the site. Electricity and gas would be supplied by Consolidated Edison, which would be used to provide heating, cooling, and lighting to the proposed project. With the proposed project, at least two existing transformer substations on the site would be decommissioned, and one new transformer/network substation would be constructed to serve the proposed buildings. The operational consumption for the proposed project is expected to be approximately 126 billion British Thermal Units per year. Consolidated Edison could easily supply this energy without disruption to the main distribution system. Thus, there would not be any significant adverse energy impacts from the proposed project.

TRAFFIC AND PARKING

A traffic study area encompassing 16 intersections was analyzed. The locations analyzed in the study area currently operate at levels of service ranging from extremely favorable (LOS A) at River Avenue and 157th Street (for example), to poor (LOS F) at the multi-legged intersection of 149th Street, the Major Deegan Expressway's northbound exit ramp, Exterior Street, and River Avenue. Generally, unacceptable levels of service prevail at the aforementioned 149th Street intersection for all peak periods. Traffic conditions were analyzed under both non-Yankee game scenarios (weekday midday and PM peak hours and Saturday midday peak hour) and game day scenarios (weeknight pre-game peak hour, Saturday midday pre-game peak hour, and Saturday PM post-game peak hour).

Nineteen public parking facilities surveyed within ½-mile of the project site contain approximately 7,516 spaces. On a typical non-game day peak hour during a weekday or Saturday, the occupancy level is less than seven percent, leaving about 7,000 unoccupied spaces available. On a typical weeknight game day, between 7-8 PM, occupancy peaks at about 75 percent; on a typical Saturday game day between 2-3 PM, the occupancy peaks at approximately 91 percent. Approximately 900 on-street parking spaces are available within ½-mile of the project site. Between 40 and 80 percent of parking spaces are occupied during non-game day and game day conditions.

The proposed project retail development in 2009 can be expected to generate approximately 3,000 person trips (i.e., by all travel modes) in the non-game weekday midday peak hour, 6,500 person trips in the non-game weekday PM peak hour, and 8,800 person trips in the non-game Saturday midday peak hour. Equivalent peak hours on game days would generate slightly lower volumes of person trips, because a portion of retail shoppers would be drawn to off-peak periods to avoid peak game day traffic arrival and departure hours. The game day peak hours are expected to generate 5,850 person trips in the pre-game weekday PM peak hour compared to 6,500 in the non-game weekday PM peak hour, and 7,050 person trips in the pre-game Saturday midday peak hour compared to 8,800 in the non-game Saturday midday peak hour; the proposed project is estimated to generate approximately 5,300 person trips in the post-game Saturday PM peak hour.

The proposed project can be expected to generate approximately 985 vehicle trips (i.e., by autos, taxis, and trucks) in the non-game weekday midday peak hour, 2,045 vehicle trips in the non-game weekday PM peak hour, and 2,323 vehicle trips in the non-game Saturday midday peak hour (it should be noted that taxis "count" as two trips—the inbound taxi with passengers and its departure either with or without passengers). The proposed project is estimated to generate 1,884 vehicle trips in the pre-game weekday PM peak hour, 1,857 vehicle trips in the pre-game Saturday midday peak hour, and 1,405 vehicle trips in the post-game Saturday PM peak hour. These may well be significantly conservative projections (i.e., higher than what may realistically be expected), as many more shoppers may choose to drive at times not as heavily trafficked by Yankee fans going to or leaving a game.

With the proposed project's hotel development built in 2014, the overall project can be expected to generate 3,182 person trips (i.e., by all travel modes) in the non-game weekday midday peak hour, 6,713 person trips in the non-game weekday PM peak hour, and 9,120 person trips in the non-game Saturday midday peak hour. On game days, the project would generate 6,071 person trips in the weekday PM peak hour, 7,380 trips in the Saturday midday pre-game peak hour, and 5,631 trips in the Saturday PM post-game peak hour. In 2014, the proposed project is estimated to generate 1,077, 2,163, and 2,446 vehicle trips in the weekday non-game midday peak hour, the weekday non-game PM peak hour, and the Saturday non-game midday peak hour, respectively. On game days, the project would generate 2,002 vehicle trips in the weekday PM peak hour, 1,980 vehicle trips in the Saturday midday pre-game peak hour, and 1,528 vehicle trips in the Saturday midday post-game peak hour.

PROGRAMMED IMPROVEMENTS, STREET CLOSURES, AND PARKING DISPLACEMENT

Exterior Street Improvements

Exterior Street, currently a wide, unstriped, cobblestone street with significant damage to the roadway surface, would be completely rebuilt with the proposed project. Upgrades include widening to two travel lanes per direction, a dedicated southbound left-turn lane into the parking garage on the east side of Exterior Street, pavement resurfacing, crosswalks at exits and entrances to parking areas, traffic signals at parking garage driveways, lane striping, signage, upgraded lighting, and aesthetically-pleasing streetscaping designs. Signal warrant analyses indicate that all three proposed traffic signals would be warranted.

River Avenue Improvements

River Avenue would be restriped with the proposed project to include crosswalks at 150th and 151st Streets and the proposed garage exit, two travel lanes per direction, shared left-turn/through lanes at 150th and 151st Streets, and streetscaping treatments. Motorists would experience improved levels of service before and after Yankee games along River Avenue due to the added capacity within the four-lane section between 149th and 151st Streets.

Major Deegan Expressway Improvements

As part of their redecking of the Major Deegan Expressway project, NYSDOT has been considering widening the northbound Exit 4/149th Street off-ramp to two lanes, which would increase the capacity of the 149th Street/Exterior Street/River Avenue intersection. However, this ramp widening is unlikely to be built by NYSDOT, unless it is committed as mitigation needed by the proposed project, and its cost is borne by the project sponsor. Therefore, it is not included as a No Build development, but is addressed below in "Mitigation."

Minor Street Closures

Portions of three streets would be closed as a result of the proposed project. 150th Street would be closed between River Avenue and Exterior Street, Cromwell Avenue would be closed north of 150th Street, and 151st Street west of River Avenue would become an entrance to the proposed project's parking garage. Of the street closures, 150th Street between River Avenue and Exterior Street is the only segment that currently carries traffic in excess of 50 vehicles per hour.

A moderate number of trips (between 50 to 80 vph per direction) on 150th Street currently use this street as a cut-through between Exterior Street and River Avenue; very few motorists are through-trips along westbound 150th Street to Exterior Street—only about 20 to 30 vph. 150th Street allows southbound River Avenue motorists to access northbound Exterior Street and vice-versa without waiting at the 149th Street/Exterior Street/River Avenue intersection's traffic signal. Also, westbound 149th Street motorists destined to northbound Exterior Street bypass the traffic signal by using the stop-controlled channelized right-turn lane and make a left onto 150th Street. So, as a result of the proposed street closure, approximately 40 to 50 vph per direction would likely divert from 150th Street to the 149th Street/Exterior Street/River Avenue intersection in the 2009 and 2014 Build conditions. This is accounted for in the Build analyses.

TRAFFIC LEVELS OF SERVICE AND IMPACTS

Build traffic volumes were developed by adding project-generated volumes to No Build volumes, and comparing to levels of service without the proposed project in order to determine where significant impacts would occur. Mitigation alternatives for significantly-impacted locations are discussed below in “Mitigation.”

PARKING

The proposed development of the project site would result in the addition of 2,610 parking spaces in 2009 with 225 more in 2014. It is anticipated that these parking spaces will have a payment structure with lower fees for one, two, and three hour parking than for parked cars staying more than three hours, so that fees for the longer parking duration would be commensurate with fees charged for Yankee Stadium parking lots accommodating fans on game days. A similar type of fee payment structure is used today at the Concourse Plaza Shopping Center on 161st Street.

The analyses have concluded that all site-generated traffic would be accommodated by the proposed project’s parking facilities. However, eight off-street parking facilities and on-street parking along Exterior Street currently used by Yankee fans would be displaced when construction begins and become permanently displaced upon completion of the proposed development. Although approximately 1,885 striped parking spaces in off-street facilities and up to 210 on-street spaces on Exterior Street would be displaced, observations from the 2004 season indicate that during typical Yankee games, no more than 800 to 1,200 of these parking spaces are occupied, and only the Bronx House of Detention and northern Bronx Terminal Market parking facilities are typically open.

Excess parking capacity at the project site would accommodate nearly all displaced Yankee-game parking. However, to be conservative, 20 percent of existing parking trips have been assumed to divert to available on-street parking between River Avenue and the Grand Concourse, and to an off-street parking facility at the Concourse Village Shopping Center in the weekday and Saturday pre-game and Saturday post-game peak hours, as stated in the Build analyses. The remaining 80 percent of Yankee-game parking has been assigned to the proposed project’s parking facilities.

On a typical weekday during the Yankee baseball season, the parking need would peak from approximately 5 to 8 PM with about 65 percent of the site’s facilities occupied by shoppers and Yankee-game parking. On a typical Saturday during the Yankee season, the parking facilities would peak at approximately 85 percent occupancy by shoppers and Yankee-game parking between 2 and 3 PM. The parking facilities would be sized for the peak shopping holiday season demand of approximately 2,610 spaces in December, but parking would be available on Yankee game days, which would accommodate Yankee fans.

The proposed hotel, which would be completed by 2014, would include a 225-space parking lot. Parking accumulation calculations have indicated that the planned parking lot size would be sufficient to accommodate peak weekday and weekend parking hourly accumulations of 204 vehicles at 5-6 PM and 122 vehicles at 2-3 PM, respectively. To be conservative, the traffic and parking analyses have assumed that existing Yankee Stadium Lot 13D, where the proposed hotel would be located, would be displaced in 2009. Hence, no additional displacement of Yankee stadium parking would occur between 2009 and 2014.

MAJOR DEEGAN EXPRESSWAY

Because of its importance to regional travel and proximity to the Bronx Terminal Market site, key northbound and southbound Major Deegan Expressway segments were analyzed to assess the potential impacts of the proposed development on the expressway.

Northbound Major Deegan Expressway

Traffic generated by the proposed project would generally enter the northbound Major Deegan Expressway further south of the study area, appear as through traffic at the 138th Street on-ramp, and exit at the 149th Street off-ramp. Project-generated traffic volumes exiting the northbound Major Deegan Expressway destined to the project site in 2009 would range from approximately 115 to 265 vph during non-game peak hours and between 150 and 225 vph during Yankee game day peak hours. The additional project-generated exiting volumes at 149th Street represent approximately three to eight percent of the total northbound Major Deegan Expressway traffic.

During the non-game weekday midday peak hour, conditions just before the 149th Street off-ramp would deteriorate from LOS C in the 2009 No Build condition to LOS F in the 2009 Build condition; all other peak hours would continue to operate at LOS F conditions with additional queuing, slower speeds, and higher densities. In all peak hours, queuing would occur along the 149th Street off-ramp onto the right lane of the Major Deegan Expressway. Motorists would react to the right lane queues by slowing in the center lane, and left lane speeds would decrease somewhat as well. In the post-game Saturday peak hour conditions, speeds would continue to be below 5 mph within the segment, and queuing would occur in all three travel lanes.

Traffic generated by the second phase of the proposed project would approach the study area similar to the 2009 Build conditions. Project-generated traffic volumes exiting the northbound Major Deegan Expressway destined to the site in 2014 would range from approximately 130 to 285 vph during non-game peak hours and between 165 and 240 vph during Yankee game day peak hours. The additional project-generated exiting volumes at 149th Street represent approximately three to nine percent of the total northbound Major Deegan Expressway traffic.

During the non-game weekday midday peak hour, conditions just before the 149th Street off-ramp would deteriorate from LOS D in the 2014 No Build condition to LOS F in the 2014 Build condition; all other peak hours would continue to operate at LOS F conditions with additional queuing, slower speeds and higher densities. Similar to 2009 Build conditions, in all peak hours, queuing would occur along the 149th Street off-ramp onto the right lane of the Major Deegan Expressway. Motorists would react to the right lane queues by slowing in the center lane, and left lane speeds would decrease somewhat as well. In the post-game Saturday peak hour conditions, speeds would be below three mph within the segment, and queuing would occur in all three travel lanes. Mitigation measures are discussed in "Mitigation."

Southbound Major Deegan Expressway

Traffic generated by the proposed project would enter the southbound Major Deegan further north of the study area, either in the North Bronx, Westchester, or at the Cross Bronx Expressway interchange and predominantly exit at the Bronx Terminal Market off-ramp and less frequently exit at the Macombs Dam Bridge exit. At the Bronx Terminal Market off-ramp, project-generated traffic volumes destined to the project site in 2009 would range from approximately 160 to 355 vph during non-game peak hours and between 215 and 320 vph during Yankee game day peak hours. Between 15 and 30 vph on non-game days and 5 to 10 vph on game days would exit at the Macombs Dam Bridge exit. The additional project-generated exiting volumes on the southbound Major Deegan Expressway mainline exiting at both off-

ramps represent approximately five to nine percent of the total southbound Major Deegan Expressway traffic.

During the non-game weekday midday peak hour, conditions just before the Bronx Terminal Market off-ramp would deteriorate from acceptable LOS D in the 2009 No Build conditions to unacceptable LOS D in the 2009 Build conditions; the same area would be significantly impacted in all three Yankee game day peak hours as densities progressed further into LOS F conditions. Levels of service would not change just before the Macombs Dam Bridge off-ramp between 2009 No Build and Build conditions.

Traffic generated by the second phase of the proposed project would approach the site on the southbound Major Deegan in generally the same proportions in 2014 as it would in 2009. At the proposed off-ramp, project-generated traffic volumes destined to the proposed project in 2014 would range from approximately 165 to 375 vph during non-game peak hours and between 240 and 340 vph during Yankee game day peak hours. Between 20 and 40 vph on non-game days and 5 to 15 vph on game days would exit at the Macombs Dam Bridge exit. The additional project-generated exiting volumes on the southbound Major Deegan Expressway mainline exiting at both off-ramps would again represent approximately five to nine percent of the total southbound Major Deegan Expressway traffic.

During the non-game weekday midday peak hour, levels of service just before the Bronx Terminal Market off-ramp would deteriorate from acceptable LOS D in the 2014 No Build conditions to unacceptable LOS D in the 2014 Build conditions, similar to the 2009 Build conditions; the same area would be significantly impacted in all three Yankee game day peak hours as densities progressed further into LOS F conditions. As was the case in the 2009 Build conditions, levels of service would not change just before the Macombs Dam Bridge off-ramp between 2014 No Build and Build conditions.

Mitigation measures are discussed below in “Mitigation.”

TRANSIT AND PEDESTRIANS

The proposed project would not result in any significant adverse impacts to subway station operations or to New York City Transit (NYCT) bus line haul levels. The proposed project is expected to result in a significant adverse impact to the operations of the north crosswalk at 149th Street and River Avenue. The decrease in the level of service from No Build to Build conditions (LOS A to LOS D) at this location would require improvements that would return the crosswalk to an acceptable level of service. Mitigation measures for these impacts are described in the “Mitigation” section.

AIR QUALITY

MOBILE SOURCE CO ANALYSIS

The proposed project would result in increased mobile source emissions in the immediate vicinity of the project site. CO concentrations with the proposed project were determined for the 2009 and 2014 analysis years. Tables S-5 and S-6 present the future maximum predicted 8-hour average CO concentration with the proposed project (i.e., 2009 and 2014 Build values) at the three intersections studied. Since no violations of the 1-hour CO standard have been measured in New York City within the last 10 years, 1-hour averages were not summarized in this report (although all 1-hour predicted CO concentrations would be well within the applicable standard).

The values shown are the highest predicted concentration for each of the time periods analyzed. The results indicate that in the future with the proposed project, there would be no potentially significant adverse mobile source air quality impacts. In addition, with or without the proposed project in 2009 or

2014, maximum predicted ambient CO concentrations at the intersections analyzed would be less than the corresponding ambient air quality standards.

MOBILE SOURCE PM₁₀ ANALYSIS

PM₁₀ concentrations with the proposed project were determined for the 2009 analysis year using the methodology previously described. The Build concentrations are below the corresponding standards of 150 µg/m³ and 50 µg/m³ for the 24-hour and annual averaging periods, respectively.

MOBILE SOURCE PM_{2.5} ANALYSIS

PM_{2.5} concentrations with and without the proposed project were determined for the year 2009 using the methodology previously described. The predicted incremental increases of PM_{2.5} concentrations for both time periods are under the corresponding interim guidance levels. Therefore, the proposed project is not considered to have significant PM_{2.5} impacts.

PARKING GARAGE

The maximum predicted 8-hour average CO concentrations from the two proposed parking facilities were analyzed using two receptor points: a near side receptor on the same side of the street as the parking facility and a far side receptor on the opposite side of the street from the parking facility. The total CO impacts included both background CO levels and contributions from traffic on adjacent roadways. When more than one roadway was adjacent to the parking facility, the roadway with higher traffic (i.e., greater CO levels) was used in the analysis. The CO impacts from the two parking facilities were substantially below the applicable standard of 9 ppm. Therefore, it can be concluded that the parking facilities would not result in any significant adverse air quality impacts.

HVAC EQUIPMENT

The primary stationary source of air pollutants associated with the proposed project would be the emissions from the natural gas-fired HVAC systems. The pollutants of primary concern are nitrogen dioxide and PM_{2.5}. The maximum concentrations were estimated using peak hourly emission rates for the HVAC boilers. The modeling analysis considered the impacts of the development sources on the proposed hotel and waterfront esplanade, as well as numerous off-site receptors, previously described. The maximum predicted ambient concentration of NO₂ is below the corresponding NAAQS, and the maximum predicted PM_{2.5} is below the NYCDEP interim guidance values. Therefore, it can be concluded that the HVAC systems for the proposed retail buildings and hotel would not result in significant adverse air quality impacts.

INDUSTRIAL SOURCE IMPACTS

The results of the field survey indicated that only one industrial source was within 400 feet of the proposed hotel. The facility emits several air contaminants to the atmosphere. The screening methodology in the *CEQR Technical Manual* was utilized for the analysis, with the air contaminant emission rates from the nearby industrial facility and a distance of 105 feet to the proposed development. A single contaminant (trichloroethylene) has the potential to exceed the NYSDEC Air Guide-1 annual concentration based on the modeling analyses conducted. Therefore, to preclude the potential for significant adverse air quality impacts from the industrial source, an (E) designation for air quality will be incorporated into the rezoning proposal. The text of the (E) designation is as follows:

“In order to ensure there will be no potential adverse air quality impacts, if trichloroethene emissions continue at the adjacent business, all windows on the east face of the development on Block 2539, Lot 60, up to a height of 45 feet above local grade must be inoperable. Similarly, air intakes must not be placed up to a height of 45 feet above local grade in this location.”

NOISE

Noise monitoring at three receptor locations was performed on June 4, 12, 18, and 19, 2004. At each of these sites, 20-minute spot measurements were taken during the two weekday periods and three weekend periods that reflect peak hours of trip generation: PM weekday (5:00 PM – 7:00 PM), late night (LN) weekday (10:00 PM – 11:00 PM), midday (MD) weekend (12:00 PM – 2:00 PM), PM weekend (5:00 PM – 7:00 PM) and late night (LN) weekend (10:00 PM – 11:00 PM). Given the site’s proximity to Yankee Stadium and the traffic generated to and from a Yankee game, noise monitoring at the three receptor locations was performed both with and without a Yankee game in progress.

Future 2009 Build noise levels at all sites both with and without a Yankee game would be less than 0.6 dBA higher than future 2009 No Build noise levels. (At Site 3 Build noise levels would be less than No Build noise levels due to the resurfacing of Exterior Street and the replacement of the cobblestone surface with asphalt.) Changes of this magnitude would be imperceptible and insignificant. In terms of the CEQR criteria, 2009 future No Build noise levels at Sites 1 and 2 would remain in the “marginally acceptable” category and 2009 future No Build noise levels at Site 3 would remain in the “clearly unacceptable” category, both with and without a Yankee game during one or more time periods.

Noise levels in the western portion of the 2-acre public open space that would be developed by the City with contributions from the project sponsor (i.e., west of Exterior Street) would be slightly less than the values at Site 3 on Exterior Street. Noise levels would decrease by approximately 3 dBA per doubling of distance going west from Exterior Street. Maximum $L_{eq(1)}$ noise levels in the proposed open space would range from approximately 75 to 76 dBA. Maximum $L_{10(1)}$ noise levels in the proposed open space would be approximately 3 dBA higher than the $L_{eq(1)}$ noise levels. Noise levels in the proposed public open space would be higher than the 55 dBA $L_{10(1)}$ noise level for outdoor areas requiring serenity and quiet contained in the *CEQR Technical Manual’s* Table 3R-3, “Noise Exposure Guidelines for Use in City Environmental Impact Review.” Therefore, based upon these guideline values, noise levels in the new open space would cause a significant impact on users of this off-site open space. There are no practical and feasible mitigation measures that could be implemented to reduce noise levels within the open space to below the 55 dBA $L_{10(1)}$ guideline noise level. A sound barrier on Exterior Street would raise aesthetic and safety issues, and unless the barrier was of excessive height, would not be effective in reducing noise from the elevated Major Deegan Expressway. While noise levels in the open space would be above the 55 dBA $L_{10(1)}$ guideline noise level, they would be comparable to noise levels in a number of existing parks in New York City which are also located adjacent to heavily trafficked roadways.

Future 2014 Build noise levels at all sites both with and without a Yankee game would be less than 1.0 dBA higher than future 2014 No Build noise levels. (At Site 3 Build noise levels would be less than No Build noise levels due to the resurfacing of Exterior Street and the replacement of the cobblestone surface with asphalt.) Changes of this magnitude would be imperceptible and insignificant. In terms of the CEQR criteria, 2014 future No Build noise levels at Sites 1 and 2 would remain in the “marginally acceptable” category and 2014 future No Build noise levels at Site 3 would remain in the “clearly unacceptable” category, both with and without a Yankee game during one or more time periods.

NOISE ATTENUATION REQUIREMENTS

Recommended noise attenuation values for buildings are designed to maintain interior noise levels of 45 dBA or lower, and are determined based on exterior $L_{10(1)}$ noise levels. The proposed buildings' designs include the use of well sealed double-glazed windows and central air conditioning (i.e., alternate means of ventilation). With these measures, the window/wall attenuation would provide up to 40 dBA for all facades of the building. Based upon the $L_{10(1)}$ values measured at the project site, these design measures would provide sufficient attenuation to achieve CEQR requirements. The buildings' mechanical systems (i.e., heating, ventilation, and air conditioning systems) also would be designed to meet all applicable noise regulations and to avoid producing levels that would result in any significant increase in ambient noise levels.

CONSTRUCTION IMPACTS

The construction impacts analysis concludes that there would be no significant adverse impacts during either construction phase of the proposed project, except for historic resources.

The Bronx Terminal Market (Buildings B, D, F, G, H, and J) and the Bronx House of Detention have been determined eligible for listing on the State and National Registers of Historic Places (S/NR-eligible) by OPRHP. Therefore, the demolition of Building B and the Bronx House of Detention pursuant to construction of the proposed project would be a significant adverse impact on historic resources. Measures to mitigate this impact are being developed with OPRHP and are discussed in "Mitigation." The construction of the off-site open space to be developed by the City with contributions from the project sponsor would presumably require the demolition of Bronx Terminal Market Buildings F and G.

The new stormwater outfall would be constructed along the shoreline of the Harlem River, which is a regulated water of the U.S. and a mapped Tidal Wetland. The only potential short-term impacts to natural resources would be to the waters of the U.S. and NYSDEC-tidal wetlands in the very limited area associated with outfall construction. Disturbance to benthic communities during construction would be minimal and would not significantly impact the food supply for fish foraging in the area. Tidal wetland adjacent area disturbance would occur during construction of the off-site public open space to be developed by the City. The disturbance would result in replacement of existing-disturbed sparsely vegetated adjacent area with a landscaped public open space. This activity is expected to have no significant impacts and may have a beneficial ecological effect on the adjacent area.

During construction, there also would be increased potential for on-site erosion and sedimentation at construction sites where soils would be disturbed. An SWPPP would be prepared for the proposed project in accordance with established engineering practices as part of the NYSDEC State Pollutant Discharge Elimination System (SPDES) permitting process. To minimize potential water quality effects associated with the discharge of stormwater during construction activities, best management practices for erosion and sediment control and other measures of the SWPPP would be implemented. With these measures in place, erosion and stormwater pollution would be minimized during construction, thereby avoiding adverse impacts to surface water and aquatic organisms in Harlem River near the construction site.

During the construction period, a portion of Exterior Street and River Avenue would experience sidewalk and parking lane closures for construction vehicle use and other construction-related activities. It is also possible that one half of Exterior Street's cross-section would be closed, with two-way traffic maintained within the other half, but with no on-street parking permitted. This will be determined as maintenance and protection of traffic plans are developed, and reviewed with NYCDOT. It is possible that vehicular travel lanes would be narrowed to one 10 to 12 foot lane in each direction on these streets.

Construction of the proposed project is not expected to have an extensive or a long-term impact on traffic or parking conditions in the surrounding area. During the estimated peak construction year of 2008, the 149th Street at Exterior Street and River Avenue study location would be significantly impacted by the combination of about six delivery truck trips per hour and narrowed approaches due to construction on both Exterior Street and River Avenue when compared to 2008 conditions without construction. Monitoring of this intersection during construction would be performed to determine if excessive delays would actually occur.

Major Deegan Expressway improvements are planned for completion by 2011-2012. This reconstruction would improve access to the area, including the project site. A reconstruction of the 161st Street tunnel below the Grand Concourse is also planned. NYCDOT's proposed streetscaping plan for the Grand Concourse in this area, and for reconstruction of Lou Gehrig Plaza just west of the Grand Concourse, would alter the distribution of traffic flows between the southbound Grand Concourse's main road and service road as well as through the Grand Concourse/East 161st Street intersection. The proposed streetscape design would require all southbound service road traffic to make right turns onto westbound East 161st Street. (Under existing conditions, southbound service road traffic can proceed straight through the intersection or make right turns.) The New York City Department of Design and Construction (NYCDDC) will be rehabilitating 149th Street between Exterior Street/River Avenue and Anthony J. Griffin Place beginning in 2005 and ending in 2007. NYCDDC has stated that this would not change the operation or capacity of the intersections within the study area, and all lanes will be maintained during construction. In addition, the 145th Street Bridge will be reconstructed in 2006-2007 and its lane configuration is being coordinated with the proposed project's needs.

The cumulative effects of the simultaneous construction projects would include street closures and narrowing of streets in the study area. During peak hours a small to moderate amount of traffic may divert during construction on or adjacent to the closed or narrowed streets, which could add traffic volumes to the Grand Concourse and minor east-west cross streets between 138th Street and 165th Street.

PUBLIC HEALTH

While the proposed project would not meet any of the thresholds warranting a public health assessment, in order to address comments made during the scoping of the proposed project, the public health chapter presents a discussion of asthma, its prevalence in New York City, and its possible causes and triggers, and then presents an assessment of the potential public health effects from the proposed project. The analysis concludes that potential PM_{2.5} emissions from mobile and stationary sources related to the proposed project are not expected to result in adverse public health impacts, including impacts on asthma rates.

FUTURE CONDITIONS WITH A RELOCATED YANKEE STADIUM

The New York Yankees recently announced plans to build a new stadium on the north side of 161st Street between River Avenue and Jerome Avenue. The existing stadium would be partially demolished and converted to Heritage Field for use as a public baseball field with areas of landscaped, passive recreational open space. Plans for the new stadium are also expected to include the construction of new parking garages in the surrounding area, including one near the Gateway Center at Bronx Terminal Market area west of Exterior Street on River Avenue. The Yankee Stadium project would utilize a 5.11-acre portion of the Bronx Terminal Market area west of Exterior Street to create new active and passive parkland and a pedestrian esplanade to mitigate the loss of area from Macombs Dam Park. As discussed previously, two additional acres of the Bronx Terminal Market area west of Exterior Street would be developed by the City in the future with the proposed project as an off-site public open space. Development of a new Yankee Stadium will require a series of public approvals. If that project moves forward, it is expected to be completed by the first Build year of the Gateway Center at Bronx Terminal Market project, 2009.

Chapter 22, “Future Conditions with a Relocated Yankee Stadium,” provides an assessment of how the project could be expected to change background conditions by 2009 and 2014, and discusses any concomitant changes to the impacts identified for the proposed project. The construction of the Yankee Stadium project would not substantially alter the conclusions of the analyses presented in this EIS, with the exception of historic resources, traffic and parking, transit and pedestrians, and air quality, in which the effects of the proposed project could be reduced if the Yankee Stadium project were to be built.

4. MITIGATION

HISTORIC RESOURCES

The demolition of the historic buildings on the project site—Building B and the Bronx House of Detention—would constitute a significant adverse impact on historic resources. Measures to mitigate this impact are being developed in consultation with the New York State Office of Parks, Recreation and Historic Preservation (OPRHP). The mitigation measures are anticipated to include retaining and reutilizing Building D for retail development in conjunction with the proposed project; reutilizing ornamental elements from the Bronx House of Detention within the River Avenue façade of the proposed Retail Building B/F as well as the plaza on River Avenue at the entrance to the southern passageway through the site; affixing a plaque to the side of Retail Building B/F near the plaza or incorporating one into the plaza design, describing the Bronx House of Detention’s significance as an example of WPA-era institutional architecture designed by Joseph Freeland; affixing a plaque to the side of Building D describing the history of the Bronx Terminal Market and its role in the development of terminal markets in the United States; and recording Buildings B and D and the Bronx House of Detention through a Historic American Buildings Survey (HABS)-level photographic documentation and accompanying narrative. The mitigation measures developed with OPRHP would be recorded in either a Memorandum of Agreement (MOA) or Letter of Resolution (LOR) and implemented in order to partially mitigate the effects of the proposed project on historic resources. The construction of the off-site open space to be developed by the City with contributions from the project sponsor, which would occur by the Proposed Project’s Build year, would presumably require the demolition of Bronx Terminal Market Buildings F and G.

TRAFFIC AND PARKING

The detailed analyses of mitigation measures indicated that all significant adverse impacts on the local street network as well as on the sections of the Major Deegan Expressway could be mitigated, with one exception. The mitigation measures at most intersections would consist of traffic signal timing changes, parking prohibitions, lane re-striping, and other non-geometric improvements.

At the 149th Street intersection with the Major Deegan Expressway’s northbound off-ramp, Exterior Street and River Avenue, geometric changes to the intersection would be necessary to mitigate the project’s impacts. The recommended improvements include reconstruction of the intersection to bring all approaches closer to the intersection in order to concentrate turning movements and reduce driver confusion. Some approaches would be widened and restriped to gain additional capacity, and the Major Deegan Expressway’s northbound off-ramp at 149th Street would be widened to two lanes. NYSDOT is also considering widening this northbound off-ramp at 149th Street to two lanes while they rehabilitate the deck suspended over Exterior Street, but because this improvement would not likely be constructed by 2009, the at-grade portion of the off-ramp could be widened as a mitigation measure under a highway work permit.

To fully mitigate conditions along the Major Deegan Expressway, it would also be necessary to widen the approach to the exit ramp to provide a deceleration lane leading to the exit ramp. The developers and traffic consultants are working with NYSDOT to provide full mitigation, but it is possible that only partial mitigation would be accomplished by 2009. It is also possible that a relocation of Yankee Stadium slightly to the north would divert some traffic from this exit ramp to the next exit ramp farther north and reduce or eliminate the need to complete any mainline widening for a deceleration lane.

TRANSIT AND PEDESTRIANS

The proposed project is expected to result in a significant adverse impact to the operations of the north crosswalk at 149th Street and River Avenue. The decrease in the No Build LOS A to a Build LOS D at this location would require improvements that would return the crosswalk to an acceptable level-of-service. In order to alleviate the impact, it is recommended that north crosswalk be widened to a total width of 24 feet. With this mitigation, the north crosswalk would operate at LOS D or better during all analysis peaks.

AIR QUALITY

The proposed traffic mitigation measures would not result in any violations of the CO standard or any significant impacts at the intersections analyzed.

5. ALTERNATIVES

A total of three alternatives were analyzed in the EIS. They include a No Action Alternative, in which the site would remain in its existing condition; an alternative in which the west side of Exterior Street would be developed with retail and public open spaces (the Alternative Including Area West of Exterior Street); and a No Significant Adverse Unmitigated Impacts Alternative, in which the proposed project is modified to avoid any unmitigated significant adverse impacts.

The DEIS also considered a Retention of Expanded Market Alternative, in which the existing wholesale market uses would be retained and expanded within a new facility on the west side of Exterior Street. The project sponsor no longer controls the Bronx Terminal Market area west of Exterior Street. Therefore, this alternative would require use of an area not controlled by the applicant. In addition, the Bronx Terminal Market area west of Exterior Street and north of the public open space to be developed by the City is planned for development as a new City park and a pedestrian esplanade to mitigate the loss of area from Macombs Dam Park with the proposed Yankee Stadium project. Given the planned future use of the area west of Exterior Street, it was determined that this alternative is no longer feasible for consideration, and therefore it was not analyzed in the FEIS.

NO ACTION ALTERNATIVE

Under the No Action Alternative, the site would remain as it is in current conditions and there would be no changes to zoning or the City Map. No special permits from the New York City Planning Commission (CPC) would be requested, and there would be no disposition of City-owned property. No other state or federal actions would be requested. This is the same scenario that is described throughout the EIS as “The Future without the Proposed Actions.”

Under this alternative, land uses on the site would remain as they currently are, and there would be no significant adverse impact to land use, or zoning. With respect to public policy, this alternative would not provide public waterfront open space and therefore would not meet the Bronx Waterfront Plan’s objective to improve waterfront access.

Unlike with the proposed project, in the No Action Alternative the mix of 23 businesses employing approximately 297 workers on the Bronx Terminal Market would be retained; however, the project's substantial economic benefits would not be realized. There would be no direct or generated construction employment and income, or the expected local and state revenue resulting from the construction activity. Employment resulting from construction expenditures, including jobs from business establishments providing goods and services to contractors, would not occur.

The No Action Alternative would not result in the new demands on police, fire, and emergency services associated with the proposed project. In this alternative, the utilization of the Bronx House of Detention would be dependent on NYCDOC's determination of how it will meet its need to replace a substantial portion of its existing bed capacity.

Without the proposed project, the passive open space ratio for workers (as well as the ratio for workers and residents combined) in the area would exceed DCP guidelines. Under this alternative, the approximately two acres of new public open space and waterfront esplanade that the proposed project would be provided by the City with contributions from the project sponsor would not be created.

In the No Action Alternative, no new shadows would be cast on Macombs Dam Park or the project-generated open space.

With the No Action Alternative, the structures on the project site identified as historic resources—Buildings B and D of the Bronx Terminal Market and the Bronx House of Detention—would remain, and thus the significant adverse impacts on historic resources resulting from the proposed project would not occur. With the proposed project, this impact would be partially mitigated by measures developed with OPRHP. Neither this alternative nor the proposed project would result in significant adverse impacts to archaeological resources.

In the No Action Alternative, the dilapidated condition and visual character of the project site would remain unchanged, and the proposed project's enhancement of the project site and surrounding area with active retail use and landscaping would not occur.

The changes in neighborhood character associated with the proposed project would not occur with the No Action Alternative. The project site buildings would continue to block views to the waterfront from the surrounding area, and the site would not offer public access to the waterfront.

With respect to natural resources, the site would maintain its current, predominantly paved condition. Unlike the proposed project, the No Action Alternative would not result in the elimination of some areas of the site that may be attractive to nuisance species, nor would it add new landscaped areas within the public open space and waterfront esplanade.

Under the No Action Alternative, it is assumed that no remediation of hazardous materials would occur on the project site.

The No Action Alternative would not improve physical and visual public access to the Harlem River waterfront.

With the No Action Alternative, water consumption, sewage and solid waste generation, and stormwater runoff are not expected to change, and no impacts to these systems are expected. It is expected that the volumes of solid waste generated at the project site would not change, and no major changes are expected in the City's solid waste management handling practices. Unlike with the proposed project, no new energy demands would be created with the No Action Alternative.

The increase in vehicle trips to the project site expected with the proposed project would not occur with the No Action Alternative. Therefore, this alternative would not require the mitigation measures proposed for the proposed project, including signal phasing and timing modifications, parking prohibitions, lane re-striping and intersection channelization improvements, and pavement markings, as well as the widening of the Major Deegan Expressway ramp at 149th Street.

The increases in transit and pedestrian trips to the project site expected with the proposed project would not occur with the No Action Alternative. Therefore, this alternative would not have any adverse impacts on pedestrian conditions at the north crosswalk at the intersection of 149th Street and River Avenue.

Unlike with the proposed project, no new mobile or stationary source emissions would be created on the project site with the No Action Alternative. Neither this alternative nor the proposed project would result in any significant adverse mobile or stationary source air quality impacts. In this alternative, the industrial facility in the surrounding area would not have the potential to create a significant impact on the proposed hotel; however, with the proposed project, an (E) designation for air quality would be incorporated into the proposed rezoning of the hotel portion of the site to preclude the potential for significant adverse air quality impacts from this industrial source.

No new sources of noise would be created on the project site with the No Action Alternative. In the future with the proposed project, the City would create an off-site public open space, a noise-sensitive receptor, in an area with high ambient noise. With the No Action Alternative, this new sensitive receptor would not be created; however, the local area would not receive the benefit of the creation of public open space.

No construction would occur on the site in the No Action Alternative. Therefore, the temporary adverse impacts associated with construction would not occur, nor would the substantial economic benefits to the local area and New York City attributable to project construction.

Neither the No Action Alternative nor the proposed project is expected to result in significant adverse impacts to public health.

ALTERNATIVE INCLUDING AREA WEST OF EXTERIOR STREET

As previously described, the project site originally included a portion of the Bronx Terminal Market area west of Exterior Street, and the DEIS described and analyzed the original project that utilized this area. However, since the issuance of the DEIS, the project sponsor has returned its leasehold interest in the area west of Exterior Street, the actions relating to the area west of Exterior Street have been withdrawn, and only the Bronx Terminal Market area east of Exterior Street and the Bronx House of Detention is now proposed for development. Therefore, the proposed project does not include the development of a public open space, waterfront esplanade, or retail building in this area. However, should the City determine that retail development of the area west of Exterior Street is in its best interest, the project sponsor could renew its leasehold interest and develop the western portion of the site. Therefore, the scenario in which the area west of Exterior Street is developed by the project sponsor as described in the DEIS is presented here as the Alternative Including Area West of Exterior Street. This alternative illustrates the changes in the potential impacts of the Proposed Project since the DEIS. If the area west of Exterior Street is developed as a new City park and pedestrian esplanade with the proposed Yankee Stadium project, this alternative would not be feasible.

Under this alternative, the area west of Exterior Street would be developed with a retail building and accessory parking, as well as a public open space and a waterfront esplanade. The project site would be developed with new retail and accessory parking uses, as with the proposed project. This alternative would

require a number of additional actions relating to the waterfront. This alternative would create a slightly larger development than the proposed project, but the development would be less densely developed on the east side of Exterior Street.

Like the proposed project, this alternative would involve relocating the existing businesses on the site. As the west side of Exterior Street would be developed, the total program would be increased by approximately 7 percent and therefore the alternative's positive impacts on the local socioeconomic character and local and state revenue would be somewhat greater than with the proposed project.

As with the proposed project, this alternative would not result in a significant adverse impact on open space resources. With both the proposed project and this alternative, the passive open space ratios for workers, and workers and residents combined, in the area would well exceed DCP guidelines. Approximately two acres of public open space and waterfront esplanade west of Exterior Street would be created with this alternative; however, in the future with the proposed project, this open space is expected to be created by the City.

Under the Alternative Including Area West of Exterior Street, approximately two acres of public open space would be created by the project, rather than by the City; however, project-generated shadows would still be cast on this new resource. Under both this alternative and the proposed project, shadows would be cast on Macombs Dam Park; no significant adverse shadow impacts would occur with this alternative or the proposed project.

Neither this alternative nor the proposed project would result in significant adverse impacts to archaeological resources. In this alternative, the demolition of Bronx Terminal Market Buildings F, G, H and J would be required, as well as Building B and the Bronx House of Detention.

Unlike the proposed project, this alternative would create a new public open space amenity for the surrounding neighborhood. Both the proposed project and this alternative would be expected to enhance the vitality of the project site and surrounding area by increasing access to and landscaping and activity on the project site and the area west of Exterior Street. Although both this alternative and the proposed project will include the creation of buildings that are taller and bulkier than most of the existing buildings, these changes are not considered to be adverse, as they would improve the visual quality of the site and would be compatible with the bulk and use of buildings in the surrounding area.

Under this alternative, new buildings would be added to the west side of Exterior Street, and a new public open space would offer public access to the waterfront. In the future with the proposed project, this open space would be created by the City. This alternative would improve the condition of the Harlem River shoreline and waterfront edge, and views to the waterfront and the surrounding area would be improved with the provision of the waterfront open space and promenade. Like the proposed project, this alternative would be expected to enhance the vitality of the surrounding streets by introducing active retail uses and increasing visitation to the area. Peak hour traffic, transit, and pedestrian volumes are projected to be slightly higher under this alternative when compared to the proposed project. The new public open space and esplanade created in this alternative would have elevated noise levels due to the proximity of the Major Deegan Expressway.

Under the Alternative Including Area West of Exterior Street, new vegetated area would be created in the public open space to be developed. This alternative also would stabilize waterfront structures, remove accumulated debris from the interpier areas, and eliminate areas that may be attractive to nuisance species. Neither the proposed project nor this alternative would result in significant adverse impacts to water quality, terrestrial resources, wetlands, floodplains, aquatic resources, or endangered, threatened, or special concern species.

Peak hour traffic volumes are projected to be slightly higher (generally about 4 to 4.5 percent) under this alternative when compared to the proposed project. Vehicular access to the proposed retail development would occur at the main garage between Exterior Street and River Avenue, using the same two access points on Exterior Street and River Avenue as would be used under the proposed project; parking would also be available at Retail Building B/F, adjacent to Retail Building E.2, and at the proposed hotel. In addition, retail-related trips could enter and exit a surface lot on the west side of Exterior Street. The traffic volumes and assignments for this alternative are the same as were analyzed in the DEIS as the proposed project. Hence, with a slight increase in overall vehicle trips and a negligible change in vehicle assignments except at the garage access points on Exterior Street, additional significant impacts would only occur at 161st Street and the Grand Concourse in the pre-game Saturday midday peak hour due to the alternative.

As with the proposed project, no significant adverse impacts on nearby subway stations or bus line haul would be expected with this alternative. The crosswalk impact at 149th Street and River Avenue would still be expected with this alternative; however, this impact could be mitigated with a crosswalk widening.

As with the proposed project, no significant adverse mobile or stationary source air quality impacts would be expected with this alternative. The industrial facility in the surrounding area could have the potential to create an air quality impact on the proposed hotel; however, as with the Proposed Project, in this alternative an (E) designation for air quality would be incorporated into the proposed rezoning of the hotel portion of the site to preclude the potential for significant adverse air quality impacts from this industrial source.

As with the proposed project, this alternative would slightly increase existing levels of noise on the project site; however, this would not be expected to result in any significant noise impacts. As a public open space and waterfront esplanade (a noise-sensitive receptor) would be created on the west side of Exterior Street in this alternative, there would be potential noise impacts on this new receptor from high ambient noise levels; however, in the future with the proposed project, this open space is expected to be created by the City.

Given that this alternative assumes that the west side of Exterior Street would be developed by the proposed project, it is expected that construction-period activities would be somewhat greater than those associated with the proposed project. In either case, impacts would be temporary, but would be disruptive at times. The construction of this alternative also would require the demolition of Bronx Terminal Market Buildings F, G, H, and J.

NO SIGNIFICANT ADVERSE UNMITIGATED IMPACTS ALTERNATIVE

Most of the potential impacts identified for the proposed project could be fully mitigated, as described in Chapter 23, "Mitigation."

The demolition of structures on the project site identified as historic resources would constitute a significant adverse impact on historic resources. Measures to mitigate this impact are being developed in consultation with the New York State Office of Parks, Recreation, and Historic Preservation (OPRHP). With these measures, the adverse impact on historic resources would be partially mitigated. However, in order to eliminate the adverse impact to historic resources, this alternative would require the retention of all the historic resources on the project site. The reduced development program that would result from the elimination of the existing buildings' land area for use by the proposed project would not fulfill the goals of the project and it would not be built at this location. Therefore, there is no feasible alternative that would eliminate the adverse impact on historic resources.

For the northbound Major Deegan Expressway approaching 149th Street, widening of the exit ramp would be needed in order to mitigate the proposed project's impacts at the local street intersection of the northbound exit ramp with 149th Street, Exterior Street, River Avenue, and the 145th Street Bridge approach to the intersection. In order to fully mitigate conditions along the northbound Expressway, it would also be necessary to widen the approach to the exit ramp in order to provide a deceleration lane leading to the exit ramp. NYSDOT has indicated its interest in improving conditions by widening the exit ramp as part of a larger Major Deegan Expressway widening and improvement project being planned by NYSDOT; however, it is uncertain at this time whether NYSDOT would also be able to create a widening along the highway mainline to provide a fully acceptable deceleration lane. Therefore, it is possible that only partial mitigation of potential impacts at the northbound exit would be accomplished by 2009 or 2014.

6. CONTACT OFFICE

Requests for copies of the FEIS and public comments and questions regarding the FEIS should be forwarded to the contact listed below, acting on behalf of the Office of the Deputy Mayor of Economic Development and Rebuilding.

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On behalf of the Deputy Mayor for
Economic Development and Rebuilding

12.08.05

Date