

**FINAL DRAFT SCOPE OF WORK FOR THE
EAST 125th STREET DEVELOPMENT
ENVIRONMENTAL IMPACT STATEMENT**

**CEQR NO. 07DME025M
ULURP NOs. Pending**

A. INTRODUCTION

This final draft scope of work outlines the issues to be analyzed in the preparation of an environmental impact statement (EIS) associated with the development of three parcels situated on approximately 6-acres in East Harlem, from East 127th Street to East 125th Street, and from Third Avenue to Second Avenue. The project, when complete, could include approximately 1.7 million square feet of new residential, retail and commercial uses. The Project Site includes a Metropolitan Transportation Authority (MTA) at-grade bus storage facility and the development will include an underground replacement facility for these operations. The MTA is an involved agency under CEQR. An off-site parcel that is on the same block but not part of the East 125th Street Development is also proposed for rezoning, although no new development is proposed for that parcel at this time.

The project will promote local economic growth and job creation, encourage private investment, and improve quality-of-life for East Harlem residents by facilitating the replacement of mostly vacant and underutilized land with new affordable housing, media and entertainment businesses, cultural space, and retail uses. Areas of East Harlem surrounding the Project Site have some of the highest remaining concentrations of vacant land and buildings of the overall 125th Street corridor and its surrounding blocks. The proposed rezoning and its associated actions would upgrade conditions in this area and facilitate mixed-use development on mostly vacant and underutilized land that has excellent access to transit, open space, and commercial services. As a result of the project, long-vacant City-owned land would be returned to the City's tax rolls.

This final draft scope of work outlines the issues and methodologies to be analyzed in the preparation of an Environmental Impact Statement (EIS) for the proposed East 125th Street Development ("the proposed action"). Comments received at the July 19, 2007 Public Hearing on the Draft Scoping Document and during the public comment period that was closed on July 30, 2007 have been considered and incorporated as appropriate (added text is underlined; deleted text is indicated by strikethrough) See also Appendix A. The MTA is an involved agency because it has to approve the replacement of the surface bus parking facility with an underground parking facility. City actions and approvals required include: zoning map amendments; the disposition of City-owned property; ~~Special Permit approval for a public parking garage; approval of a General Large Scale Plan;~~ amendment of the Harlem-East Harlem Urban Renewal Plan; ~~City Planning certification pursuant to the Special Transit Authority (TA) District, and,~~ modification of the Large Scale Development Plan associated with the Harlem-East Harlem Urban Renewal Plan; and, City Planning certification pursuant to the Special Transit Authority (TA) District signage requirements. The Project Site consists of parcels on three separate blocks located between Second Avenue and Third Avenue between approximately East 125th Street and East 127th Street (Parcel A, located between East 126th Street

and East 127th Street; Parcel B, located between East 125th Street and East 126th Street; and, Parcel C, located south of East 125th Street at the corner of Third Avenue). The off-site parcel that is on the same block but not part of the East 125th Street Development is located at the corner of Third Avenue and East 127th Street (Block 1791, Lot 44). The Project Site falls within Manhattan Community District #11 and is located within several blocks of the Harlem River (see **Figure 11: Project Location**). The proposed rezoning of the Project Site will allow the proposed mixed-use program subject to urban design guidelines.

This document provides a description of the proposed action and includes task categories for all technical areas to be analyzed in the EIS.

The EIS will be prepared in accordance with Executive Order 91 of 1977, as amended, and the Rules of Procedure for City Environmental Quality Review, found at Title 62, Chapter 5 of the Rules of the City of New York (CEQR) and will follow the guidelines of the *CEQR Technical Manual*. The EIS will contain:

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

Analysis of the proposed action will be performed for the expected build year of completion of construction of the reasonable worst-case development scenario assumed for the project, estimated to be 2012, and will include the cumulative impacts of other projects that would affect conditions in the study area irrespective of implementation of the proposed project, including the reasonable worst case development scenario of Block 1791, Lot 44. The Office of the Deputy Mayor for Economic Development and ~~Rebuilding~~, in the Office of the Mayor, will act as lead agency for the project and will coordinate the review of the proposed action among the involved and interested agencies and the public.

B. REQUIRED APPROVALS AND REVIEW PROCEDURES

The proposed action requires City Planning Commission (CPC) and City Council approvals through the Uniform Land Use Review Procedure (ULURP), and includes the following actions:

- Zoning map amendments that would map a new zoning district. Refer to **Figure 2**, Existing Zoning, and **Figure 3**, Proposed Zoning for proposed zoning changes;

¹ Revisions were made to the attached figures since the original publication of the DEIS Scoping Document. These revisions reflect a revised rezoning area boundary on all of the figures that incorporates all of Block 1791 and most, but not all of, Parcel C on Block 1789. Figure 7 was added.

- Disposition of City-owned property, an Urban Renewal Plan amendment, ~~approval of a General Large Scale Plan~~; CPC certification pursuant to the Special TA (transit land use) District, and UDAAP designation and project approval ~~(a non-ULURP action)~~ to facilitate the development of a residential project with ground floor retail on a site within the proposed rezoning area;
- Modification of the Large Scale Development Plan associated with the Harlem-East Harlem Urban Renewal Plan.

These actions are subject to the City Environmental Quality Review (CEQR) procedures. Based on an Environmental Assessment Statement (EAS) dated June 19, 2007, the Office of the Deputy Mayor for Economic Development and Rebuilding, as lead agency, has determined that the proposed action would have the potential for significant adverse impacts. Therefore, a detailed assessment of likely effects in those areas of concern must be prepared and disclosed in an EIS.

This draft scoping document sets forth the analyses and methodologies proposed for the EIS. The public, interested agencies, Manhattan Community Board 11 and elected officials ~~were~~ are invited to comment on the scope, either in writing or orally, at a public scoping meeting ~~to be~~ held on Thursday, July 19, 2007, at 6pm at Taino Towers, 2253 Third Avenue, New York, NY 10035. Comments received during the draft scope's public meeting, and written comments received until 5 PM on July 30, 2007 ~~up to 10 days~~ after the meeting have been ~~will be~~ considered and incorporated as appropriate into this a final scope of work. This ~~The~~ final scope of work will be used as the framework for preparing the Draft EIS (DEIS) for the proposed action.

Once the lead agency is satisfied that the DEIS is complete, the document will be made available for public review and comment. The DEIS will accompany the ULURP application through the public hearings at the Community Board, Borough President, and City Planning Commission (CPC). A public hearing will be held on the DEIS in conjunction with the CPC hearing on the ULURP applications to afford all interested parties the opportunity to submit oral and written comments. The record will remain open for 10 days after the public hearing to allow additional written comments on the DEIS. At the close of the public review period, a Final EIS (FEIS) will be prepared that will incorporate all substantive comments made on the DEIS, along with any revisions to the technical analysis necessary to respond to those comments. The FEIS will then be used by the decision makers to evaluate CEQR findings, which address project impacts and proposed mitigation measures, before deciding whether to approve the requested discretionary actions.

C. DESCRIPTION OF THE PROPOSED ACTION

The Office of the Deputy Mayor for Economic Development ~~and Rebuilding~~, in the Office of the Mayor, is proposing zoning map amendments that would affect one full block and portions of two blocks in East Harlem referred to herein as Parcel A, Parcel B, and Parcel C, with the exception of a 25-foot wide portion of Parcel C that extends 26.6 feet beyond the proposed southerly boundary of the proposed C6-3 District, which is not included in the proposed zoning map amendments. The area proposed to be rezoned is generally bounded by 125th Street, 127th Street, Second Avenue and Third Avenue (the exact boundaries are shown in the attached Project Location map – See **Figure 1**). The proposed changes are part of a comprehensive City

initiative to support the ongoing revitalization of 125th Street, Harlem's Main Street. Table 1 below provides a list of the block and lots affected by the proposed action.

The Project Site currently contains a mix of vacant land, commercial development, and an at-grade MTA bus storage facility, with the off-site parcel to be rezoned with no currently proposed development now containing a church. Block and Lots of the three subject parcels and the off-site parcel to be rezoned are identified in Table 1 below. The Project Site is located to the east of sections of the 125th Street corridor that have experienced recent development including a Pathmark supermarket, and Gotham Plaza and Gateway Plaza, located at Lexington Avenue and 125th Street.

Table 1 – List of Blocks and Lots: East 125th Street Development

PARCEL	AFFECTED BLOCKS	AFFECTED LOTS
Parcel A	1791	1, 25, and 34
Parcel B	1790	1, 101, 3, 5, 6, 8, 12, 13, 20, 24-31, 40, 45, 46, 49
Parcel C	1789	46
<u>Off-site parcel to be rezoned only</u>	<u>1791</u>	<u>44</u>

The proposed project would extend new mixed-use development on 125th Street to the east of development that has taken place recently or is otherwise expected as a result of the establishment of a new special purpose district along the 125th Street corridor - the Special 125th Street District. This special purpose district is proposed as part of the City's 125th Street Corridor Rezoning and Related Actions Project. It would allow a wide range of retail, arts, entertainment and cultural uses to physically and economically activate the street, would allow building form controls, and would support future job creation and career opportunities.

The Project Site consists of three parcels of land as described in Table 1 above. Parcel A, the northernmost parcel located between East 126th Street and East 127th Street, is predominantly zoned R7-2, with its northeastern portion zoned M1-2. Parcel B, occupying a full block between East 125th Street and East 126th Street, is zoned M1-2, with a C4-4 District mapped on its southwestern corner at Third Avenue and East 125th Street. Parcel C, a corner parcel at the intersection of Third Avenue and East 125th Street, is zoned C4-4.

The zoning proposal includes mapping a C6-3 or similar district to allow the proposed development. The proposed action and its associated rezonings will increase the amount of permitted floor area on the Project Site; facilitate major commercial development to support the ongoing revitalization of 125th Street, including uses that are underrepresented in the East Harlem market and that would be unique to the region. As a result of its proposed rezoning, the off-site parcel on Block 1791, Lot 44 could potentially be developed in the future separately

from the currently proposed development at a higher density than would otherwise currently be permitted.

The mixed-use program for the proposed action recognizes that affordable residential development is critical to the long term vitality of East Harlem, and is needed to strengthen the surrounding neighborhood and maintain or increase its residential population. A mixed-income approach is proposed for up to 1,000 units of housing for low income households (30 percent of units), moderate income households (35 percent of units), and middle income households (35 percent of units).

Purpose and Need

The purpose of the proposed action is to promote local economic growth, encourage private investment, and improve the quality-of-life for East Harlem residents by facilitating the replacement of mostly vacant and underutilized land with new affordable housing, media and entertainment businesses, cultural space, and retail uses. Areas of East Harlem surrounding the Project Site have some of the highest remaining concentrations of vacant land and buildings of the overall 125th Street corridor and its surrounding blocks. The proposed rezoning and its associated actions would upgrade conditions in this area and facilitate mixed-use development on mostly vacant and underutilized land that has excellent access to transit, open space, and commercial services. As a result of the project, long-vacant City-owned land would be returned to the City's tax rolls.

The proposed program of development is the result of ongoing consultations with a Task Force begun in 2006 through Manhattan Community District #11. The Task Force also includes representatives of the local community organizations and elected officials. A Request for Proposals (RFP) for development of the project site was released by the NYC Economic Development Corporation in October 2006. The RFP responded directly to Task Force concerns including the need for: affordable housing, economic development, and cultural uses; protection of air quality; local participation in development, employment and retail; and, avoidance of impacts on health, education, and sanitary services. The proposed program of development reflects the overall goals of the local community and the City's elected officials for the Project Site to create a dynamic retail, residential, entertainment and media destination for upper Manhattan. The project will sustain and enhance the ongoing revitalization of 125th Street as a unique Manhattan Main Street and destination for premier arts, culture and entertainment, and will create a critical mass of media and entertainment-related businesses at a site that comprises the eastern gateway to the 125th Street corridor.

In addition to its commercial and media/art/entertainment components, the proposed action addresses the city-wide need for affordable housing and the local need to reinforce the residential character of East Harlem and foster round-the-clock residential activity on the Project Site. Up to 1,000 units of low, moderate and middle income housing are proposed, advancing the goals of the City's New Housing Marketplace Plan that is intended to create 165,000 units of affordable housing and build and preserve affordable housing for 500,000 New Yorkers over ten years. The proposed residential units would be split between homeownership and rental units, with approximately 30 percent targeted to low income households, 35 percent targeted to moderate income households, and 35 percent targeted to middle income households. Residents of Manhattan Community District #11 would be given preferential consideration for a minimum of 50 percent of the units.

The proposed action also advances economic development goals of the City of New York. The project site is located within the federally-designated Upper Manhattan Empowerment Zone, as well as the state-designated East Harlem Empire Zone. The proposed action would take advantage of the benefits of these programs and would bring significant new investment and employment to this part of upper Manhattan.

Construction of the East 125th Street Development would adhere to green building and sustainable design principles, and urban design guidelines to promote environmental best practices and create a streetscape that respects the existing built context and character of the 125th Street corridor and surrounding neighborhood. "Green" design elements include energy efficient site and building design, appliances, heating, ventilation and air conditioning systems, green roofs, and other measures designed to promote sustainability.

Public outdoor open space is a key component of the proposed project in order to ensure access to provide a meaningful spot for outdoor gatherings (small scale performances and other cultural events and festivals) as well as light and air; enhance the streetscape, adjacent parks and waterfront areas; and, promote a pedestrian friendly environment. Urban design guidelines are proposed through amendments to the Harlem-East Harlem Urban Renewal Plan to promote active uses at the ground floor level of the proposed mixed-use buildings, appropriate streetwall and building heights, and transparency and visibility of retail, entertainment and other active uses.

Finally, the proposed project would replace an at-grade MTA bus storage facility currently located on a portion of Parcel A with an underground storage facility, improving visual conditions of the Project Site and minimizing impacts of this facility on the surrounding neighborhood. The replacement bus storage facility will accommodate 80 buses within approximately 109,000 square feet of bus storage area on Parcel A. Entrances would be positioned to minimize traffic congestion, and mechanical ventilation would be provided and located to minimize air quality effects.

Existing Zoning

As stated above, the Project Site is comprised of one full block and two block portions, with the northern parcel (Parcel A) zoned mostly R7-2, the parcel north of 125th Street (Parcel B) zoned mostly M1-2, and Parcel C and the southwestern corner of Parcel B zoned C4-4. The off-site parcel that is only to be rezoned is currently zoned R7-2.

The C4-4 District is a general commercial district, which allows regional shopping with a wide range of commercial uses. C4-4 districts allow commercial development up to 3.4 FAR, residential development up to 3.44 FAR and community facility uses up to 6.5 FAR. On wide streets outside the Manhattan Core (i.e., Manhattan Community Districts 9-12), residential development that complies with the Quality Housing program is allowed up to 4.0 FAR. One off-street parking space per 1,000 feet of commercial floor area for most retail uses is generally required; however, parking requirements can be waived if less than 40 parking spaces are generated. The low density M1-2 Districts allows light manufacturing and commercial uses up to 2.0 FAR and certain community facility uses up to 4.8 FAR. The R7-2 District is a medium density residential district with a maximum FAR for residential development of 3.44 FAR, and a

maximum FAR for community facility uses up to 6.5 FAR. Quality Housing program residential development is allowed up to 4.0 FAR.

An existing Special TA District is mapped along portions of East 125th Street and Second Avenue. The Special TA District is mapped in the vicinity of the proposed Second Avenue subway line to provide easements to facilitate pedestrian access to the proposed subway and the access of light and air to the stations. **Table 2** provides a summary of the existing allowed density in the rezoning area.

Table 2 - Summary of Existing Allowable Density

District	Residential FAR	Commercial FAR	Community Facility
R7-2	3.44 (4.0 with Quality Housing)		6.5
C4-4	3.44 (4.0 with Quality Housing)	3.4	6.5
M1-2	NA	2.0	4.8

Source: NYC DCP

Proposed Zoning

A rezoning of the Project Site is proposed that will map a C6-3 or similar district, which will allow development on the site at an FAR of 7.2 (approximately 1.7 million square feet development capacity for the Project Site). A 25-foot wide portion of Parcel C that extends 26.6 feet beyond the southerly boundary of the proposed C6-3 District is not included in the proposed zoning map amendments. Proposed construction on Parcel C on the southernmost portion of the parcel that is proposed to remain in its existing C4-4 District would comply with the density regulations of the C4-4 District.

Building form and bulk regulations for the East 125th Street Development would be defined by the proposed zoning and modified through restrictions in the 15th Amended Harlem-East Harlem Urban Renewal a General Large Scale Plan in order to achieve the desired urban design and open space goals developed in conjunction with the Task Force and City Planning and stated in the RFP. These guidelines call for building heights of up to 210 feet on Second and Third Avenue, minimum streetwall heights on the midblocks of 60 feet, with an 85-foot maximum, a maximum slab width for any commercial building exceeding the streetwall height of 175 feet and any residential building exceeding the streetwall height of 170 feet and, minimum setbacks for building faces above the streetwall of 10 feet on wide streets, and 15 feet on narrow streets and for Parcel C. Active ground floor uses including retail and entertainment-related uses are required for 125th Street and Third Avenue lot frontage (other than building entrances), with requirements for maximum transparency, and visibility where roll-down or security gates are proposed.

Additional Open Space guidelines are proposed as part of the proposed action requiring, among other things, a minimum of 2,500 square feet of public open space on Parcel A, and a

Additional Open Space guidelines are proposed as part of the proposed action requiring, among other things, a minimum of 2,500 square feet of public open space on Parcel A, and a minimum of 10,000 square feet of public open space on Parcel B, with direct access from East 125th Street and East 126th Street.

Future No-Action Conditions (No-Build Scenario)

In the future without the proposed action, the existing zoning controls would remain in place and the existing MTA bus storage facility would remain on the Project Site on Parcel A. Existing uses would be expected to remain on the Project Site, with these uses continuing to support 60-80 jobs. Approximately ten former apartments located above ground floor retail on two lots would be expected to remain in their current vacant state, most likely utilized for commercial storage. ~~, and about 10 households.~~ Without implementation of the proposed action, the project site would continue to be characterized by underutilized and vacant sites; many of them City-owned and not generating tax revenues for the City of New York.

Future With-Action Conditions (Build Scenario)

The proposed rezoning action will facilitate the construction of up to 1.7 million square feet of mixed-use development on the East 125th Street Project Site. The rezoning of the East 125th Street Development project site will enable the development of up to 1,000 units of low, moderate, and middle income housing; approximately 470,000 square feet of retail/entertainment space (including a 300,000-square foot anchor retail tenant, and approximately 120,000 square feet of specialty retail/entertainment space including 50,000 square feet of local retail); 300,000 square feet of commercial office space; 30,000 square feet of not-for-profit performing/media arts space; a 100,000-square foot hotel; and, 12,500 square feet of public open space. The Project Site includes a Metropolitan Transportation Authority (MTA) at-grade bus storage facility and the development will include an underground replacement facility for those operations. Actions and approvals required include zoning map amendments; the disposition of City-owned property; ~~Special Permit approval for a public parking garage;~~ ~~approval of a General Large Scale Plan;~~ amendment of the East Harlem Urban Renewal Plan; City Planning certification pursuant to the Special Transit Authority District, and modification of the Large Scale Development Plan associated with the Harlem-East Harlem Urban Renewal Plan. An access easement in favor of the MTA is proposed to cover approximately 2,000 square feet of Parcel C for the purpose of providing for future emergency access and ventilation for the Second Avenue Subway. ~~Signage requirements.~~

An additional increment of future development would be possible in the future on the separate off-site parcel resulting from the increase in allowable FAR and permitted commercial use under the proposed C6-3 District as opposed to the existing R7-2 District.

Environmental Impact Statement

As the proposed action would affect various areas of environmental concern and was found to have the potential for significant adverse impacts, pursuant to the EAS and Positive Declaration, an Environmental Impact Statement pursuant to CEQR will be prepared for the proposed action. The EIS will analyze all technical areas of concern related to development of the proposed action.

D. SCOPE OF WORK FOR THE EIS

TASK 1. PROJECT DESCRIPTION

The first chapter of the EIS introduces the reader to the project and sets the context in which to assess impacts. The chapter contains a project identification (brief description and location of the project); the background and/or history of the project; a statement of the public purpose and need for the project; key planning considerations that have shaped the current proposal; a detailed description of the project; and discussion of the approvals required, procedures to be followed, and the role of the EIS in the process. This chapter is the key to understanding the proposed action and gives the public and decision-makers a basis on which to evaluate the project against both Build and No-Build scenarios. In addition, the description of No-Build conditions will discuss other expected actions and developments that could affect technical categories considered under CEQR.

The section on approval procedures will explain the Uniform Land Use Review Procedure (ULURP) process, its timing, and hearings before the Community Board, the Borough President, the City Planning Commission (CPC), and the New York City Council. The role of the EIS as a full-disclosure document to aid in decision-making will be identified and its relationship to ULURP and the public hearings described.

TASK 2. LAND USE, ZONING, AND PUBLIC POLICY

This chapter will provide a detailed analysis of the potential impacts of the proposed action on land use, zoning, and public policy. The land use study area will consist of the project area, where the potential effects of the proposed action will be directly experienced, and adjacent areas within a quarter-mile radius (the "primary study area") where indirect impacts may be felt (see **Figure 4**). For the purpose of environmental analysis, the Primary Study Area will extend approximately 400 feet from the Project Site and rezoning area. The Secondary Study Area will extend a quarter-mile from the borders of the Project Site and rezoning area. The study area will be adjusted to include whole City blocks and to account for the shorelines of the Hudson and Harlem Rivers. Subtasks will include the following:

- Provide a description of land use, zoning, and public policy in the study areas discussed above. (A more detailed analysis will be conducted for the project area.) This task will be closely coordinated with Task 3, "Socioeconomic Conditions," which will provide a qualitative analysis of the project's effect on businesses and employment in the rezoning area. Recent trends in the rezoning area will be noted.
- Based on field surveys and prior studies, identify, describe, and graphically portray predominant land use patterns for the balance of the study areas. Describe recent land use trends in the study areas and identify major factors influencing land use trends.
- Describe and map existing zoning and recent zoning actions or BSA (Board of Standards and Appeals) variances in the study area.
- Describe relevant public policies affecting the project area or the proposed action generally.

- Prepare a list of future development projects in the study area that would be expected to influence future land use trends. Within approximately ¼-mile of the project site, these include known and projected developments identified through the New York City Department of City Planning's 125th Street Corridor Rezoning and Related Actions project, which include retail, office and community facility development on Block 1749, just west of Park Avenue facing 125th Street (Reasonable Worst Case Development Scenario Site #21), among others. Other developments that will be considered include East River Plaza, The Kalahari, and Fifth on the Park. Also, identify pending zoning actions or other public policy actions that could affect land use patterns and trends in the study area. Based on these changes, assess future conditions in land use and zoning without the proposed action.
- Describe and assess the potential land use changes in the project area based on the reasonable worst-case development scenario.
- Assess effects of the proposed action on land use, zoning, and public policy. Project effects related to issues of compatibility with surrounding land use, the consistency with zoning and other public policy, and the effect of the project on ongoing development trends and conditions in the area will be discussed.
- Relevant policies of the Draft 197-a Plan for Community District 11 shall be generally discussed as background on public policy related to the project site.

TASK 3. SOCIOECONOMIC CONDITIONS

This chapter will examine the effects of the action on socioeconomic conditions in the study area, including population characteristics, increase in economic activity, and the potential displacement of residents (*if any*), businesses and employment from the rezoning area. The analysis will provide an assessment of potential socioeconomic changes associated with the proposed action, including: direct and indirect displacement of residential population, businesses, or employees; a new development that is markedly different from existing uses and activities within the neighborhood; an adverse effect on conditions in the real estate market in the area; or an adverse effect on socioeconomic conditions in a specific industry. Screening analyses will be conducted pursuant to the *CEQR Technical Manual* methodology. The analysis will present sufficient information regarding the effects of the proposed action to make a preliminary assessment either to rule out the possibility of significant impacts or to determine that more detailed analysis is required to make a determination as to impacts.

The preliminary assessment will examine five areas of concern including (1) direct residential displacement; (2) direct business and institutional displacement; (3) indirect residential displacement; (4) indirect business and institutional displacement; (5) and adverse effects on specific industries. For each area of concern, if it has been determined that a socioeconomic impact is likely or cannot be ruled out based on the preliminary screening assessment, then a detailed analysis will be conducted. The Socioeconomic Conditions study area is shown in **Figure 5**. The study area for socioeconomic conditions will be delineated by adjusting the land use study area boundary, i.e., a quarter-mile radius of the rezoning area, to reflect boundaries of

census tracts that are wholly or partially within the quarter-mile radius of the rezoning area². A Primary Study Area for Population and Housing will include the five immediately surrounding Census Tracts (Census Tracts 192, 194, 196, 202, and 204). A Secondary Socioeconomic Study Area will extend out to include Census Tracts 182, 188, 198, and 206. The ZIP Code Study Area for Business and Institutional Displacement will include the surrounding area of the 10035 Zip Code. Subtasks for detailed analysis, if determined to be necessary, include:

Population Characteristics

- Based on the U.S. Census of Population and Housing, describe the 2000 population characteristics of the rezoning area and the study area.
- Discuss population trends in the future without the proposed action.
- Estimate population associated with the proposed rezoning and assess impacts on population, if any.

Housing Characteristics

- Using Census data and other information, such as reports on housing value and median rents, describe the 2000 housing characteristics of the rezoning and the study area.
- Assemble and discuss information on housing market conditions, including identification of presence of any unique or predominant population groups or presence of populations particularly vulnerable to economic changes, using Census data and other sources.
- Discuss housing trends in the future without the proposed action.
- Estimate housing changes associated with the proposed rezoning and assess impacts on housing, if any.

Economic Characteristics

- Describe existing economic activity in the rezoning area (using most recently available data), including the number and types of businesses and employment by key sectors.
- Describe the physical characteristics of the existing residential, commercial, institutional and manufacturing buildings in the rezoning and surrounding areas, including the general size of the structures, configurations, and condition. Determine the approximate vacancy rate and rent levels for buildings in the study areas. This will be based on visual inspections, discussions with the Borough Office of DCP, and discussions with real estate brokers.
- Describe trends in residential, commercial and manufacturing use in the future without the action.
- Estimate net new employment and other economic activity in the study area under Future Conditions With the Action. The types of new jobs that would be anticipated as a result of the proposed action will be generally described.

² Census Tract 240 falls within the quarter-mile radius but is excluded from the study. This tract is mainly mapped over open space resources and the Harlem River.

- Describe local hiring commitments, requirements for minority or women-owned business enterprise participation, or requirements for local ownership of the project, if proposed.
- Estimate displacement of commercial and manufacturing businesses and employment as a result of the proposed action. ~~Estimate displacement of commercial and manufacturing businesses and employment based on sites identified for likely development.~~ After accounting for currently vacant properties, configurations and conditions, use a ratio of number of properties converted to total properties to estimate potential displacement.
- Assess the impact of displacement, if any. Identify likely relocation areas nearby, if necessary.
- A retail market study will be conducted to determine whether the proposed retail uses would be expected to have competitive economic impacts that would affect neighborhood character by impacting the viability of neighborhood shopping areas. A primary trade area will be examined consisting of commercial corridors within an approximately 1.5-mile radius of the project site (see Figure 6). A profile of the retail environment within this trade area, and data from the US Census Bureau, New York State Department of Labor, and standard reference sources, will be used to identify key retail competitors, and the expenditure profile of area households. Based on these data, the assessment will determine whether the trade area is currently saturated with retail uses or whether there is likely to be an outflow of sales from the trade area. Projected sales volumes from the proposed stores will be compared with the existing trade area expenditure profile to determine if the action would be likely to substantially raise the retail sales capture rate within the trade area, or affect competitive stores in this area.

TASK 4. COMMUNITY FACILITIES AND SERVICES

The demand for community facilities and services is directly related to the type and size of the new population generated by development resulting from the proposed rezoning. New workers tend to create limited demands for community facilities and services, while new residents create more substantial and permanent demands. Community facilities other than open space (see Task 5) will be examined in this section.

The CEQR threshold for detailed analysis of schools occurs when an action is anticipated to generate 50 or more elementary/middle school students or 150 or more high school students. A screening analysis was performed and indicates that the proposed action would exceed the screening threshold for both elementary/middle schools, and high schools, and thus, detailed analysis is warranted. The high school analysis will be borough-based although public high schools within the study area will be identified and their locations shown on the Public School map in the EIS. In addition, as discussed in the EAS, based on the screening criteria established in the *CEQR Technical Manual*, the proposed action would represent a five percent or greater increase over the average dwelling units per library branch in the borough of Manhattan, the screening threshold for detailed analysis. Accordingly, an analysis of the proposed action's effects on library services will be provided.

The proposed East 125th Street Development ~~action~~ is projected to generate up to 1,000 650 ~~affordable~~ (low, ~~and~~ moderate, and middle income) housing units ~~on the Project Site~~. As the proposed action would generate more than 600 units of low-moderate income housing units, a detailed analysis of health care facilities is required (*CEQR Technical Manual*, Table 3C-1). An additional increment of residential development would also be possible on the off-site parcel to be rezoned, although no plans for that lot are proposed at this time.

The proposed action would generate more than 50 children eligible for publicly funded daycare. A detailed analysis of day care facilities is required for the proposed action, in accordance with *CEQR Technical Manual*, Table 3C-1 and Table 3C-4.

The Police and Fire Departments routinely evaluate the need for changes in personnel, equipment, or facilities based on population, response times, crime levels, or other local factors. Therefore an assessment of service delivery is usually conducted only if a proposed action would directly affect the physical operations of a station house or precinct house. Since the proposed action would not directly affect existing police and fire facilities, an assessment is not warranted.

The proposed study area for community facilities would be located at or close to a half-mile, $\frac{3}{4}$ mile or 1-mile radius of the rezoning area depending on the type of community facility, as per CEQR guidelines. Subtasks will include:

- Identify and locate/map all community facilities within the defined study area for general informational purposes, including schools, libraries, health care facilities, police precincts, fire houses, etc. Separate maps for each kind of facility will be provided.
- Identify and locate public schools within the project study area. Assess conditions in the project study area, and for Community School District 5 as a whole, in terms of enrollment and utilization during the current school year, noting any specific shortages of school capacity. Identify conditions that will exist in the future without the action, taking into consideration projected increases in future enrollment, including those associated with other developments in the vicinity of the project area and plans to increase school capacity either through administrative actions on the part of the NYC Department of Education (DOE) or as a result of the construction of new school space. Analyze future conditions with the proposed action, adding students likely to be generated by the action to the projections for the future without the action. Project impacts will be assessed based on the difference between the Future With Action projections and the Future No Action projections (at the sub-area, region, and school district levels) for enrollment, capacity, and utilization in 2012. Planned new capacity projects from DOE's Five Year Capital Plan will not be included in the quantitative analysis unless the projects have commenced site preparation and/or construction. The new projects may, however, be included in a qualitative discussion after impacts, if any, have been identified. Sources for the information will be noted in the EIS text or footnotes.

- Identify the local public library branch(es) serving the area. Describe existing population served by the branch(es), using information gathered for socioeconomic conditions assessment and information services provided by branch(es). Circulation, level of utilization, and other relevant existing conditions will be based on publicly available information and/or consultation with the NYPL administration. Sources for the information will be noted in the EIS text or footnotes. For No-build conditions, projections of population change in the area and information on any planned changes in library services of facilities will be described and the effects of these changes on conditions will be assessed qualitatively. The effects of the addition of the population resulting from the proposed action will be qualitatively assessed in terms of special programs, facilities, and collections, with input from library branch management staff.
- Identify hospital emergency room services and outpatient ambulatory care facilities (regulated by the NYS Department of Health and Office of Mental Health) within approximately one mile of the Project Site ~~Action Area~~. Describe each facility in terms of its address, the type of service provided, an indicator of its size, capacity or utilization, and any other relevant existing conditions based on publicly available information and/or consultation with health care officials. Sources for the information will be noted in the EIS text or footnotes.
- Identify existing public day care and head start facilities within approximately one mile of the Project Site. Describe each facility in terms of its location, ages served, number of slots (capacity), existing enrollment and length of waiting list. Information will be based on publicly available information and/or consultation with the Administration for Children's Services' Division of Child Care and Headstart (CCHS). Sources for the information will be noted in the EIS text or footnotes. For No-Build conditions, information will be obtained on any changes planned for day care programs or facilities in the area, including closing or expansion of existing facilities and establishment of new facilities. Any expected increases in the population of children under 12 within the eligibility income limitations, based on CEQR methodology (Table 3C-4), will be discussed as potential additional demand; and the potential effect of any population increases on demand for day care services in the study area will be assessed. The potential effects of the additional eligible children resulting from the proposed action will be assessed by comparing the estimated net demand over capacity to the net demand over capacity estimated in the Future No-Build analysis.
- A brief discussion of existing police and fire services in or near the project study area will be provided for informational purposes.

TASK 5. OPEN SPACE

New residents and workers generated from the proposed action would place added demands on existing open space and recreational facilities. The proposed action would generate more than 200 residents and more than 500 new employees, thereby requiring an assessment of open space resources. A detailed open space analysis will be conducted according to the following tasks:

- Using 2000 Census data, calculate the total residential population of the open space study area, which as per CEQR guidelines, would be defined as the area within a half-mile radius from the rezoning area with the study area boundary adjusted to include all census tracts with at least 50 percent of their area within the half-mile radius. The population will be identified pursuant to Table 3D-10 of the *CEQR Technical Manual*.
- Inventory existing active and passive open spaces within the open space study area. The condition and usage of existing facilities will be described based on the inventory and field visits. Jurisdiction, features, user groups, factors affecting usage, hours of operation, and access will be included in the description of facilities. Also, the potential for facilities to be affected by direct impacts, such as from shadows cast by the action induced development, will also be assessed. Acreage of these facilities will be determined and total study area acreage calculated. The percentage of active and passive open space also will be calculated. A map showing the locations of open spaces keyed to the inventory will be provided.
- Based on the inventory of facilities and study area population, the open space ratios for the residential population will be calculated and compared to City guidelines to assess adequacy. This is expressed as the amount of open space acreage per 1,000 user population. Open space ratio will be calculated for active and passive open space, as well as the ratio for the aggregate open space.
- Assess expected changes in future levels of open space supply and demand in the Build year, based on other planned development projects within the open space study area. Also take account of any new open space and recreational facilities expected in the open space study area. Open space ratios will be developed for future conditions without the action and compared with open space ratios for future conditions with the action to determine changes in future levels of adequacy.
- If the results of the impact analysis identify a potential for a significant adverse impact, discuss potential mitigation measures.
- A preliminary assessment of the potential for open space demand generated by workers will also be prepared. However, if it is determined that the action would generate 500 or more new non-residents, such as employees or a similar number of other users, there will need to be an additional analysis for the non-residential population, based on a quarter-mile radius (adjusted to include census tracts that are 50 percent or more within the quarter-mile study area radius) from the project area following the methodology in the *CEQR Technical Manual*.

TASK 6. SHADOWS

This chapter will examine the proposed action's potential shadows effects pursuant to *CEQR Technical Manual* criteria. Generally, shadow impacts could occur if an action would result in new structures or additions to buildings resulting in structures over 50 feet in height that could cast shadows on natural features, publicly accessible open space, or on historic features that are dependent on sunlight. The proposed action would permit development of buildings of greater than 50 feet in height, and therefore has the potential to result in shadow impacts. Open space resources in the vicinity of the Project Site include a tot lot and school playground on Third

Avenue, and existing and proposed parkland adjacent to the Harlem River Drive and Harlem River. The EIS will assess the potential shadowing effects of the proposed action on these and any other light-sensitive uses in the area, and will disclose the range of shadow impacts, if any, which are likely to result from the action with respect to adjacent natural resources, historic resources, and/or publicly accessible spaces. This may include the above listed open space resources and Marcus Garvey Park, among others. Shadow diagrams and text will be included in the EIS to assess the potential effect of shadows from buildings resulting from the proposed action. The shadow assessment would be coordinated with Task 5, "Open Space" and Task 7, "Historic Resources," where appropriate. A Shadows screening will be conducted related to the additional increment of potential future development on the off-site parcel to be rezoned to determine if a detailed analysis of Shadow impacts is necessary.

TASK 7. HISTORIC RESOURCES

The *CEQR Technical Manual* identifies historic resources as districts, buildings, structures, sites, and objects of historical, aesthetic, cultural, and archaeological importance. This includes designated NYC Landmarks; properties calendared for consideration as landmarks by the New York City Landmarks Preservation Commission (LPC); properties listed on the State/National Register of Historic Places (S/NR) or contained within a district listed on or formally determined eligible for S/NR listing; properties recommended by the NY State Board for listing on the S/NR; National Historic Landmarks; and properties not identified by one of the programs listed above, but that meet their eligibility requirements. Because the proposed action would induce development that could result in new in-ground disturbance and construction of a building type not currently permitted in the affected area, the action has the potential to result in impacts to archaeological and architectural resources.

Most of East Harlem, including the Project Site and rezoning area, has been extensively developed. With the exception of two lots, there is available documentation that the The Project Site has been fully disturbed by the building foundations of previously razed and existing structures. The New York City Landmarks Preservation Commission has indicated that there is potential for the recovery of remains from 19th century occupation on Block 1790, Lot 13, and Block 1791, Lot 1.

Initial research regarding the boundaries of the Harlem Reformed Church of 1660 and African burial ground location on East 127th Street west of First Avenue show that this site did not extend onto the Project Site, and confirmation of this will be provided in the EIS with the source of that confirmation and available maps showing the burial ground's location included in the EIS, if available. It is unlikely that there are any other significant archeological resources that might be disturbed by the development. None of the buildings on the Project Site are historic structures or fall within a designated historic district. Within 400 feet of the Project Site are five designated historic resources, which include: the New York City Public Library 125th Street Branch located at 224 East 125th Street (NR eligible), a multi-unit dwelling located at 221 East 124th Street built in 1883 (NR eligible), Chambers Memorial Baptist Church located at 219 East 123rd Street (NR potentially eligible), Ligia's Place Adult Care Facility located at 2265 Third

Avenue (NR potentially eligible), and the Triborough Bridge, including its approach roadway (NR eligible).

Impacts on historic resources are considered on the affected sites and in the area surrounding identified development sites. The historic resources study area is therefore defined as the area to be rezoned plus a 400-foot radius, as per the guidance provided in the *CEQR Technical Manual*. Archaeological resources are considered only in those areas where new in-ground disturbance is likely to occur; these are limited to sites that may be developed in the rezoning areas, and include projected as well as potential development sites. In coordination with the research conducted for the land use and hazardous materials tasks, this section will include an overview of the study area's history and land development. This history will be detailed enough to determine whether any potential archaeological resources may be on the site, requiring further study. Subtasks will:

- Research and describe history of land use, architecturally and archaeologically sensitive locations.
- Identify, map and describe designated historic/architectural resources (New York City Landmarks or pending Landmark designation and properties listed on the State and National Registers of Historic Places) in the project area and immediate vicinity.
- Submit the proposed action to the New York City Landmarks Preservation Commission (LPC) for its review and determination.
- Based on City and State files, identify and map inventoried archaeological resources and/or sensitive locations.
- Identify those areas thought to be archaeologically sensitive within the areas to be rezoned.
- In coordination with the land use task, assess probable impacts of development resulting from the rezoning action on architectural resources in the study area.
- Identify projected and potential development sites where new in-ground disturbance is expected to occur as a result of the proposed action.

~~A If the Project Site is contains sites identified by LPC or other record searches as archaeologically sensitive,~~ a Phase IA Archaeological Documentary Report will be prepared. The Phase ~~IA~~ IA will document the site history, its development and uses, and the potential for the site to host significant archaeological features. The EIS will summarize the results of the Phase IA analyses. The full Phase IA report will be submitted to LPC for review and will be included in the EIS Appendix.

TASK 8. URBAN DESIGN/VISUAL RESOURCES

This chapter will assess urban design patterns and visual resources of the study area as defined in Chapter 3G, Section 310 of the *CEQR Technical Manual* and the effects on these of the proposed action. The proposed action would affect regulations on the building's bulk and height and therefore has the potential to result in impacts related to urban design and visual resources. A detailed preliminary screening analysis will be undertaken to identify whether the

proposed action would exceed any of the thresholds identified in the *CEQR Technical Manual*. The urban design/visual resources study area will include the area within a quarter-mile radius of the proposed rezoning area, adjusted to include whole City blocks and natural features. This analysis will consider the bulk form regulations proposed as part of the East 125th Street Development. Subtasks will:

- Describe the urban design and visual resources of each rezoning area and adjacent areas, using photographs and other graphic material as necessary to identify critical features, use, bulk, form, and scale.
- Discuss specific relationships between the proposed rezoning area and adjacent areas regarding light, air, and views.
- Describe the changes expected in the urban design and visual character of the study area in the future without the action.
- Describe the potential changes that could occur in the urban design character of the rezoning area. The analysis will focus on the form of the proposed development in terms of building configuration and height, street wall height, setback, and building envelope. Photographs and/or other graphic material will be utilized, where applicable, to assess the potential effects on urban design and visual resources for the study area, including views to resources of visual or historic significance.

TASK 9. NEIGHBORHOOD CHARACTER

The character of a neighborhood is established by numerous factors, including land use patterns, the scale of its development, the design of its buildings, the presence of notable landmarks, and a variety of other physical features that include traffic and pedestrian patterns, noise, etc. The proposed action would permit new development that has the potential to alter certain constituent elements of the affected area's neighborhood character, including land use patterns, socioeconomic conditions, traffic and noise levels, and urban design features, and could affect historic resources. An amalgam of impact categories, a neighborhood character analysis considers the combined impacts of land use, urban design, visual resources, historic resources, socioeconomics, traffic and noise issues. Subtasks will include the following:

- Drawing on other EIS sections, describe the predominant factors that contribute to defining the character of the neighborhood, including the cultural heritage of the neighborhood.
- Based on planned development projects, public policy initiatives, and planned public improvements, summarize changes that can be expected in the character of the neighborhood in the future without the action.
- The analysis of project impacts presented in various EIS sections will serve as the basis for assessing and summarizing the project's impacts on neighborhood character.

TASK 10. HAZARDOUS MATERIALS

For hazardous materials, the goal for CEQR is to determine whether the proposed action could lead to increased exposure of people or the environment to hazardous materials and whether the increased exposure would result in significant public health impacts or environmental damage. A hazardous material is any substance that poses a threat to human health or the environment. Substances that can be of concern include, but are not limited to Heavy Metals, Volatile Organic Compounds (VOCs), Semivolatile Organic Compounds, Methane, Polychlorinated Biphenyls (PCBs), Pesticides, Polychlorinated Dibenzodioxins and Dibenzofurans (commonly referred to as Dioxins), and Hazardous Wastes that are defined by regulations promulgated under the Federal Resource Conservation and Recovery Act as solid wastes that are either chemically reactive, ignitable, corrosive, or toxic.

The potential for significant impacts related to hazardous materials can occur when: a) elevated levels of hazardous materials exist on a site; b) an action would increase pathways to their exposure, either human or environmental; or c) an action would introduce new activities or processes using hazardous materials and the risk of human or environmental exposure is increased.

A Phase 1 Environmental Site Assessment (ESA) was completed for the East 125th Street Development Project Site in November 2006 according to the following subtasks:

Review of Information Regarding Topographical and Subsurface Conditions

Appropriate United States Geological Society (USGS) topographical maps were reviewed to ascertain the topography and drainage patterns for each Site. Available USGS and New York State Geological Survey documents were reviewed for surface and subsurface geological conditions in addition to the groundwater conditions in the area of the subject properties.

Acquisition and Review of Historical Land Use Data

Sanborn Fire Insurance Maps will be reviewed to develop a profile on the historical usage of the properties.

Site Reconnaissance

As the majority of the buildings within the rezoning area are owned privately and an on-Site reconnaissance is not feasible, site reconnaissance consisted of observing the sites from public access ways (i.e., sidewalks and streets) only and noting the general uses of the buildings (i.e., industrial, manufacturing, residential, commercial, etc.). The site reconnaissance included the following activities:

- Characterization of the range of industrial uses and activities performed in the rezoning area;
- Description of constituents most commonly associated with the industrial activity;
- Visual inspection of the vegetation and surrounding property to look for stressed vegetation, disturbed topography, soil staining, surface water sheens, noticeable odors, and/or areas that have been excavated and refilled;
- Notation of surrounding properties to assess potential impacts on the subject property;

- Notation of illegal dumping of domestic refuse, hazardous waste, and/or construction debris;
- Evidence of electrical transformers or large capacitors on the subject property; and
- Evidence of underground storage tanks or aboveground storage tanks (USTs and/or ASTs) on the subject property.
- Evaluation and Report of Findings (including draft and final reports)
- The data collected were evaluated to assess the potential for environmental concerns at the Project Site and potential environmental impacts from surrounding properties.

The visual reconnaissance of the Project Site revealed a total of 15 vacant lots, three lots reported as vacant but utilized for parking, and nine commercial/retail businesses, three of which are located on the ground floor below loft apartments. The privately owned vacant lots and some of the City-owned lots are fenced and site conditions were viewed from the sidewalk areas. The reconnaissance revealed the presence of uneven ground surfaces, asphalt paving, buried foundations and/or fill material, all suggesting underground storage tanks and potentially contaminated fill below the ground surface.

The Phase 1 ESA recommended that a subsurface investigation be conducted including test pits and geophysical investigation methods to characterize fill materials and identify potential underground storage tanks. The report also recommended that an asbestos and lead based paint survey be conducted. Therefore, a Phase II Environmental Site Investigation (ESI) Work Plan has been prepared to investigate areas of environmental concern identified in the Phase I ESA.

Site investigation activities require completion of geophysical survey and exploratory borings for collection of soil, groundwater and soil vapor samples. The Phase II ESI Work Plan also identifies quality assurance/quality control measures that will be adhered to. The ~~One~~ ~~approved by New York City Department of Environmental Protection's (NYCDEP), the ESI will be implemented and its results will be summarized in the EIS.~~ The ESI Scope of Work includes the following activities:

- Coordination and notifications related to site investigation activities;
- Utility clearance;
- Geophysical Survey;
- Subsurface Soil Sampling;
- Geoprobe Groundwater Sampling; and,
- Soil Vapor Sampling.

TASK 11. NATURAL RESOURCES

The proposed action would not induce development within the designated boundaries of the NYC Coastal Zone, and is a largely developed urban area. The projected and potential

development sites have largely been paved and developed and are not expected to hold significant potential for natural resources. The assessment of potential impacts to natural resources will be conducted following the guidelines of the *CEQR Technical Manual*. In addition to analysis of potential impacts, the natural resources chapter will include a description of the federal, state, and local laws and associated regulations and regulatory programs that may apply to the Proposed Action. A detailed screening analysis will be presented in the EIS identifying whether the proposed action would result in significant impacts to natural resources, and if warranted, detailed analyses will be provided that would include an analysis of the combined sewage outflow (CSO) generated by the proposed action

TASK 12. WATERFRONT REVITALIZATION PROGRAM

New York City's Local Waterfront Revitalization Program (LWRP) was adopted pursuant to several local, State and federal regulatory programs relating to the coastal area. The LWRP policies are used as the basis for evaluation of discretionary actions within the coastal zone that require only City permitting/approvals or Uniform Land Use Review Procedure (ULURP) review. The proposed action would not induce new development within the designated NYC coastal zone boundary. The proposed action would therefore not be assessed for its consistency with the City's Waterfront Revitalization Program (WRP).

TASK 13. INFRASTRUCTURE

This chapter will describe the existing infrastructure in the project area. For CEQR, the City's "infrastructure" comprises the physical systems supporting its population, including water supply, wastewater treatment and stormwater management. The proposed action would induce new development which could place additional demands on infrastructure. An analysis will be conducted to determine the potential for the proposed action to affect the City's infrastructure, and, if warranted, will include an analysis of combined sewage outflows (CSO) generated by the proposed action, if warranted. Tasks will include:

Water Supply

- The existing water distribution system serving the proposed action area will be described based on information obtained from the NYC Department of Environmental Protection (DEP) Bureau of Water and Sewer Operations.
- The current water usage in the area will be examined. Based on water usage rates from the *CEQR Technical Manual*, it is estimated that the project site currently generates water supply demand of approximately 26,000 gpd.
- The likely demand will be assessed for future conditions without the action, and the effects on the system will be described.
- Water demand for the proposed action will be projected. Under future conditions with the proposed project, it is estimated that the project site would generate water supply demand totaling approximately 600,000 gpd.
- The effects of the incremental demand on the system will be assessed to determine if there is sufficient capacity to maintain adequate supply and pressure.

Sewage and Stormwater

- The existing sewer systems serving the project area will be described from information obtained from NYCDEP. Existing and future flows to the Ward's Island Water Pollution Control Plant (WPCP) serving the area will be calculated and estimated. Information on existing sewer infrastructure in the area, including sanitary, storm, and combined sewer mains, sewer connections, catch basins, regulators, interceptor sewers, outfalls, and other components of the local system will also be provided.
- Discuss existing combined sewer overflow during storm events.
- Discuss any expected changes in sewer conditions to occur in the future without the Proposed Action.
- Information on sanitary sewage and stormwater generation will be compiled for the proposed action based on water usage estimates. The adequacy of sewer systems to meet demand generated by the proposed action will be assessed.
- The effects of the incremental demand on the system will be assessed to determine if there will be any impact on the WPCP, or on its State Pollution Discharge Elimination System (SPDES) permit conditions.
- Describe the potential effects of the proposed action on the local sewerage system, including its operation during major storm events.

TASK 14. SOLID WASTE AND SANITATION SERVICES

The proposed action would induce new development that would require sanitation services. This chapter will provide an estimate of the additional solid waste expected to be generated by the proposed action and assess its effects on the City's solid waste and sanitation services.

- Existing and future New York City solid waste disposal practices will be described.
- Existing and future no-action solid waste generation will be estimated.
- Solid waste generation by the proposed action will be projected based on CEQR guidelines.
- The impacts of the proposed action's solid waste generation on the City's collection needs and disposal capacity will be assessed.

TASK 15. ENERGY

According to the *CEQR Technical Manual*, because all new structures requiring heating and cooling are subject to the New York State Energy Conservation Code, which reflects State and City energy policy, actions resulting in new construction would not create adverse energy impacts, and as such would not require a detailed energy assessment. A qualitative assessment will be provided in the EIS describing the green building techniques anticipated for this project in order to comply with the LEED Silver rating of the U.S. Green Building Council.

Consultation with the local utility provider will be undertaken to confirm the availability of adequate energy supply and transmission facilities to serve the proposed project, with written response documented in the EIS if available. The potential for power outages resulting from increases in energy demand associated with the proposed project will also be addressed through consultation with the local utility provider.

TASK 16. TRAFFIC AND PARKING

The proposed action would facilitate construction of office, retail, entertainment, and residential development, which would generate additional vehicular travel and increase demand for parking, as well as pedestrian traffic and subway and bus riders. These new trips have the potential to affect the area's transportation systems. Therefore, the traffic and transportation studies will be a focus of the EIS, including four significant issues: (1) the size of the traffic study area and the number of intersections to be addressed both immediately adjacent to the project site and along the major routes leading to it; (2) the likelihood that the proposed project and the amount of development envisioned will generate significant impacts requiring significant levels of mitigation; (3) potential increase in the parking demand; and (4) an increased level of subway and bus use and, possibly, mitigation needed to accommodate transit riders. The fourth issue is addressed in the "Transit and Pedestrians" section below.

Traffic

Based on preliminary estimates, the proposed project is expected to generate an aggregate of more than 50 additional (net) vehicular trips, with the highest traffic concentration in the weekday AM, midday, PM peak hours, as well as in the Saturday midday peak hour. This scope of work considers these peak periods and the Saturday midday periods for detailed studies, focusing on those intersections handling the highest concentrations of project-generated demand. Based on the preliminary traffic assumptions for the proposed project, it is anticipated that approximately 36 ~~24~~ intersections would be analyzed in detail for potential traffic impacts.

Following are specific tasks and evaluations related to traffic that will be conducted and described in the EIS:

- Define a traffic study area to account for the principal travel corridors to/from the project site. This scope assumes that approximately 40 ~~24~~ traffic intersections would be analyzed:
 - First Avenue at E. 124th Street
 - First Avenue at E. 125th Street
 - Second Avenue at E. 116th Street
 - Second Avenue at E. 124th Street
 - Second Avenue at E. 125th Street
 - Second Avenue at E. 126th Street
 - Second Avenue at E. 127th Street
 - Second Avenue at E. 128th Street
 - Third Avenue at E. 116th Street

- Third Avenue at E.120th Street
 - Third Avenue at E. 124th Street
 - Third Avenue at E. 125th Street
 - Third Avenue at E. 126th Street
 - Third Avenue at E. 127th Street
 - Third Avenue at E. 128th Street
 - Lexington Avenue at E. 124th Street
 - Lexington Avenue at E. 125th Street
 - Lexington Avenue at E. 126th Street
 - Lexington Avenue at E. 127th Street
 - Lexington Avenue at E. 128th Street
 - Lexington Avenue at E. 129th Street
 - Park Avenue at E. 116th Street
 - Park Avenue at E. 120th Street
 - Park Avenue at E. 125th Street
 - Park Avenue at E 126th Street
 - Madison Avenue at E. 116th Street
 - Madison Avenue at E. 125th Street
 - Madison Avenue at E. 126th Street
 - Lenox Avenue at W. 129th Street
 - Lenox Avenue at W. 126th Street
 - Lenox Avenue at W. 125th Street
 - Lenox Avenue at W. 116th Street
 - Adam Clayton Powell Blvd. At W. 125th Street
 - Fredrick Douglas Blvd. At W. 125th Street
 - Convent Avenue at W. 125th Street
 - Broadway at W. 125th Street
- Conduct traffic counts at traffic analysis locations via a mix of automatic traffic recorder (ATR) machine counts and manual intersection turning movement counts. ATRs will provide 24-hour traffic volumes for a full week at selected arterial locations. Traffic counts will be conducted during the AM, midday, PM and Saturday midday peak periods. Where applicable, compile available information from both the recent and current studies of the area. These include the Willis Avenue Bridge EIS, the 125th Street Rezoning EIS, and others.
 - Conduct travel speed and delay runs and vehicle classification counts along key routes in the study area as support data for air quality and noise analyses. These speed-and-delay runs and vehicle classification counts will be conducted in conjunction with the traffic volume counts.
 - Inventory physical data at each of the analysis intersections needed for capacity analyses, including street widths, number of traffic lanes and lane widths, pavement markings, turn prohibitions, typical parking regulations, and signal phasing and timing data.

- Determine existing traffic operating characteristics at each analysis intersection including capacities, volume-to-capacity (v/c) ratios, average vehicle delays, and levels of service (LOS) per traffic movement, per intersection approach, and per overall intersection. *2000 Highway Capacity Manual* procedures will be used. Allowances for any on-going construction or temporary road closures will be made.
- The future No-Build projects in the area and associated future No-Build traffic volumes will be determined. Traffic volumes will be determined, v/c ratios and levels of service will be calculated, and problem intersections will be identified. The future traffic volumes from these sites will be estimated using EISs, U.S. Census data, and other sources. An annual growth rate of 0.5% will be applied in the No-Build condition of the traffic analysis to account for general background growth. Mitigation measures accepted for all No-Build projects and other NYCDOT initiatives will be included in the future No-Build network.
- The trips generated by the proposed project, and the modes of transportation used for these trips will be determined. For the retail components, shopper surveys in the East Harlem area (Lexington Avenue and east) and elsewhere in the Manhattan will be conducted to develop mode choice patterns. In addition, ITE trip generation rates and seasonal adjustments based on ITE retail patterns will be applied as needed for the peak shopping season. New trips will be assigned to the respective travel modes in each peak hour.
- Determine the volume of vehicle traffic expected to be generated by the proposed action, assign that volume of traffic in each analysis period to the approach and departure routes likely to be used, and prepare traffic volume networks for the future Build condition for each analysis period. The assignment will also include any relocation of MTA bus trips around the project site caused by the new location of the entrances to the below grade bus garage.
- Determine the resulting v/c ratios, delays, and LOS for the future Build condition, and identify significant traffic impacts in accordance with *CEQR Technical Manual* criteria.
- Identify and evaluate traffic mitigation measures, as appropriate, for all significantly impacted locations in the study area. This includes potential mitigation for the street system, including possible roadway modifications, new signal installations, signage, signal changes, and parking regulation changes.

Parking

The parking studies will focus on the amount of parking to be provided as part of the proposed project, and its ability to accommodate projected parking demand associated with the project components. Area-wide parking inventories will also be conducted to determine the general area's capacity to accommodate additional parking, including the spaces displaced on the project site. In addition, any changes to parking supply and demand in the future without the proposed action will also be considered. As per CEQR guidelines, the parking study area will extend approximately a ¼-mile from the boundaries of the project site. The project site has the potential to create parking demand that exceeds supply.

Following are specific tasks and evaluations related to parking that will be conducted and described in the EIS:

- Conduct an inventory of the public parking lots and garages in the study area, noting their locations, capacities, and peak weekday midday and Saturday midday levels. Conduct an inventory of the number of legal on-street parking spaces within the study area and their general utilization levels on a typical weekday and Saturday. This information will be used as the basis for determining the ability of existing parking resources to accommodate increased demands in the future.
- Project future parking availability based on an annual background growth rate. Any existing parking facilities expected to be removed or relocated or other changes to parking conditions in the future as a result of the proposed action will be factored into this assessment.
- Develop net parking accumulation profiles for each of the uses comprising the proposed project. After accounting for the new parking demand and supply due to the proposed project, any impacts of the proposed project will be based on excess parking demand generated by the proposed new development versus available supply in the study area.

TASK 17. TRANSIT AND PEDESTRIANS

The proposed project is expected to generate a net increase of more than 200 subway and bus trips, the threshold for detailed transit analysis, in the weekday AM and PM peak hours. Subway and bus modes will be examined in these two peak commuting periods to determine existing, future No-Build, and future Build conditions. New pedestrian trips are also expected to be generated by the proposed project, and pedestrian analyses will be provided in the EIS.

- The analysis of subway conditions will focus on the 125th Street subway station serving nos. 4, 5, and 6 subway lines, which is located one block to the west of the project site. A quantitative analysis of the impact of the proposed project on this station will be prepared for the weekday AM and PM peak hours. The station elements (street stairs and fare control areas) to be analyzed are those most likely to be used by demand from the proposed project. The peak hour transit trips from the proposed project will be estimated and assigned to the individual subway lines and station elements. The station impact analysis will include existing and No-Build conditions, as well as Build conditions with the proposed project. Any potential impacts on the analyzed subway station will be identified using CEQR impact criteria. Transit mitigation, if any, will be determined in conjunction with the lead agency and NYC Transit.
- A quantitative analysis of the local bus system in the study area will be performed for the EIS. Bus routes serving the study area include the Bx15, M15, M35, M60, M98, M100, M101, and M103 bus routes. The analysis will include documenting existing weekday AM and PM peak hour route services and peak load point ridership, determining conditions in the future without the proposed action and assessing the effects of new project-generated peak hour trips for the specific bus routes anticipated to serve the project site. Transit mitigation, if any, will be determined in conjunction with the lead agency and NYC Transit.

- Prepare a quantitative analysis of pedestrian conditions in the vicinity of the project site which will evaluate the pedestrian characteristics on the public sidewalks, corners and crosswalks connecting the site to the surrounding system. The study locations will include the East 127th Street, East 126th Street, and East 125th Street, Third Avenue, and Second Avenue frontages of the project site. Existing and No-Build conditions will be prepared for the weekday AM and PM as well as Saturday midday (pedestrians only) peak hours, the increment of demand generated under the proposed action identified, and analyzed quantitatively for impacts. Identify the bus routes serving the area, detailing existing, future No-Build, and future Build conditions (i.e., bus load levels) for routes expected to attract demand from the projected development sites. Mitigation needs will be identified and improvements or increases in service will be suggested, as appropriate.

TASK 18. AIR QUALITY

Pollutants of concern are those that could have potential adverse impacts on the proposed development parcels. These pollutants include 1) project-generated carbon monoxide (CO) from motor vehicles, 2) emissions of particulates (PM₁₀ and PM_{2.5}) from existing and projected sources of diesel-powered vehicles (including the relocation of on-street MTA bus parking to an underground garage), 3) PM₁₀, sulfur dioxide (SO₂), and nitrogen dioxide (NO₂) from fuel combustion for boilers associated with existing and proposed uses, and 4) air toxics from existing manufacturing and industrial uses.

Air quality analyses for the proposed action would be carried out in accordance with the NYC *CEQR Technical Manual*, as well as other relevant guidance and protocols provided by NYSDEC, NYCDEP, and EPA. If appropriate, available environmental studies for other projects within the study area would be reviewed. The EIS Draft Scope of Work for the Air Quality analysis describes the methods and procedures that will be utilized.

Mobile Source Analysis

Issues

A significant increase in traffic at congested intersections would be associated with the proposed residential and commercial developments. As a result, emissions from project-related traffic, particularly those along the 125th Street, Third Avenue, and Second Avenue access corridors, in combination with other traffic associated with existing uses, have the potential to significantly impact air quality at nearby sensitive land uses.

Accordingly, one of the primary air quality issues related to the proposed redevelopment project is whether the traffic associated with the proposed project during peak traffic periods will cause or exacerbate a violation of the 8-hour ambient air quality standard for CO, the 24-hr or annual PM₁₀ standard or exceed the NYCDEP's CO de minimis criteria and the PM_{2.5} 24-hr and annual Significant Threshold Values near any of these locations.

Screen Potential Analysis Sites

A screening level analysis based on procedures found in the *CEQR Technical Manual*, will be conducted to identify those air quality intersections that will be studied in detailed under the proposed development scenario. This scenario assumes the study of one full build out year and four peak traffic time periods. Air quality analysis sites will be selected based on the results of this screening level analysis. These sites will include locations of critical roadway links and heavily congested intersections, locations adjacent to sensitive land uses, critical SIP intersections and representative locations throughout the study area that may be affected by the traffic generated by the proposed developments. The CAL3QHC model will be used to predict CO concentrations for two intersections as follows:

- 125th Street / Second Avenue
- 125th Street / Third Avenue

The specific work program for the mobile source (traffic-related) air quality studies is as follows:

- Update existing air quality data. Collect and summarize existing ambient air quality data for the study area.
- Based on findings from traffic and parking analysis, determine receptor locations for microscale analysis. Critical receptor locations to be analyzed will include high volume and/or heavily congested intersections and highly utilized parking facilities found in the traffic and parking analysis where the maximum total pollutant concentrations with the proposed action or incremental pollution concentrations resulting from the proposed action are likely to occur and where people are likely to have continuous access. Locations may include sidewalks, parks, schools, or other sensitive uses next to or above roadways, pedestrian paths in or near parking facilities, etc.
- Select dispersion model for microscale carbon monoxide analysis. At the receptor sites, it is anticipated that the US Environmental Protection Agency (EPA) mobile source CAL3QHR dispersion model will be used for the carbon monoxide microscale analysis.
- Emissions from any on-site parking facilities will be modeled using the procedures as described in the *CEQR Technical Manual*. Cumulative impacts from on-street sources and parking emissions will be calculated.
- Select "worst-case" meteorological conditions. Worst-case conditions to be assumed are 1.0 meter/second wind speed, Class D stability, 50°F temperature, and 0.70 persistence factor.
- Select appropriate background levels. For the microscale carbon monoxide analysis, appropriate background levels for the study area will be obtained from NYS Department of Environmental Conservation (DEC) and DEP.
- Select emission calculation methodology. Vehicular emissions will be computed using the EPA-developed MOBILE6 model. NYSDEC and DEP-supplied information will be used regarding credits to account for the state vehicle emission inspection and maintenance program, and the state anti-tampering program.

- Determine pollutant levels. At each microscale analysis site calculate, maximum 1- and 8-hour carbon monoxide concentrations for existing conditions, the future without the proposed action, and the future with the proposed action. Contributions from any on-site parking facilities will be included where appropriate.
- Compare with standards and impact evaluation. Existing and future carbon monoxide pollutant levels will be compared with standards and the City's de minimis criteria, and with one another to determine trends and action impacts.
- Assess the consistency of the proposed action with the strategies contained in the State Implementation Plan (SIP) for the area. Consistency with the applicable SIP for the area will be determined. At any receptor sites where violations of standards occur, determine what mitigation measures will be required to attain standards.
- Examine mitigation measures, as necessary. Analyses will be performed to examine and quantify ameliorative measures to minimize any significant adverse impacts of the proposed action.
- An analysis of PM₁₀ and PM_{2.5} will be conducted, if applicable, following procedures that are currently being developed and updated by NYCDEP.

Conduct Dispersion Modeling Analysis

A detailed microscale mobile source analysis using *CEQR Technical Manual* procedures will be conducted to estimate potential impacts near congested locations. This analysis will employ the USEPA CAL3QHC (Version 2) dispersion model for the CO microscale analysis, the CAL3QHCR dispersion model for the PM₁₀ and the PM_{2.5} analyses and the latest USEPA emission factor algorithm (currently MOBILE 6.2). Intersection geometries will be developed for each analysis site.

Parking Facilities Analyses

Proposed parking would be analyzed according the guidelines in the *CEQR Technical Manual* Appendices. Vehicles would be divided into autos and SUVs according to information from the traffic study. Emission factors for autos and SUVs would be obtained from MOBILE6. Analyses would be based on the worst-case peak period for parking facilities, which is typically the hour that has the highest number of exiting vehicles. Exiting vehicles, which are in cold-start mode, have higher emissions of CO than arriving vehicles. The primary emphasis would be on CO from parking facilities under conditions with the project. Receptor points would be located at the near and far sidewalks for parking facilities. CO concentrations from parking facilities must show compliance with the NAAQS as well as the NYC de minimis standards.

The proposed MTA underground bus garage will also be analyzed for CO as well as PM₁₀ and PM_{2.5}. Depending on vent locations the analysis will also quantify the cumulative effects from aboveground intersections and the proposed underground bus garage. The potential for air quality effects on proposed residential uses resulting from emissions permeating the separation between the MTA underground bus garage and development proposed above the garage will be assessed and described.

Stationary Source Analysis

Potential air quality issues associated with the proposed development include:

1. Emissions from the heating systems of the proposed development to significantly impact existing land uses;
2. Emissions from the heating systems of the one or more of the proposed development buildings to significantly impact other proposed development buildings (project-on-project impacts);
3. Proposed residential development sites to be adversely affected by emissions generated by existing nearby potentially significant or large-scale sources of boiler emissions; and
4. Proposed residential development sites to be adversely affected by air toxic emissions generated by existing nearby industrial and commercial uses.

Air quality analyses will be conducted following the procedures outlined in the *CEQR Technical Manual* to determine whether the proposed action will result in violations of ambient air quality standards or health-related guideline values.

Subtasks in the analysis of the potential for the emissions from proposed HVAC systems to significantly impact existing land uses or to significantly impact any proposed uses (i.e., project-on-project impacts) will include the following:

- Three criteria pollutants will be considered; NO₂, PM₁₀, and SO₂.
- The estimated short-term and annual pollutant concentrations of the criteria pollutants will be added to appropriate background levels, and total pollutant concentrations will be compared with NAAQS standards to determine whether there will be the potential for a violation of these standards at any of the areas that will be rezoned to permit residential uses.
- Although the *CEQR Technical Manual* guidelines also require the consideration of large emission sources located within 1,000 feet of the new residential areas, field surveys indicate that there are no such sources. This will be confirmed with a field survey.

Analysis of Air Toxics

The analysis will be conducted as follows:

- In accordance with the *CEQR Technical Manual*, emissions from industrial/manufacturing or commercial facilities located within 400 feet of the projected or potential residential development sites (i.e., the air quality study area) will be considered. Based on field surveys, it appears that a number of the industrial/manufacturing or commercial facilities, including auto body repair shops, graphic art facilities, dry cleaners, are located in or near the area to be rezoned. Although the *CEQR Technical Manual* guidelines also require the consideration of large emission sources located within 1,000 feet of the new residential areas, field surveys indicate that there are no such sources.

- A list of potential emission sources within the air quality study area will be compiled based on USEPA, NYSDEC, and NYCDEP's databases and field observations. If facility types are commonly associated (based on SIC code and USEPA AP-42 emission descriptions) with potentially harmful pollutants, emission information for these facilities will be requested from NYCDEP's Bureau of Environmental Compliance (BEC). Emission and stack parameter data contained in BAR operating permits will then be used to estimate any potential for these sources to result in air quality levels at the new residential sites that exceed applicable air quality standards and guidelines.
- Guidelines values, developed by EPA and NYSDEC (as described in the 2001 *CEQR Technical Manual*) will be used for determining potential project impacts of the toxic air pollutants. These are short-term (1-hr) SGC and long-term (annual) AGC guideline values (NYDEC Air Guide-1, Guidelines for the Control of Toxic Air Contaminants), and EPA's unit risks factors for inhalation (USEPA Integrated Risk Information System (IRIS) and EPA Health Effect Assessment Summary Tables).

EPA's "Hazard Index Approach" will be utilized to assess exposure levels associated with non-carcinogenic toxic air pollutants, and EPA's unit risk approach will be used to assess potential long-term impacts of the carcinogenic pollutants. The "Hazard Index Approach" is based on estimating the ratio of pollutant concentrations divided by their respective health-related Guideline Values (GVs). Results of the stationary source air quality analysis for air toxics will be compared to the appropriate measures of environmental impact, as follows:

- Non-carcinogenic air pollutant results will be compared with applicable guideline values. If the total ratio of pollutant concentrations obtained by dividing by their respective GV value is found to be less than 1 for all pollutants combined, no significant air quality impacts will be predicted to occur due to non-carcinogenic toxic pollutant releases.
- Carcinogenic air pollutant results will be compared with EPA cancer risk threshold level of one-in-one million. Potential impacts will be reported if the total incremental cancer risk estimated from the emissions of all of the carcinogenic toxic pollutants combined is greater than one-in-one million.
- Estimates will be made using the USEPA's AERMOD dispersion model. In the event that potential violations of standards are estimated, measures to reduce pollutant levels to within standards will be examined for both stationary sources and air toxics analyses.

Cumulative Boiler Assessment

A cumulative boiler impact analysis will be performed for development sites that would be located in close proximity to one another and will be evaluated as "clusters" to estimate the potential cumulative impacts from the combined heating system emissions on existing land uses. A detailed dispersion analysis will be conducted.

Analysis of Large Scale Emission Sources on Projected and Potential Residential Development

A screening analysis would be performed in order to determine if detailed analyses of large scale sources of boiler emissions (i.e. existing commercial, institutional, manufacturing or large-scale residential developments) onto projected and potential residential development is necessary. If the proposed action does not pass initial screening analysis, a more detailed analysis using AERMOD will be performed.

TASK 19. NOISE

This chapter will examine potential noise impacts due to vehicular noise from project generated traffic (mobile sources) on sensitive receptors in the community and noise impacts from stationary sources on proposed residential uses or other sensitive receptors in the project study area. The noise analysis will evaluate the following:

- Changes in traffic noise levels as a result of the proposed action.
- Stationary source noise impacts at or near new sensitive receptors.
- Achievement of acceptable interior noise levels at the Project Site.
- Short-term construction phase noise and vibration impacts.

Analysis Methodology:

Existing noise levels will be determined by monitoring future residential and other sensitive receptors on or adjacent to the project site as listed below. Future noise levels will be estimated based on the proportionate change in traffic volume between existing and future conditions (Future Noise Level (dBA) = Existing Noise Level (dBA) + 10Log (Future PCE/Existing PCE)) for both no-build and build conditions.

The *CEQR Technical Manual* recommends using a L₁₀ (1-hour) descriptor to characterize noise in the analysis.

The tasks below will be performed following the guidelines contained in the *CEQR Technical Manual*.

- Site Selection: Potentially affected sites will be selected during a site visit and in consultation with DCP. Selected sites will be representative of the future sensitive sites subject to the rezoning. Proposed noise monitoring sites include the following:
 - 2nd Avenue (between 125th & 126th Streets)
 - 125th Street (between 3rd & 2nd Avenues)
 - 3rd Avenue (between 125th & 126th Streets)
 - 127th Street (between 3rd & 2nd Avenues)
 - 126th Street (between 3rd & 2nd Avenues)
 - 3rd Avenue (between 126th & 127th Streets)

Twenty-four hour noise monitoring will also be conducted along the project boundaries of Second Avenue, Third Avenue, and East 125th Street.

- Data Collection: At the identified locations existing noise readings will be determined by performing one-hour equivalent continuous noise levels (Leq) and statistical percentile noise levels. The noise levels will be measured in units of "A" weighted decibels (dBA). The monitoring periods will coincide with the peak traffic noise periods. Two types of receptor sites will be selected: sites where the proposed rezoning would have the potential for significant impacts due to project-generated traffic and sites that are used to determine the building attenuation to comply with noise regulations.
- Build Year Noise Level Estimates: Following procedures outlined in the *CEQR Technical Manual* for assessing stationary and mobile source noise impact, future no-action and project noise will be estimated at the proposed sensitive land uses. Existing noise levels and mathematical models based on acoustic fundamentals will be used to determine the future no-action and action noise levels.
- Noise Criteria: CEQR air-borne noise criteria will be followed while determining project impacts at the future sensitive sites in the project area. The criteria will take into consideration the indoor and outdoor areas at the monitored sites, which are representative of future sensitive land uses in the area.
- Build Year Noise Impacts: Noise impacts will be determined by comparing future project noise levels with no-action noise levels following the CEQR methodology. Also, since the proposed action would introduce new sensitive receptors, future noise levels will be compared with CEQR noise exposure guidelines. Both methodologies will be used in impact determination.
- Stationary noise will be assessed from both existing and project sources.
- ~~Noise from nearby stationary sources will also be assessed.~~
- Noise from LaGuardia International Airport approach routes will be assessed.
- Noise Abatement Analysis: At locations where abatement may be required, appropriate mitigation measures will be considered following the CEQR guidelines and recommendations for their implementation will be made (*CEQR Technical Manual*, Table 3R-4). Future residential buildings, where mitigation may be required as a result of rezoning, may receive (E) designation to ensure that noise attenuation is provided to comply with acceptable interior noise requirements.
- Construction Impacts: Construction phase noise impacts will be qualitatively assessed and recommendations will be made to comply with NYC DEP guidelines contained in DNA Report #CON-79-001 and New York City Noise Code. Noise and ground-borne vibration impacts during construction will be addressed at vulnerable sites and if necessary, appropriate recommendations will be made for their control.

TASK 20. CONSTRUCTION IMPACTS

Construction impacts are usually important when construction activity could affect traffic conditions, archaeological resources, the integrity of historic resources, community noise patterns, air quality conditions, infrastructure, and hazardous material exposure and/or mitigation, along with any other areas of environmental assessment, as appropriate. According

to the *CEQR Technical Manual*, construction impacts can be analyzed for any action that would involve construction or could induce construction. In general, for construction impacts not related to in-ground disturbance, the longer the duration of a potential impact, the more significant it becomes, and the likelier it will warrant more detailed analyses. If the duration of construction is expected to be short-term, those impacts are considered to be temporary and, therefore, not significant, and a detailed analysis is not needed. However, there are instances where a potential impact may be of short duration but of great severity, and, therefore, would be significant, such as the effect of vibrations from construction on adjacent historic structures. The impacts of this activity may be considered significant, warranting more detailed assessment.

The construction period for the East 125th Street Development is expected to last three years. The likely construction schedule for the proposed development will be further described in the EIS. The analysis of construction impacts will focus on areas where construction activities may pose specific environmental problems. These include impacts on remaining residences, nearby open space resources, and historic resources related to issues including construction related air quality, noise, transportation, hazardous materials, and business effects, as applicable.

TASK 21. PUBLIC HEALTH

Public health involves the activities that society undertakes to create and maintain conditions in which people can be healthy. Many public health concerns are closely related to air quality, hazardous materials, construction and natural resources. A public health assessment may be warranted if a proposed action results in a) increased vehicular traffic or emissions from stationary sources resulting in significant adverse air quality impacts; b) increased exposure to heavy metals and other contaminants in soil/dust resulting in significant adverse impacts, or the presence of contamination from historic spills or releases of substances that might have affected or might affect ground water to be used as a source of drinking water; c) solid waste management practices that could attract vermin and result in an increase in pest populations; d) potentially significant adverse impacts to sensitive receptors from noise and odors; or e) vapor infiltration from contaminants within a building or underlying soil that may result in significant adverse hazardous materials or air quality impacts. Based on the findings of the tasks discussed above, the EIS will provide an assessment of potential public health impacts, following the guidelines presented in the *CEQR Technical Manual*.

TASK 22. MITIGATION

Where significant adverse project impacts have been identified in Tasks 2 through 20, measures to mitigate those impacts will be described. These measures will be developed and coordinated with the responsible City/State agency. Where impacts cannot be mitigated, they will be described as unavoidable adverse impacts.

TASK 23. ALTERNATIVES

CEQR requires that alternatives to the proposed action be identified and evaluated in an EIS. Alternatives considered should reduce or eliminate impacts of the proposed action while substantively meeting the goals and objectives of the action. These typically include a No Action Alternative that would demonstrate environmental conditions that would exist if no action were implemented; an As-of-Right alternative that demonstrates the reasonable worst-case development scenario for a given site or area under existing regulatory and land use policy conditions; and, alternatives that demonstrate differing types, or levels of intensity, of a particular use, such as a different size, design or configuration. Another typical alternative would be one that does not result in unmitigated impacts. For the East 125th Street Development, the following alternatives will be evaluated in the EIS:

No Action Alternative – The No Action Alternative entails a scenario in which no rezoning or other approvals are sought and no development occurs on the Project Site during the Build Year of 2012. Under this alternative, the site would remain partially vacant and underutilized, and the MTA bus storage facility would continue in its at-grade location as it presently exists.

As-of-Right Alternative – An As-of-Right Alternative will be described that includes the following uses by parcel:

- Parcel A: construction of approximately 300 units of mid-rise, market rate residential development on the R7-2-zoned portion of Parcel A (maximum Residential FAR)
- 3.44) and approximately 50,000 square feet of light industrial use (warehouse/storage) on the M1-2-zoned portion of Parcel A (maximum FAR of 2.00);
- Parcel B: approximately 112,000 square feet of retail space on the southern M1-2-zoned portion of the Parcel B facing East 125th Street (maximum FAR of 2.00), approximately 120,000 square feet of light industrial (warehouse/storage) space facing the M1-2-zoned portion of Parcel B on East 126th Street, and approximately 20 market rate apartments in a mixed-use building with approximately 8,000 square feet of ground floor retail at the northeast corner of Third Avenue and East 125th Street on the C4-4-zoned portion of Parcel B (R7-2 equivalent 3.44 Residential FAR);
- Parcel C: approximately 24 market rate apartments in a mixed-use building with approximately 10,000 square feet of ground floor retail on the C4-4-zoned southeast corner of Third Avenue and East 125th Street (R7 equivalent 3.44 Residential FAR).

No Impact Alternative - The No Impact Alternative will assess ~~include~~ a smaller mixed-use program of development ~~similar to the proposed action, but at a reduced scale program that will likely include primarily residential and density, and with market rate housing as opposed to the low, moderate, and middle income housing units included in the proposed action.~~ local retail uses. This alternative would not result in any traffic or shadow ~~reduce impacts to day care facilities, and would reduce effects of the project related to visual/urban design, and shadow effects.~~

The alternatives analysis will be primarily qualitative, except where impacts of the proposed action have been identified. For technical areas where impacts have been identified, the alternatives analysis will determine whether these impacts would still occur under each alternative.

MTA Bus Depot Expansion Alternative – An Alternative will be evaluated that would include the expansion of an off-site MTA Bus Depot located across Second Avenue from Parcel A to accommodate bus storage that currently occurs on the Project Site and its surroundings. The MTA's 126th Street Bus Depot is located at 2460 Second Avenue (Block 1803, Lot 1). Under this alternative, no underground MTA Bus Storage would be located on Parcel A of the East 125th Street Development.

Existing buses would be re-routed to the new depot location under the MTA Bus Depot Alternative, and the traffic effects of this diversion of bus trips will be evaluated and described. Under this alternative, it is anticipated that only one intersection – Second Avenue and East 126th Street -- would experience a net increase in vehicle trips compared to conditions with the proposed project. The analysis of traffic conditions under this alternative will therefore focus on this intersection.

In addition to qualitatively describing the differences in impacts of this alternative compared to the proposed action, the following tasks will be performed:

- Five shadow diagrams illustrating shadow effects of the expanded 126th Street Bus Depot will be prepared and described.
- A Local Waterfront Revitalization Program Consistency Review will be prepared and described for actions occurring in the Coastal Zone under this alternative.
- Traffic effects of the MTA Bus Depot Expansion Alternative will be analyzed and described. Re-routed buses from existing conditions would be diverted to the new Depot location. The intersection of East 126th Street and Second Avenue that includes new re-routed bus trips would be analyzed.
- Any effects to transit and pedestrians from the MTA Bus Depot Alternative would be discussed qualitatively.
- An Air Quality analysis for a garage will be conducted.
- The two CO analysis locations studied for the proposed action will be analyzed for CO to account for changes to traffic volumes and emissions; one new PM2.5/PM10 location will be evaluated.
- An additional noise monitoring site will be evaluated for potential noise impacts. An additional noise screening will be conducted and a detailed analysis for one site will be conducted and described, if necessary.

TASK 24. SUMMARY EIS CHAPTERS

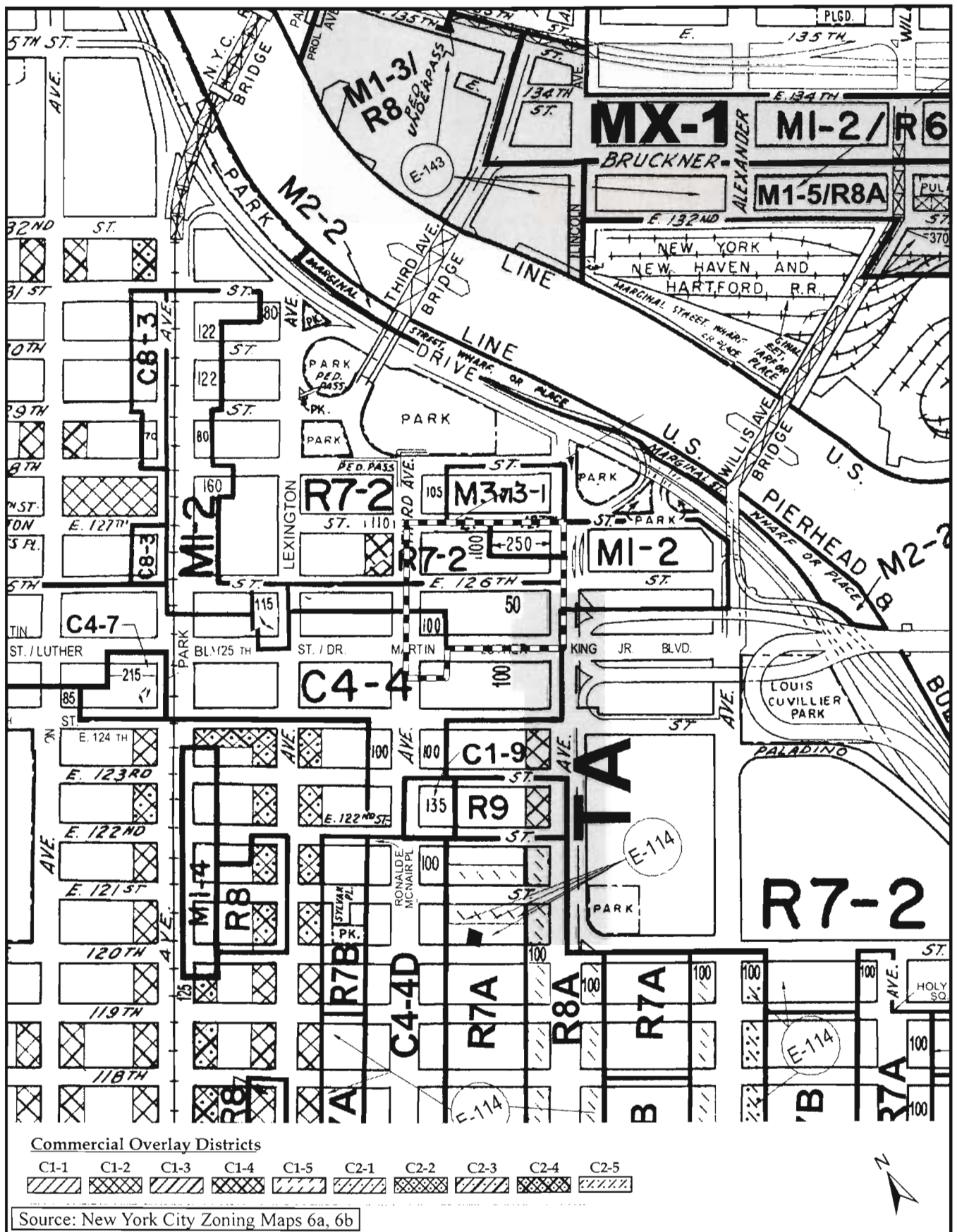
In accordance with CEQR guidelines, the EIS will include the following three summary chapters, where appropriate to the proposed action:

- Unavoidable Adverse Impacts - which summarizes any significant adverse impacts that are unavoidable if the rezoning is implemented regardless of the mitigation employed (or if mitigation is impossible).
- Growth-Inducing Aspects of the proposed action - which generally refer to “secondary” impacts of a proposed action that trigger further development.
- Irreversible and Irretrievable Commitments of Resources - which summarizes the proposed action and its impacts in terms of the loss of environmental resources (loss of vegetation, use of fossil fuels and materials for construction, etc.), both in the immediate future and in the long term.

TASK 25. EXECUTIVE SUMMARY

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

FIGURES
[Pages 39-47]



Legend

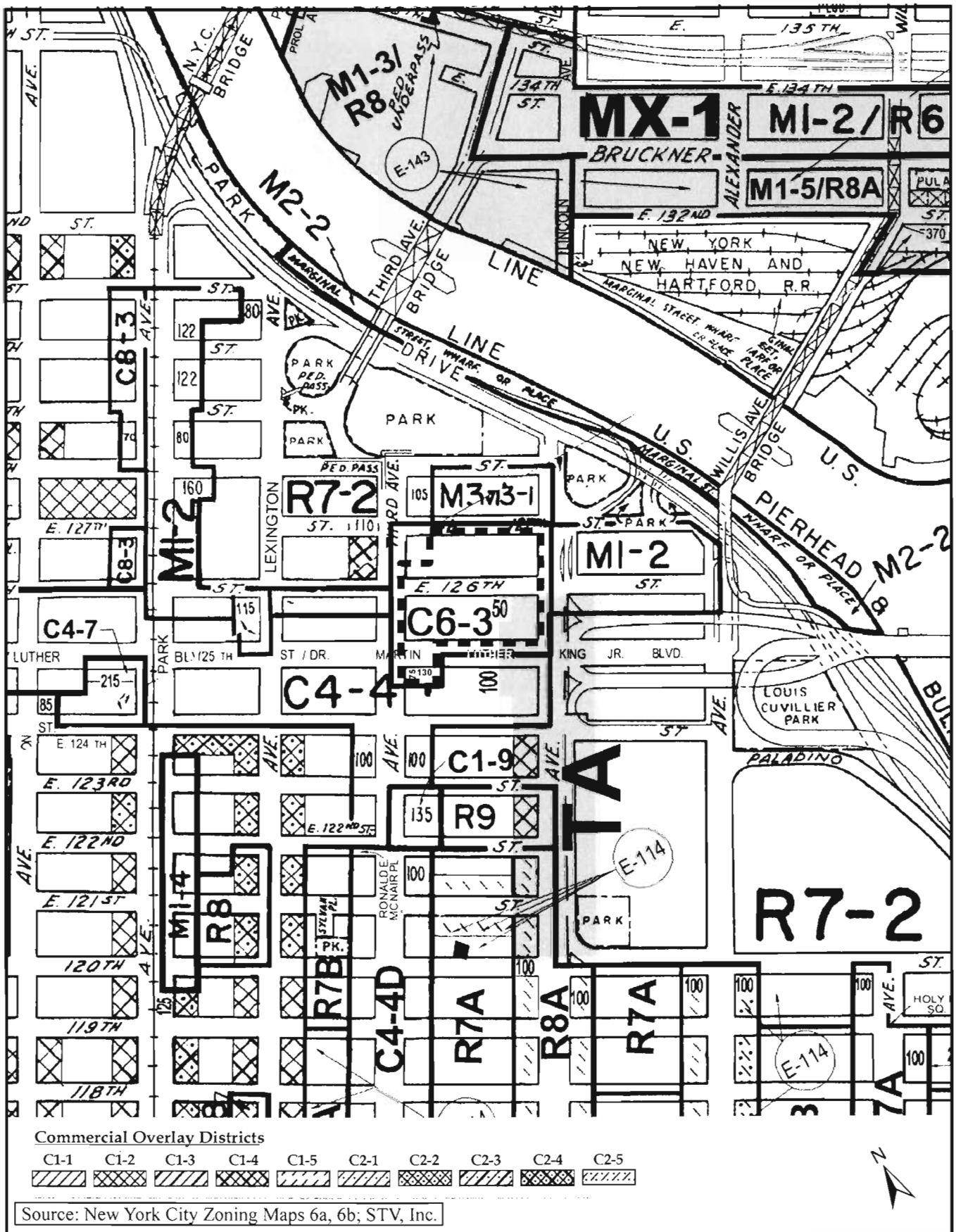
 Resizing Area

Major Zoning Classifications

- R - Residential District
- C - Commercial District
- M - Manufacturing District

Figure 2 - Existing Zoning

East 125th Street Development
EIS Scope of Work
NYC Economic Development Corporation



Legend

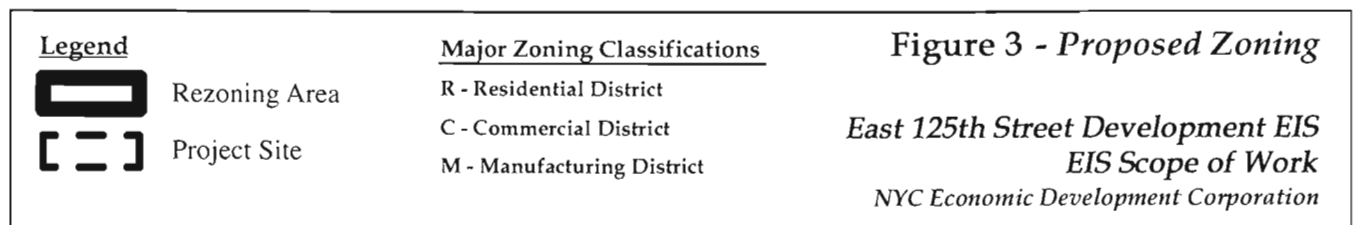
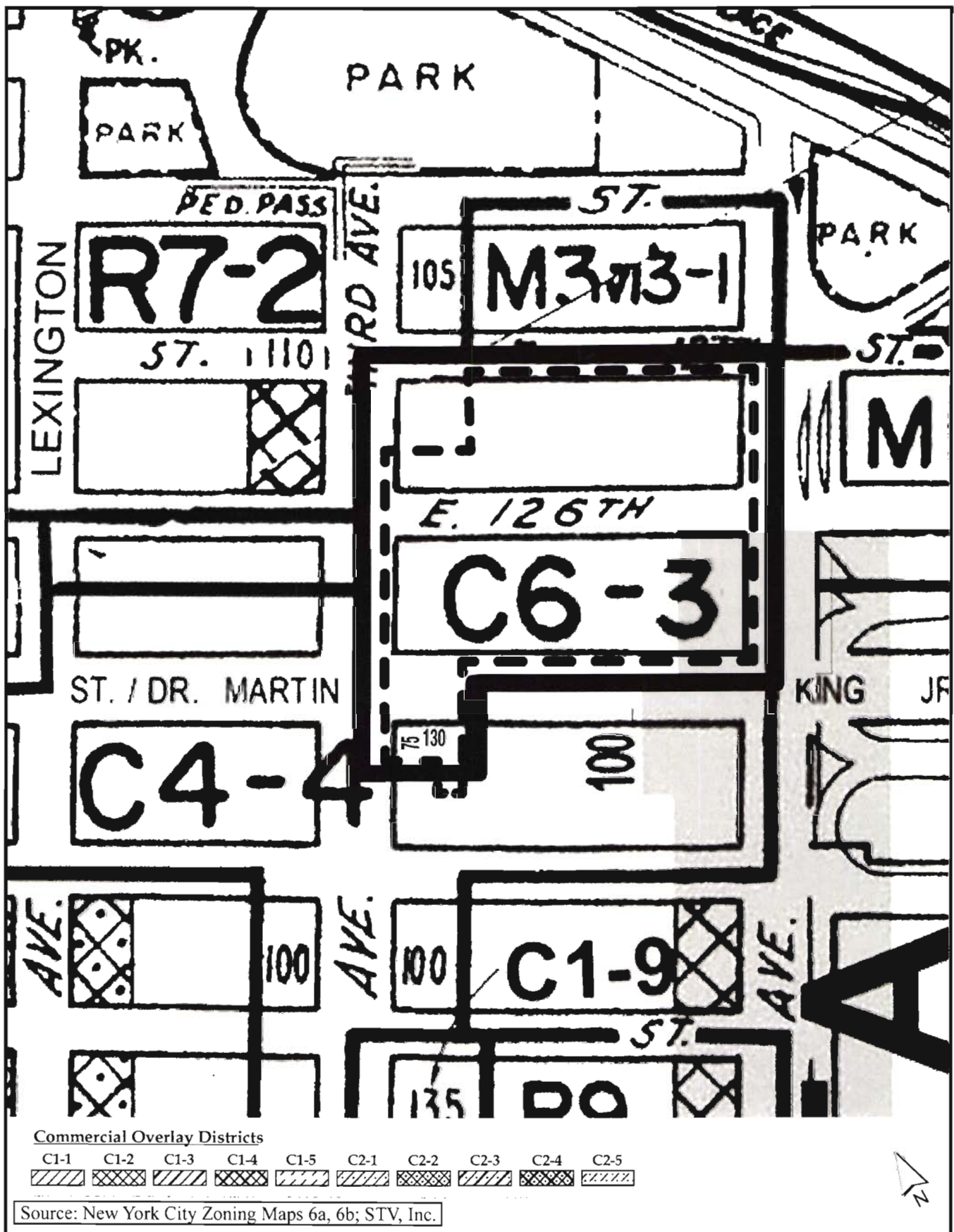
- Project Site
- Zoning District Boundary

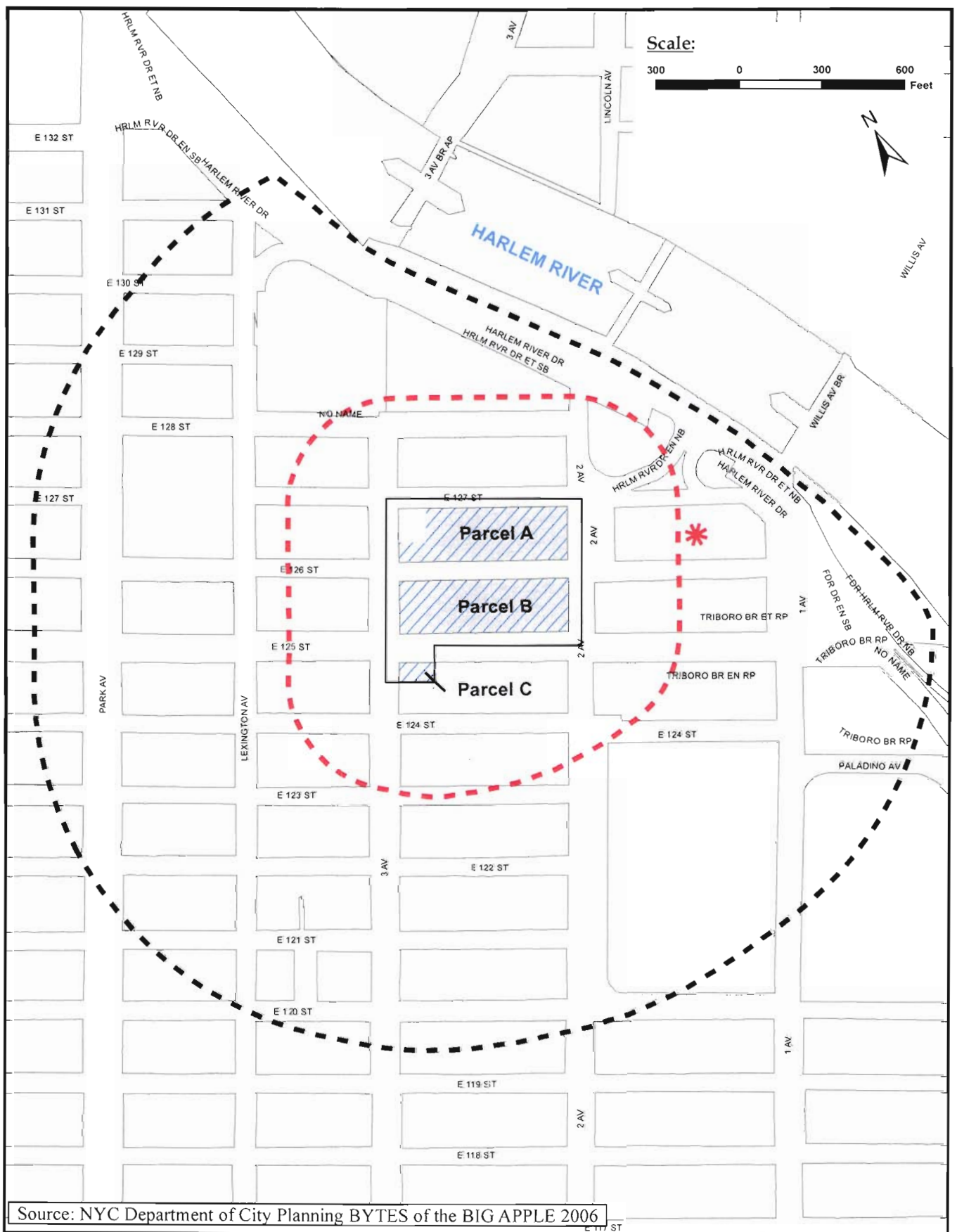
Major Zoning Classifications

- R - Residential District
- C - Commercial District
- M - Manufacturing District

Figure 3 - Proposed Zoning

East 125th Street Development
EIS Scope of Work
NYC Economic Development Corporation



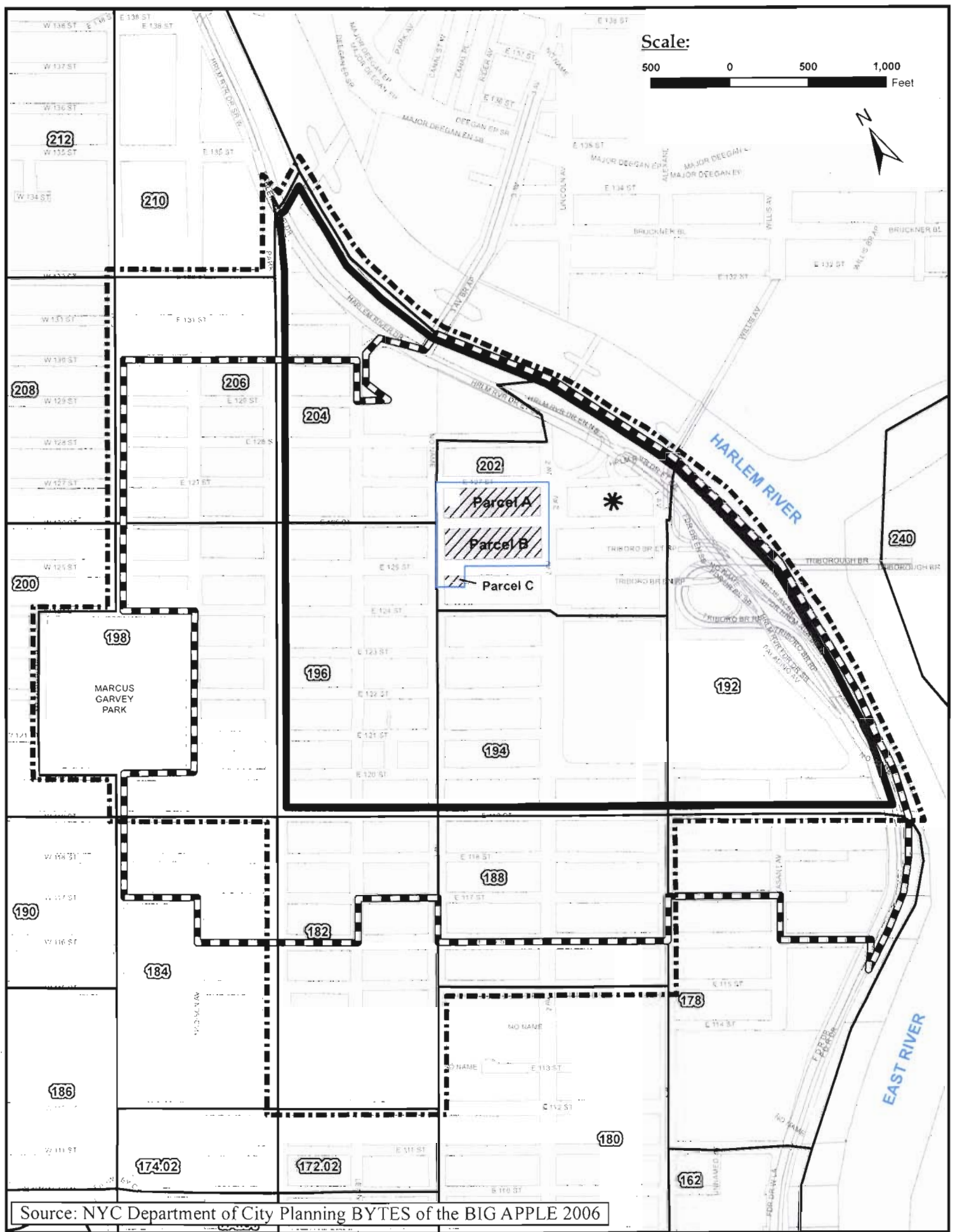


Legend

- Project Site
- Rezoning Area
- Primary Study Area (Approximate 400-Foot Radius)
- Secondary Study Area (Approximate 1/4-mile Radius)
- MTA Bus Depot

Figure 4 - Land Use Study Areas

*East 125th Street Development
EIS Scope of Work
NYC Economic Development Corporation*

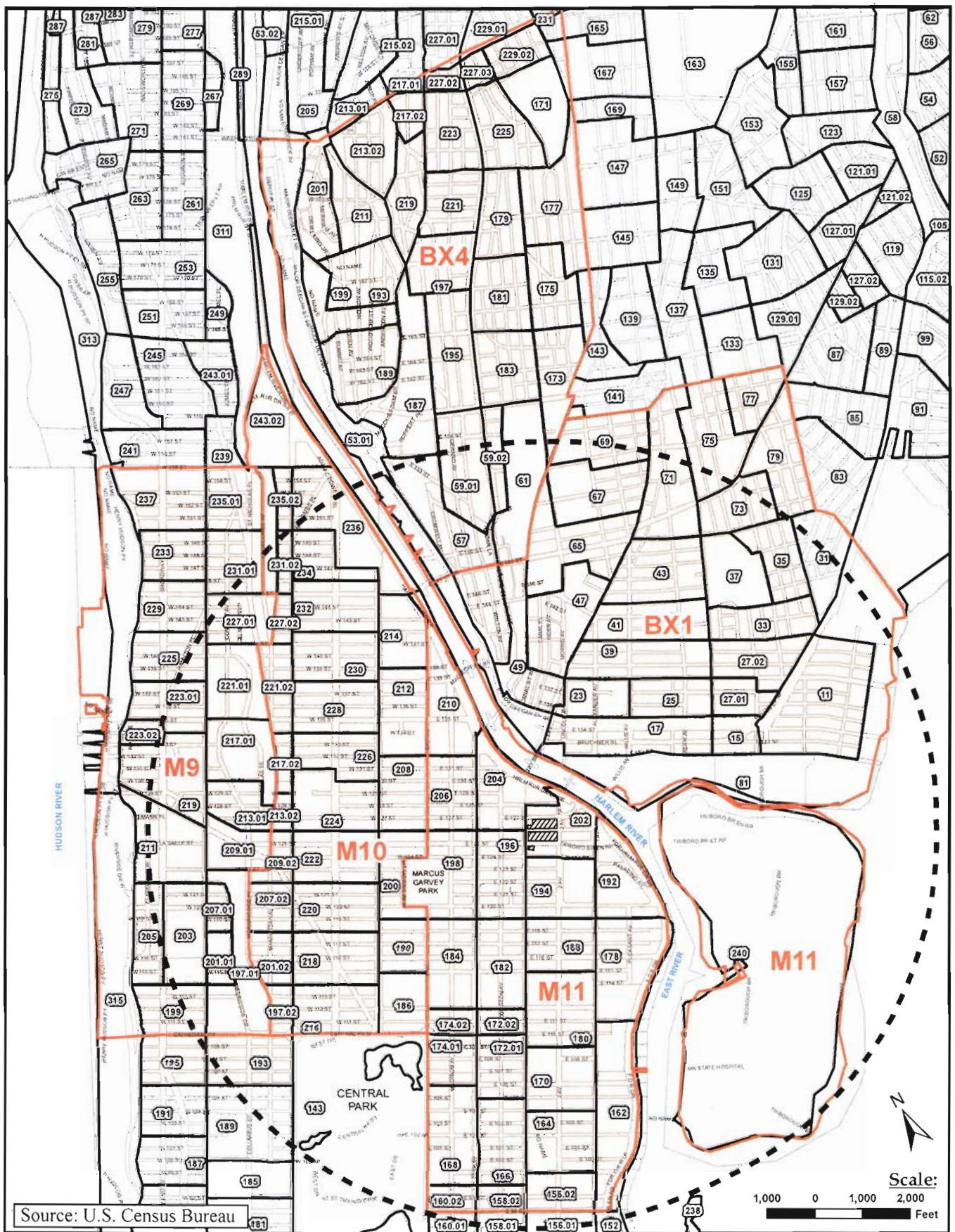


Legend

- Project Site
- Rezoning Area
- 2000 Census Tract
- MTA Bus Depot
- Primary Study Area
- Secondary Study Area
- Business & Institutional ZIP Code Study Area (ZIP Code 10035)

Figure 5 - Socioeconomic Study Areas

East 125th Street Development
EIS Scope of Work
NYC Economic Development Corporation

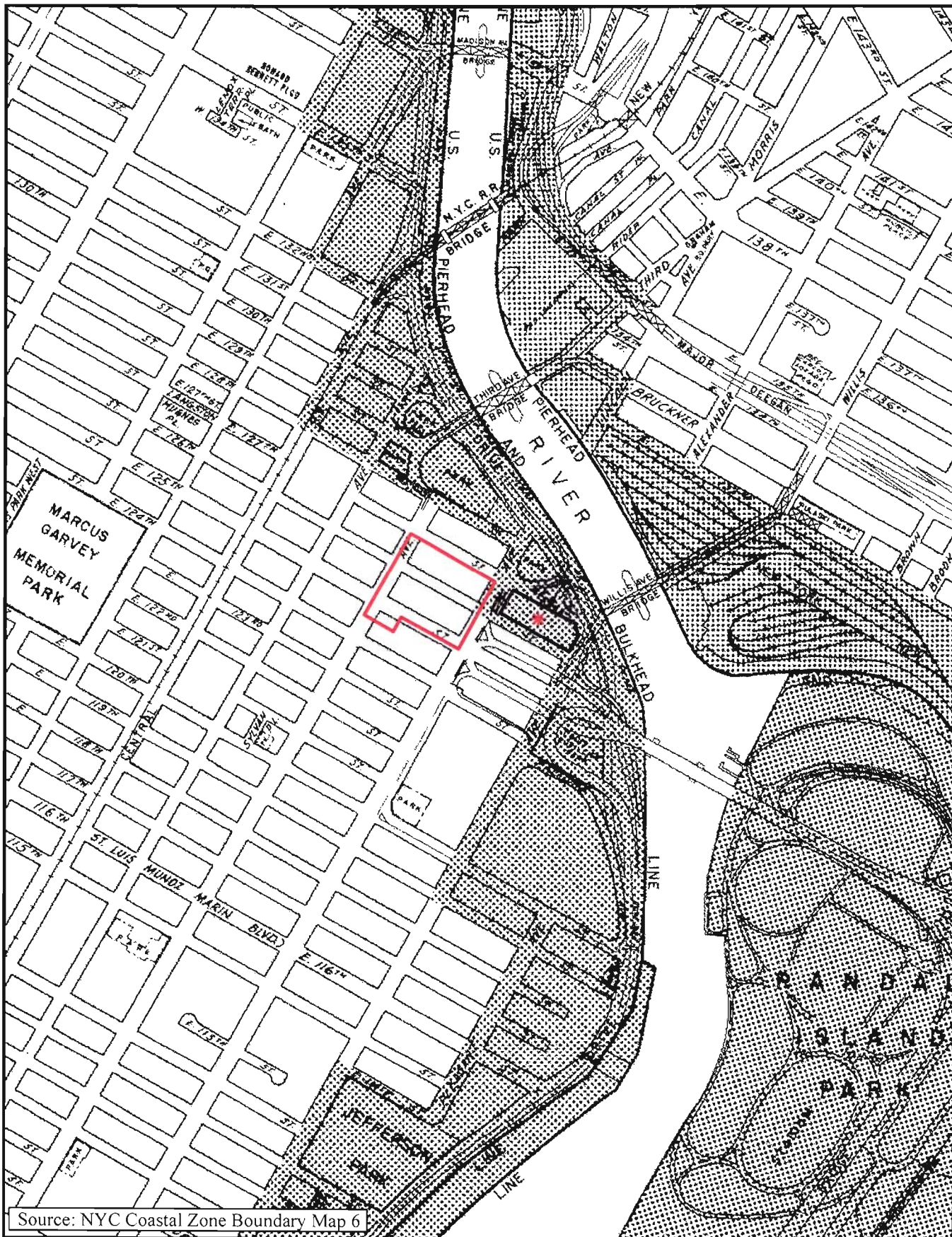


Legend

-  Project Site
-  1.5-Mile Radius
-  M10 Community District
-  2000 Census Tract
-  Retail Market Trade Area

Figure 6 - Retail Market Study Area

*East 125th Street Development
EIS Scope of Work
NYC Economic Development Corporation*



Legend

- Rezoning Area
- * Alternative Off-site Depot Expansion Site
- Coastal Zone Boundary



**Figure 7 - MTA Bus Depot Expansion Alternative:
Off-site Depot Parcel on Coastal Zone Map**

*East 125th Street Development
EIS Scope of Work
NYC Economic Development Corporation*

APPENDIX A
Response to Comments
on the Draft Scope of Work

**East 125th Street Development Site
Final Scope of Work
Response to Comments on Draft Scope of Work**

Will existing LaGuardia flight approach be considered?

Yes. Noise effects from LaGuardia Airport will be addressed through 24-hour noise monitoring. This monitoring picks up the periodic sounds of the over-flights. Results of that analysis will be described in DEIS Chapter 3.18, Noise. The 24-hour noise monitoring will include monitoring of noise from over-flights, including those associated with LaGuardia Airport. It should be noted that the proposed action does not contain any element that could alter flight patterns, but the analysis will develop any needed mitigation for the new residential units to meet the City's standards for acceptable levels of interior noise.

Will on-street parked buses be moved if the bus depot is not?

With the proposed plan, the bus depot will stay in its current location on 2nd Avenue and East 126th Street. There are no plans for the depot to move or close. The MTA New York City Transit buses currently parked on a surface lot on the project site (on Parcel A) and occasionally along East 126th Street, will be parked on Parcel A in an underground lot with space for 80 buses, with the implementation of the proposed project. These issues are further described in DEIS Chapter 3.15 Traffic and Parking and Chapter 3.16 Transit and Pedestrians.

Will the project reflect El Barrio community culture?

Retail development is a key component of the proposed project and it is envisioned to reflect the tenant mix and cultural diversity of East Harlem. In addition, the project's unique cultural identity may be achieved by providing entertainment amenities such as live music and dancing, restaurants, clubs, lounges and cafes that reflect the multi cultural diversity of the local community.

Describe existing examples of residences above bus garages.

There are no existing examples of residences above bus garages in New York City.

The EIS should study quality of jobs – what types, benefits, and if the jobs benefit the community.

All Request for Proposal (RFP) respondents were required to include a Local Hiring Utilization Plan (LHUP) to address both W/MBE and local business participation in the project and local hiring. The LHUP was required to outline methods for facilitating the participation in the project

of women-owned and minority-owned businesses (as certified by the NYC Department of Small Business Services) both during construction and once the project is built and in operation. The LHUP was required to address items such as, but not limited to: local businesses seeking construction on the project; recruitment of local employees seeking construction work on the project and the provision of training programs, apprenticeships, and other professional development opportunities; participation in local trade fairs; working with existing hiring programs and community organizations to foster training programs; and, coordination with proposed tenants to create new local hiring programs.

Concern about bus flow and turning radii.

MTA New York City Transit (NYCT) currently utilizes part of the project site (the eastern portion of Parcel A) as parking for buses during off peak and overnight periods. Field surveys conducted in October 2007 showed 77 buses stored on this parking lot in the overnight period. Typically, buses enter the lot by crossing 2nd Avenue from the existing bus depot, and exit by turning west on East 126th Street. Occasionally buses exit directly onto 2nd Avenue. With the implementation of the proposed project, it is anticipated that all buses using the proposed below-grade bus garage would enter the facility from westbound East 126th Street and exit onto eastbound East 127th Street, providing for convenient access to and from 2nd Avenue. There would no longer be a need for any buses to circulate around the block via 3rd Avenue to travel eastbound. As a result, there would be fewer bus turning movements along 3rd Avenue adjacent to the project site. This is addressed in DEIS Chapter 3.15 Traffic and Parking and Chapter 3.16 Transit and Pedestrians.

Regarding turning radii, all garage entrances and exits will be designed to accommodate articulated buses and regular buses.

Concern regarding consideration of the 197a plan.

Manhattan Community Board 11 prepared a draft 197-a Plan, last revised in 1999 but not yet adopted, that addresses land issues, service delivery issues, and capital needs, and provides a comprehensive vision for the future of the district. The target area of the draft 197-a Plan includes the portion of East Harlem bounded by 142nd Street to the north, 96th Street to the south, the Harlem River to the east, and Fifth Avenue to the west. Consistency of the proposed action with recommendations of the draft 197-a Plan for Community Board 11 will be addressed in the DEIS. It should be noted that the draft 197-a Plan for Manhattan Community Board 11 does not represent official policies of the Department of City Planning or the City of New York, since it has not been finalized or adopted, and has not been fully reviewed pursuant to procedures of New York City Charter Section 197-a. This will be addressed in DEIS Chapter 3.1, under "Public Policy."

Study if emissions will permeate through the barrier between garage and residences/mixed-use portions of buildings.

Response: The potential for emissions to permeate through the barrier between the underground garages and mixed-use portions of the proposed buildings above will be addressed in the DEIS in Chapter 3.17, Air Quality.

Study electrical usage and potential for blackouts.

Response: Existing energy supply systems will be described along with estimated project-generated demands for energy resources in DEIS Chapter 3.14, Energy. Consolidated Edison will be contacted for input regarding the potential for blackouts as a result of increased demand for energy resulting from the proposed action.

Study impacts on Moravian Church.

The DEIS will analyze the potential for impacts not only on the project site, but on uses in the surrounding area, for study areas defined for each subject area in the EIS Scoping Document. The lot adjacent to Parcel A that houses the United Moravian Church falls within the primary study area for the areas of evaluation described in the EIS Scoping Document. As such, impacts of the proposed action on the United Moravian Church will be addressed in the DEIS.

Subsequent to the Scoping Hearing in July 2007, the proposed zoning map amendment was expanded at the request of the New York City Department of City Planning to include the United Moravian Church parcel, in order to provide a consistent rezoning boundary that encompasses the entire block of Parcel A, which the United Moravian Church abuts. A Reasonable Worst Case Development Scenario entailing the theoretical build-out of the United Moravian Church site pursuant to the proposed zoning will be evaluated, as necessary, under Future Conditions With the Action sections of the DEIS. The Reasonable Worst Case Development Scenario for the United Moravian Church parcel would entail redevelopment of the site with new residential development above a reconstructed church on the lower levels of the building. The environmental effects of the increment of additional development that could result from the proposed rezoning in comparison to the United Moravian Church site's current R7-2 zoning will be disclosed and described. It should be noted that the United Moravian Church is an offsite parcel that is not proposed for development as part of the proposed action, and is currently proposed for rezoning only.

Concern regarding air filtration.

The Air Quality analysis that will be conducted for the DEIS and described in DEIS Chapter 3.17, Air Quality, will be done assuming use of an air filter to address PM 2.5 emissions from the below-grade bus garage point source.

Focus on burial ground issue, and document findings with specific sources and maps.

The former site of the Harlem Reformed Church of 1660 and African burial ground is located on East 126th Street, to the west of First Avenue and to the east of the project site. The February 2004 *Topic Intensive Documentary Study for the Willis Avenue Bridge* project prepared for the

New York City Department of Transportation by Historical Perspectives, Inc., of Westport, Connecticut, confirms that this site did not extend onto the project site of the East 125th Street Development. Based on the 2004 *Topic Intensive Documentary Study for the Willis Avenue Bridge*, the 126th Street Cemetery, or African Burial Ground associated with the Harlem Reformed Church of 1660, is indicated as being predominantly located on Block 1803. Block 1803, which contains an existing MTA Bus Depot, is located to the east of Second Avenue. This will be documented in the DEIS in Chapter 3.6, Historic Resources.