A. PROJECT DESCRIPTION

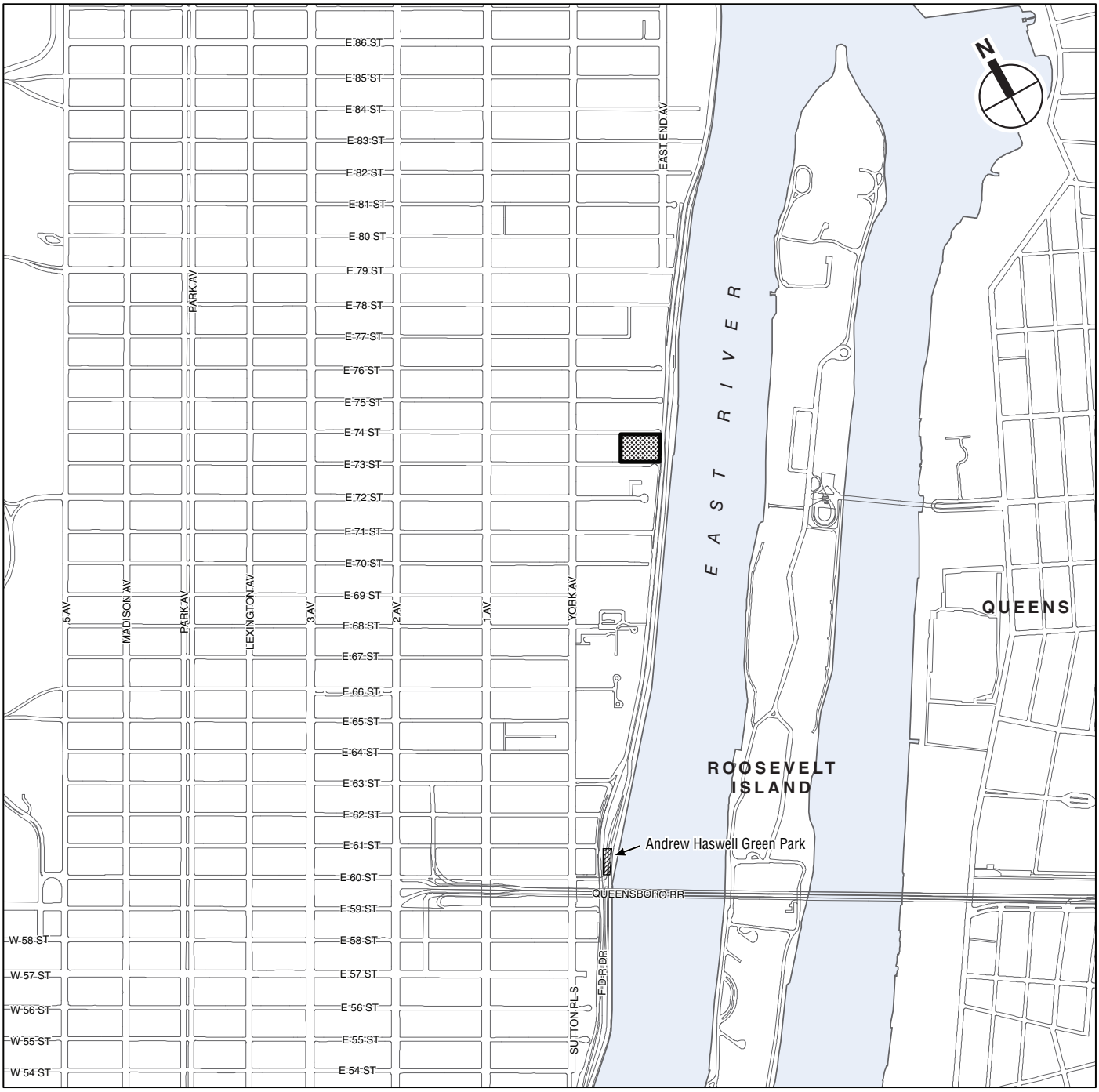
PROJECT IDENTIFICATION

Memorial Sloan-Kettering Cancer Center (MSK) and The City University of New York (CUNY) are partnering to acquire an approximately 66,111-square-foot (sf), New York City-owned site on the east end of a block bounded by York Avenue, Franklin Delano Roosevelt (FDR) Drive, and East 73rd and 74th Streets (Block 1485, Lot 15) on the Upper East Side of Manhattan (see **Figure S-1**). MSK proposes to build a new ambulatory care center (MSK ACC), while CUNY proposes to build the Hunter College Science and Health Professions Building (CUNY-Hunter Building).

As described in greater detail below, the land use actions necessary for the proposed project include a disposition of City-owned property; a rezoning of the project site from an M3-2 district (Heavy Manufacturing-low performance) to a C1-9 district (Local Retail); a zoning text amendment; approval to develop the site as a Large Scale General Development (LSGD) that would include special permits to waive bulk, side yard, rear yard equivalent, height and setback regulations, and sign regulations, and to provide for a 2.0 FAR bonus; and a special permit for accessory parking beyond the number of spaces allowed as-of-right. These actions are subject to the Uniform Land Use Review Procedure (ULURP) and require City Environmental Quality Review (CEQR) and Mayoral and Borough Board approval pursuant to New York City Charter Section 384(b)(4). The Board of The City University Construction Fund (CUCF) must approve acquisition of real property. In addition, CUNY has already requested funding from the Dormitory Authority of the State of New York (DASNY) and it is possible that MSK will also request funding from DASNY. For purposes of State Environmental Quality Review (SEQR), DASNY's proposed actions are Authorization of the Issuance of Bonds and/or Authorization of the Expenditure of Bond Proceeds. The lead agency for the environmental review is the Office of Deputy Mayor for Economic Development (ODMED). DASNY, CUNY, and CUCF are involved agencies. A coordinated review is being conducted for this Type I action.

As lead agency, on October 2, 2012, ODMED issued a Positive Declaration that the proposed project could have the potential to result in significant adverse impacts, and directed that an Environmental Impact Statement (EIS) be prepared. The Environmental Assessment Statement and Draft Scope of Work (DSOW) were made available for public comment. The DSOW described the proposed actions, the proposed development plan and its purpose and need, and the environmental review process. It also identified the analysis framework to be used in the EIS and presented the analyses and work items to be undertaken for the EIS. A public meeting to receive comments on the DSOW was held on November 1, 2012 at 6:30 PM at the Kaye Playhouse at Hunter College on East 68th Street between Park and Lexington Avenues, New York, New York. The scoping meeting was continued on December 4, 2012 at 6:30 PM at the Mortimer B. Zuckerman Research Center Auditorium of the Memorial Sloan-Kettering Cancer

1.18.13



Project Site

Andrew Haswell Green Park

Project Location

Figure S-1

Center, 415 East 68th Street, New York, New York. The period for the submission of written comments was extended to December 14, 2012. After considering comments received during the public comment period, a Final Scope of Work (FSOW) was prepared to direct the content and preparation of the Draft EIS (DEIS).

BACKGROUND

In May 2011, the New York City Economic Development Corporation (EDC), on behalf of the New York City Department of Sanitation (DSNY), issued a Request for Proposals (RFP) to redevelop a former DSNY garage site with the creation or expansion of a health care, educational or scientific research facility. MSK and CUNY partnered to respond.

PROJECT PURPOSE AND NEED

In addition to the purposes and needs for each institution, which are described below, both institutions believe that there would be significant operational synergies with neighboring healthcare and research institutions; these synergies would benefit the population of New York City as well as enhance the City's position as a center of medical and academic excellence.

MSK

MSK is the world's oldest and largest private cancer treatment center, having devoted more than a century to patient care as well as to innovative research, including the training of future generations of oncologists. It has made significant contributions to new and better therapies for the treatment of cancer.

In recent years, MSK has expanded with new construction and renovations designed to meet the growing needs of its patients and research programs. Aside from its main campus and satellite facilities on Manhattan's Upper East Side, MSK has developed a network of state-of-the-art outpatient cancer treatment facilities that bring expert care closer to patients living throughout the greater New York area.

The MSK ACC would contain state-of-the-art ambulatory care facilities, including office practice space for head and neck, endocrinology, thoracic, hematologic oncology, dental, speech, and consultative services; infusion rooms; interventional and diagnostic radiology; radiation oncology; cardiology and pulmonary testing; pharmacy and clinical laboratories to support the on-site activities; academic offices; conference rooms; and up to 250 parking spaces on the lower levels of the site for patients and visitors.

This proposed building would support two of the institution's strategic objectives. By providing additional space it would accommodate the anticipated growth in the number of outpatients, allowing MSK to maintain its leadership role in the treatment and cure of cancer. It would also allow MSK transfer care from an inpatient venue to a more efficient ambulatory care setting. Keeping the site close to the main campus will allow for the appropriate coordination between outpatient clinical services and inpatient treatment. Among the most important changes MSK anticipates in health care delivery is the transition to performing bone marrow transplants on an outpatient basis and the increased use of interventional radiology.

In addition to enhancing access to clinical care, opening the MSK ACC would enable innovation, recruit talent, and offer financial sustainability for MSK.

HUNTER

CUNY is the nation's largest urban public university, serving more than 271,000 degree-credit students and nearly 270,000 continuing and professional education students. CUNY confers 35,000 degrees each year—more than 1.1 million associate, baccalaureate, masters, and doctoral degrees since 1967. CUNY plays a crucial role in the life and economy of the City and New York State and employs more than 39,000 faculty and staff.

CUNY's history dates to the formation of the Free Academy in 1847 by Townsend Harris. The Free Academy later became the City College of New York, the oldest institution among the CUNY colleges. From this grew a system of senior colleges, community colleges, as well as graduate schools and professional programs. CUNY was established in 1961 as the umbrella institution for the system which provides first-rate academic opportunities for students of all backgrounds.

Founded in 1870, Hunter is also one of the oldest public colleges in the country and the largest college in the CUNY system. Currently, over 22,000 undergraduate and graduate students attend Hunter, pursuing degrees in more than 170 different programs. Famous for the diversity of its student body, Hunter has provided educational opportunities for women, minorities, and people from every walk of life.

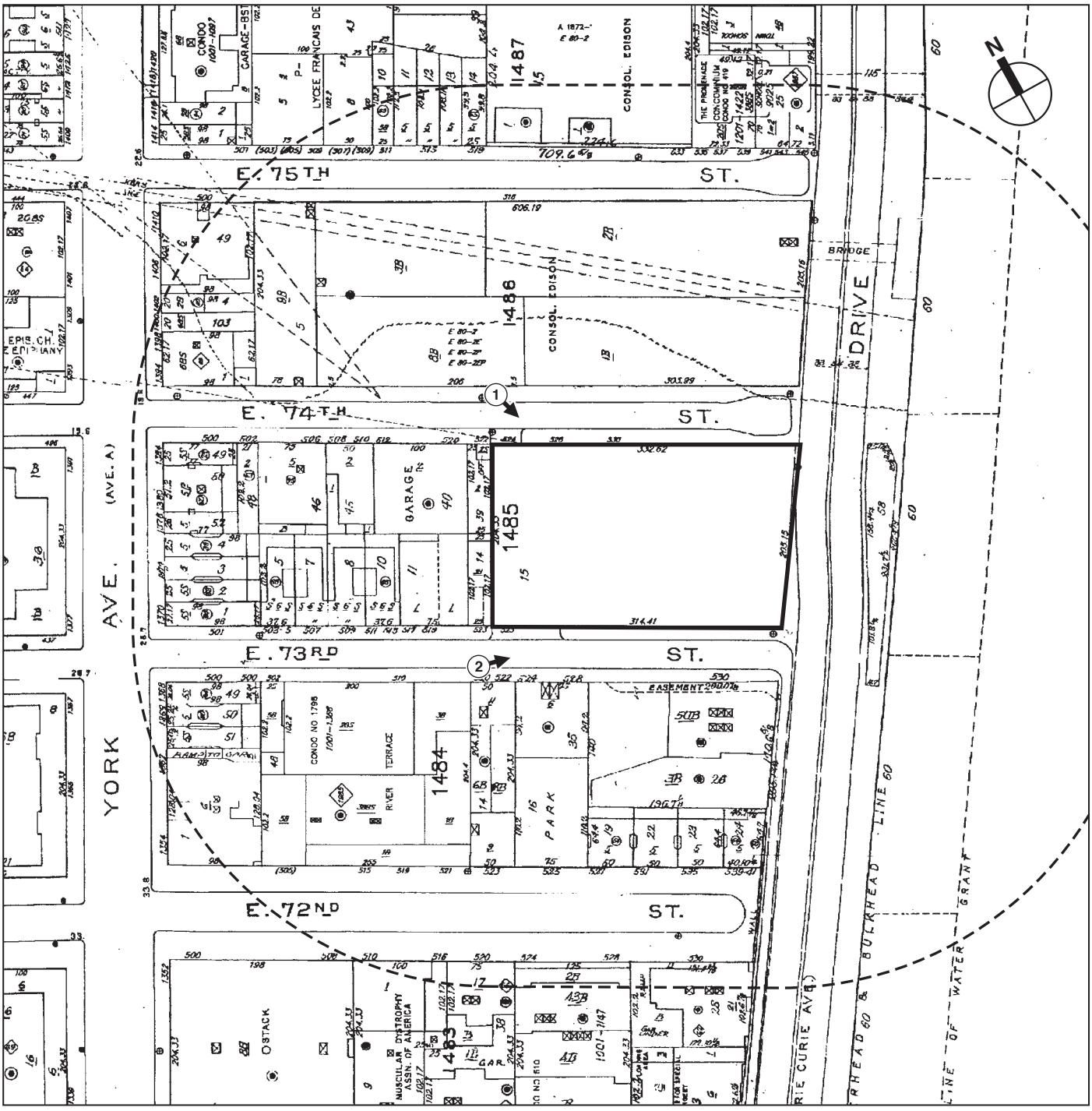
Hunter is a proud leader in the sciences and medicine with research grants in record amounts—more than $31 million in 2010 alone. To maintain and build on its excellence in science, advanced research, and the health professions, Hunter proposes to build a new Science and Health Professions Building near its main campus that would bring together basic sciences and advanced research that occupy aging facilities on its main campus and health sciences and nursing located in a physical plant inherited from Bellevue Hospital in 1967. The proposed CUNY-Hunter Building would consolidate the related Science and Health Professions programs in a state-of-the-art facility providing modern classrooms, laboratories and cutting-edge equipment. The facility would also allow Hunter scientists and health professionals to maintain close ties with the Upper East Side’s world-renowned medical and research institutions.

PROJECT SITE

The approximately 66,111-sf project site is largely vacant with standing remnants of the walls of the former garage structure (see **Figures S-2 and S-3**). The western portion of the project site is occupied by a surface public parking lot with a capacity of 128 cars.

East 74th Street, the northern border of the site, dead ends at a wall that divides it from the FDR Drive. Given the presence of the Con Edison East 74th Street Steam Plant (Con Edison Steam Plant) across much of the north side of the street, the lack of active use on the project site, and the lack of linkage to a street network on the east, East 74th Street carries relatively little traffic. East 73rd Street, the southern border of the site, ends in an access lane to the southbound FDR Drive service road. In addition to parking facilities, there are residential buildings on this street and much more traffic than is found on East 74th Street.

Currently zoned M3-2, the site was part of a manufacturing district that included uses similar to the now demolished DSNY garage, the Con Edison Steam Plant to the north and several auto repair businesses closer to the east end of the project block.



Project Site and Surrounding Blocks

View south of project site from East 74th Street **1**

View northeast of project site from East 73rd Street **2**

Project Site Photographs

Figure S-3

PROJECT DESIGN

The proposed buildings would be built to an overall FAR of 12.0, which would be 793,332 sf of zoning floor area (zfa), with full lot coverage over the project site. Their gross floor area would total 1,092,788 sf.

SITE PLAN AND CIRCULATION

The MSK ACC would be located through-block on the eastern portion of the site, and the CUNY-Hunter Building would be located through block on the western portion of the site (see **Figure S-4**). The main entrances for both buildings would be on East 74th Street. MSK would have a lay-by lane where patients could be dropped off; it would also provide valet parking for the on-site accessory garage. CUNY would provide access to bike storage off East 74th Street for its students, faculty, and staff.

The service entrances for both buildings would be on East 73rd Street, and both buildings are designed to allow trucks to maneuver and be docked inside the buildings. In addition, the MSK ACC would have a pedestrian entrance for staff on East 73rd Street as well as a bay for an ambulance should the need arise to transfer a patient to the main hospital on York Avenue and East 68th Street. There would also be access to bike parking for MSK staff off East 73rd Street.

MSK ACC

The MSK ACC would be 23 stories[1] (453 feet, or approximately 450 feet) tall on a footprint of approximately 39,667 sf. In a gross floor area of 749,357 gsf, it would contain state-of-the-art ambulatory care facilities, including office practice space for head and neck, endocrinology, thoracic, hematologic oncology, dental, speech, and consultative services; infusion rooms; interventional and diagnostic radiology; radiation oncology; cardiology and pulmonary testing; pharmacy and clinical laboratories to support the on-site activities; academic offices; conference rooms; and up to 250 accessory parking spaces for patients.

CUNY-HUNTER BUILDING

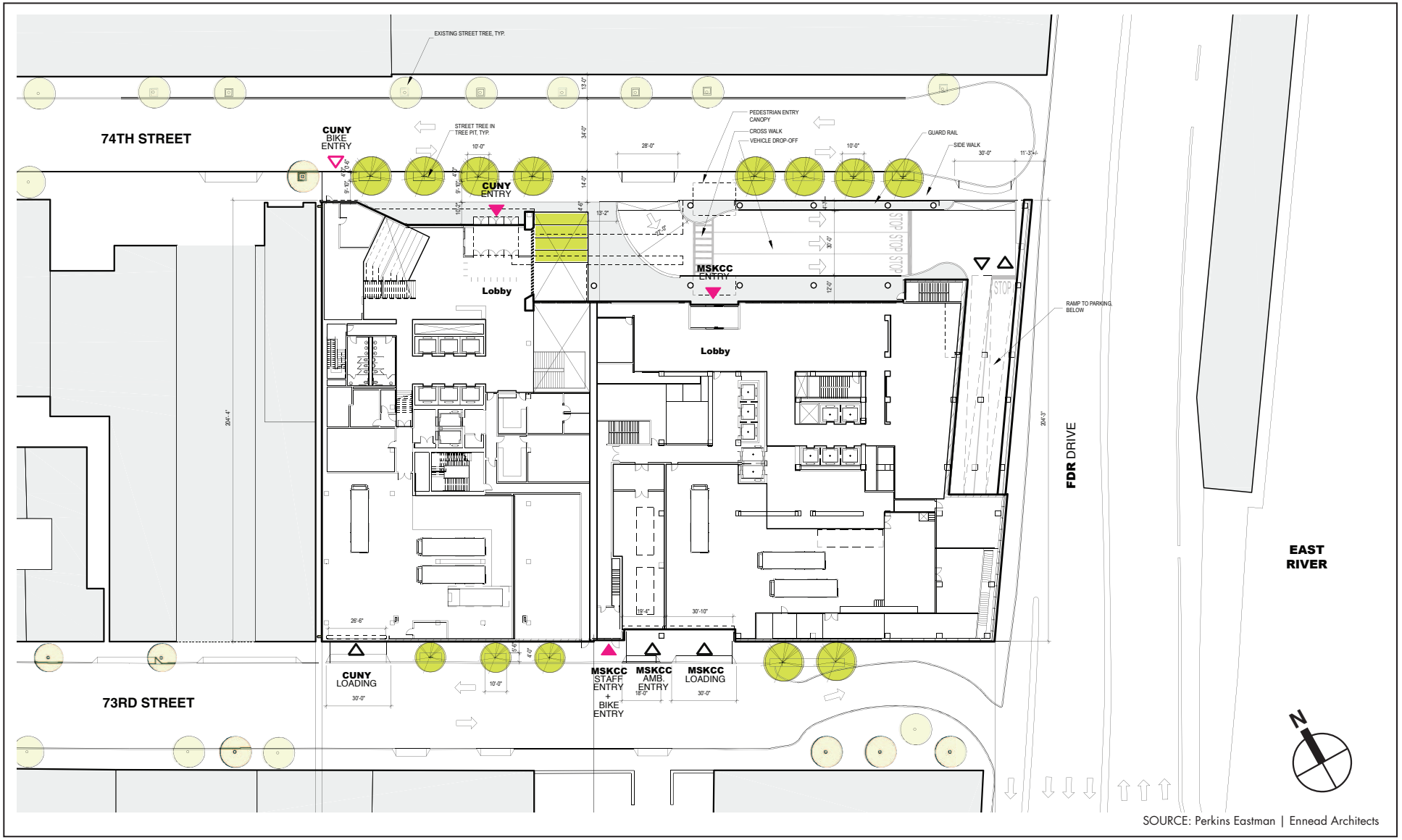
The CUNY-Hunter Building would stand approximately 16 stories (347 feet, or approximately 350 feet) tall on a footprint of 26,444 sf. In its gross floor area of 402,990 gsf, it would house teaching and research laboratories, class rooms, a learning center, a single 350-seat lecture hall, faculty offices, and a vivarium to house research animals.

OVERALL DESIGN APPROACH

The proposed design contemplates the buildings being constructed immediately adjacent to each other. With the same exterior façade materials applied to both, they would read as a single composition (see **Figure S-5**). The roof heights would step up as they approach the river with the taller MSK ACC (450 feet) located overlooking the FDR Drive and the CUNY-Hunter Building (350 feet) stepping down to the neighborhood on the west.

In order to reduce the visual appearance of bulk, the north, east, and south façades would be broken down into varying zones with set-backs and overhangs as well as changes in the façade materials. There would be recesses for open terraces at the second floor and sixth floor on the

[1] Includes rooftop bulkhead.



SOURCE: Perkins Eastman | Ennead Architects

For Illustrative Purposes Only

0 100 FEET

SCALE

Ground Floor Plan

Figure S-4

Source: Perkins Eastman | Ennead Architects

For Illustrative Purposes Only

Perspective View

Figure S-5

CUNY-Hunter Building and on the MSK ACC. The second floor terrace would wrap around the north and east façades to include space overlooking the FDR Drive and the East River. It would provide planters and seating. The sixth level of the MSK ACC would set back on its north, east, and south sides for a terrace intended to provide a calming outdoor respite for patients and their families. At the 7th and 8th levels, it would have a setback to open up views to the north and east. These setbacks would also reduce the bulk of the buildings. Setbacks may have planted roof areas but would not be accessible.

The predominant cladding would be large masonry and glass panels with irregular vertical divisions. On floors where ventilation is required for mechanical systems, louvers would be set back from the façade plane. Portions of the buildings would also be clad in a glass curtain wall.

At ground level, the CUNY-Hunter Building would be set back to provide a wide and welcoming entrance for the students, faculty, and staff (see **Figures S-4**). The MSK entrance would provide a covered drop-off area for patients arriving by automobile.

A number of energy options for various components of the proposed project are being evaluated, with the objective of reducing energy consumption and the ensuing emissions and costs.

PROPOSED ACTIONS

CITY ACTIONS

The discretionary approvals being requested for the proposed project include a disposition of City property, a zoning map amendment and zoning text amendment as well as special permits, all of which are subject to City Planning Commission (CPC) and City Council approval.

- Disposition—The City of New York would dispose of the project site to the New York City Land Development Corporation that would then dispose to the EDC for subsequent disposal to MSK and CUCF. CUCF is a public benefit corporation established by New York State to provide facilities and support the educational purposes of CUNY.
- The disposition requires Mayoral and Manhattan Borough Board approval pursuant to New York City Charter Section 384(b)(4).
- Rezoning—The project site is currently zoned M3-2 (see **Figure S-6**), which allows a maximum floor area ratio (FAR) of 2.0 (132,222 sf of zoning floor area) and a maximum base height of 60 feet before setting back. It prohibits all community facilities including ambulatory diagnosis and treatment centers and schools. The project site and an approximately 6 inch wide portion of Block 1485, Lots 14 and 39 immediately west of the project site would be rezoned from M3-2 to C1-9 (see **Figure S-7**) to permit Use Group 3 and 4 developed to FAR 10 (661,110 sf of zfa) with up to an additional FAR 2 (132,222 sf of zfa) through provision of a qualifying park improvement. Ambulatory diagnostic and treatment centers and schools are permitted as-of-right in C1-9 districts. The existing M1-4 zoning district west of the project site on Block 1485, Lots 14 and 39 would be extended approximately 5 feet east to the C1-9 boundary, which is located approximately 0.5 feet west of the MSK/CUNY lot line, at the request of the Department of City Planning (DCP).
- Zoning Text Amendment—A text amendment would establish a new provision in the Large Scale General Development (LSGD) special permit to allow a predominantly community facility development wholly within a C1-9 district within Community District 8 in Manhattan to obtain a floor area bonus not to exceed 20 percent of the maximum FAR allowed by the underlying district regulations, where in connection with such development

3.8.12

Project Site

Zoning District Boundary

C1-5 Overlay

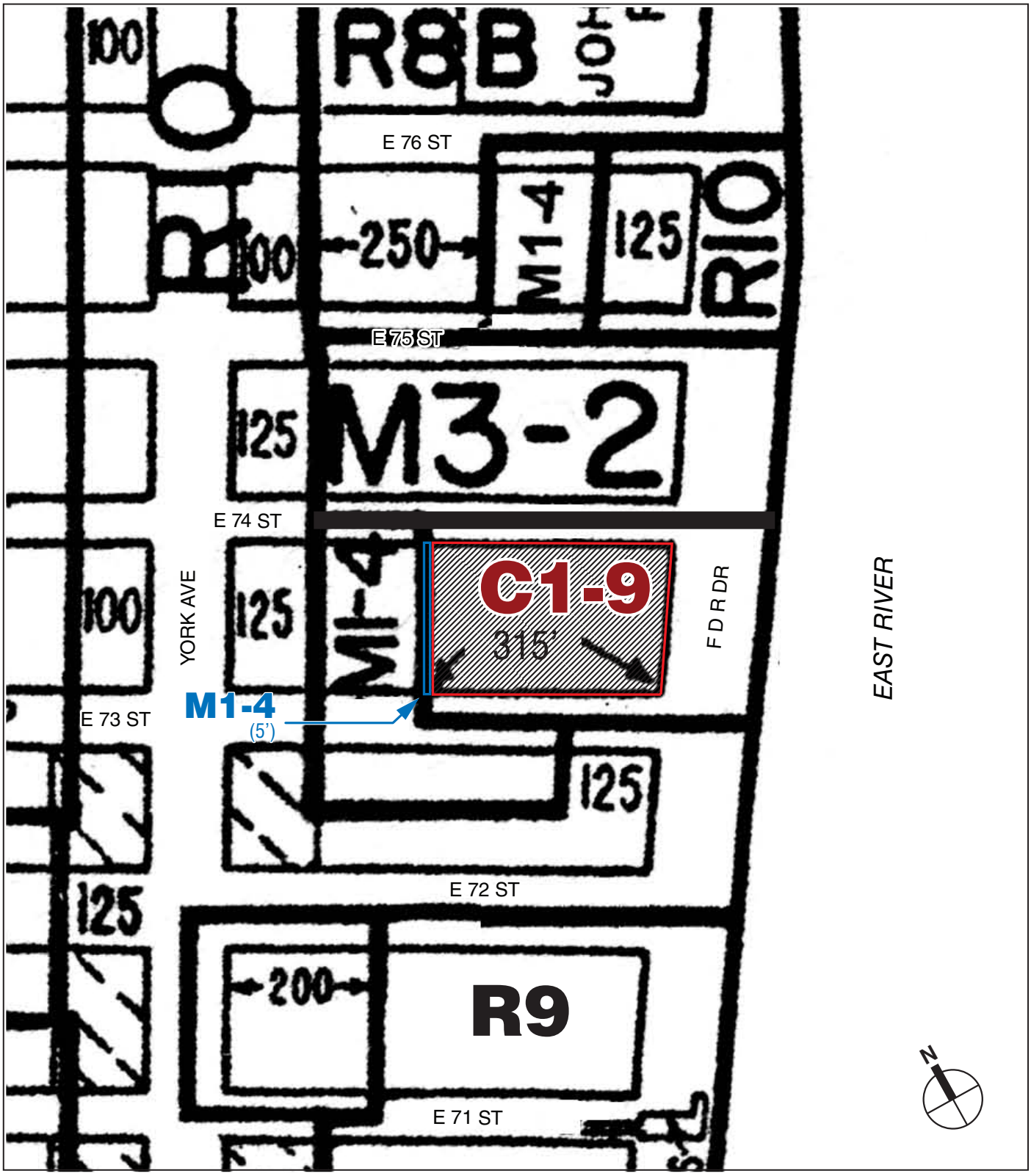
0 100 200 FEET

SCALE

Existing Zoning

Figure S-6

3.12.13



Project Site
Zoning District Boundary
C1-5 Overlay
Proposed C1-9 Zoning Boundary
Proposed M1-4 Zoning Boundary

0 100 200 FEET
SCALE

Proposed Zoning

MSK ACC | CUNY-HUNTER

Figure S-7

an improvement is provided to a public park located within the same community district or within a 1-mile radius of the proposed development.

- LSGD—Approval to develop the project site as a LSGD pursuant to Zoning Resolution (ZR) Section 74-74 et seq., which would include ZR Section 74-743 special permits to waive bulk, side yard, rear yard equivalent, height and setback regulations, and to provide for a 2.0 FAR bonus, and a ZR Section 74-744 special permit to waive signage regulations as follows:

  ZR 33-25: Minimum Required Side Yards

  Side yards are not required in C1-9 districts. However, if an open area extending along a side lot line is provided at any level, it shall be either (a) at least eight feet wide at every point; or (b) at least five feet wide at every point, with an average width of eight feet in accordance with the remaining provisions of ZR 33-25. The proposed project would provide a side yard along the western side lot line of the zoning lot with a width of 3 feet. The width represents that necessary for a seismic separation from the building to the west, which is approximately 2.5 feet, plus an additional 0.5 feet of open space to permit the resulting gap to be suitably maintained and cleaned.

  ZR 33-283(b): Required Rear Yard Equivalents

  On any through lot with a depth in excess of 110 feet, a rear yard equivalent must be provided that either (a) is an open area with a minimum depth of 40 feet midway between the two street lines upon which such through lot fronts, or (b) is two open areas, each adjoining and extending along the full length of the street line, each with a minimum depth of 20 feet, or (c) is an open area adjoining and extending along the full length of each side lot line, each with a minimum width of 20 feet. As set forth in ZR 33-302, no rear yard equivalent is required for any portion of the zoning lot within 100 feet of the street line along the short dimension of a block where the front lot line of the zoning lot coincides with all of the street line measuring less than 230 feet between two intersecting streets, which in this case is the eastern portion of the zoning lot from the FDR Drive to 100 feet westerly from the FDR Drive.

  In addition, ZR 33-23 permits the location of a portion of a nonresidential building to be located within a rear yard equivalent provided that that the height of such building does not exceed one story or 23 feet above curb level, whichever is less. The proposed buildings exceed 23 feet in height within the rear yard equivalent type (b) on the through lot along the street line of East 73rd Street and East 74th Street.

  The proposed project would be built full to its street frontages including the FDR Drive. A 3 foot noncomplying side yard is provided along the western lot line. No open space that could qualify as a rear yard equivalent is provided midway between East 73rd or East 74th Streets, along those streets for that portion of the zoning lot deemed a through lot (beyond 100 feet from the FDR) or along the western side lot line. The portions of the buildings located within any part of the zoning lot that might have qualified as a location for a rear yard equivalents exceed the 23 feet height allowed for permitted obstructions for community facility buildings.

  ZR 33-432: Maximum Height of Walls and Required Setbacks

  In C1-9 districts if the front wall or other portion of a building is located at the street line of a narrow street or within the initial setback distance of 15 feet from a wide street line, or 20 feet from a narrow street line, the height of such front wall or portion of a building within the initial setback distance shall not exceed 85 feet above curb level. Above 85 feet and

beyond the 15 feet initial setback on a wide street, or the initial 20 feet setback on a narrow street, the building cannot penetrate the sky exposure plane set forth in ZR 33-432. The proposed buildings have front walls that exceed the maximum front wall height, do not provide qualifying initial setbacks and penetrate the sky exposure planes on East 73rd Street (a narrow street) and East 74th Street (a narrow street) and the FDR Drive (a wide street).

ZR 33-123: Floor Area Regulations

In C1-9 districts, community facility buildings are permitted to be developed to an FAR of 10.0. The proposed buildings would be developed to an FAR of 12.0.

ZR 32-641 (Total Surface Area of Signs)

In C1-9 districts, the total surface area of all permitted signs, including non-illuminated or illuminated signs, are not permitted to exceed 150 sf of total surface area for a through lot of 150 sf on each frontage of a corner lot. Total surface area of all signs proposed in connection with the proposed project amounts to 4,520 sf, which exceeds the permitted total surface area of 1,200 sf by 3,320 sf.

ZR 32-642: Non-Illuminated Signs

In C1-9 districts, non-illuminated signs are not permitted to exceed 150 sf of total surface area for a through lot or 150 sf on each frontage of a corner lot. A non-illuminated sign of 125 sf is proposed at the north façade, near the entry of the MSK ACC and a non-illuminated sign of 25 sf is proposed on the north façade, over the entry canopy of the CUNY-Hunter Building (see **Figure S-8**). These signs are in addition to the allowable 150 sf of total surface area for a through lot and the allowable 150 sf on each frontage of a corner lot.

ZR 32-643: Illuminated Non-Flashing Signs

In C1-9 districts, illuminated non-flashing signs are not permitted to exceed 50 sf of total surface area for a through lot on 50 sf on each frontage of a corner lot. Two indirectly illuminated non-flashing signs of 1,290 sf each are proposed on the north and east façades of the MSK ACC and one indirectly illuminated non-flashing sign of 500 sf is proposed on the west façade of the CUNY-Hunter Building (see **Figure S-9**).

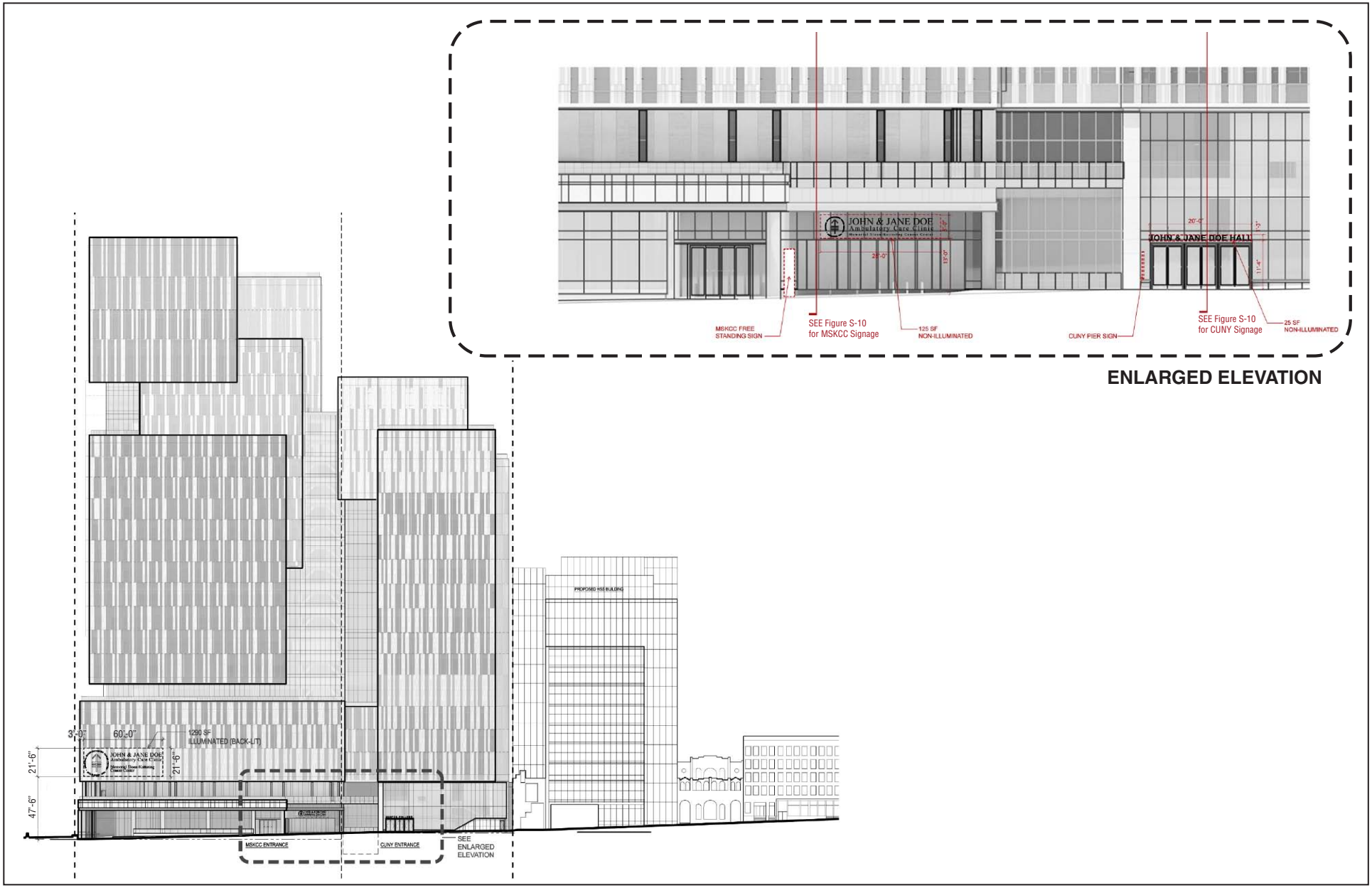
A freestanding illuminated non-flashing sign of 65 sf is also proposed to aid in directional wayfinding at the vehicular drop-off of the MSK ACC. A façade-mounted illuminated non-flashing sign of 25 sf is proposed at the entry to the CUNY-Hunter Building (see **Figure S-10**).

The above noted illuminated non-flashing signs are in addition to the permitted 50 sf of total surface area for a through lot and the permitted 50 sf on each frontage of a corner lot.

ZR 32-655: Height of Signs in Other Commercial Districts

In C1-9 districts, all permitted signs are not permitted to extend more than 25 feet above the curb level. Two signs are proposed at maximum height of 69 feet on the MSK ACC. One sign is proposed at a maximum height of 116 feet on the CUNY-Hunter Building (at the mechanical floor level). These heights are measured from average curb elevation.

- Special Permit for Parking—Approval of a special permit pursuant to ZR Section 13-562 to increase the number of accessory parking spaces up to 250, which is approximately 84 more than permitted as a matter of right.



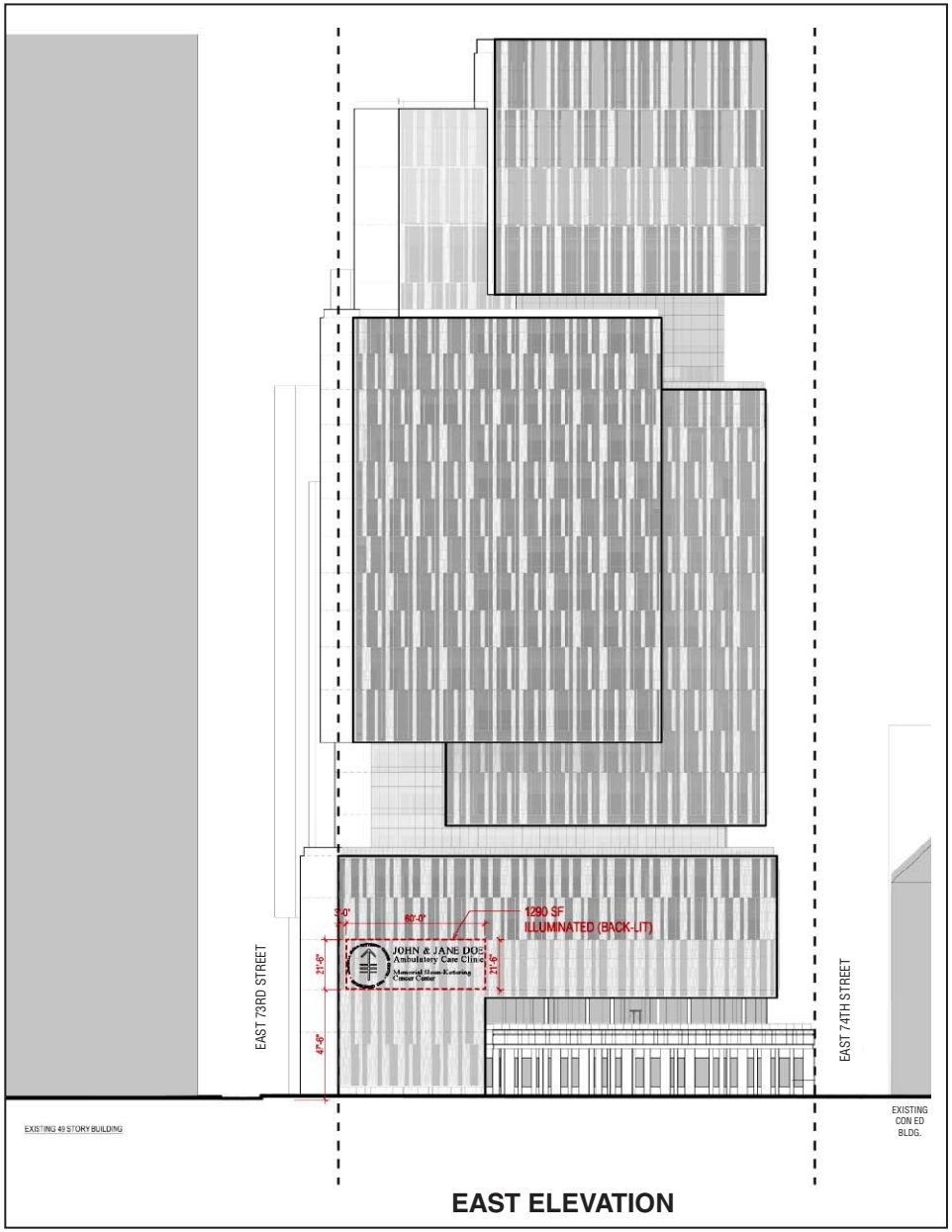
Source: Perkins Eastman | Ennead Architects

For Illustrative Purposes Only

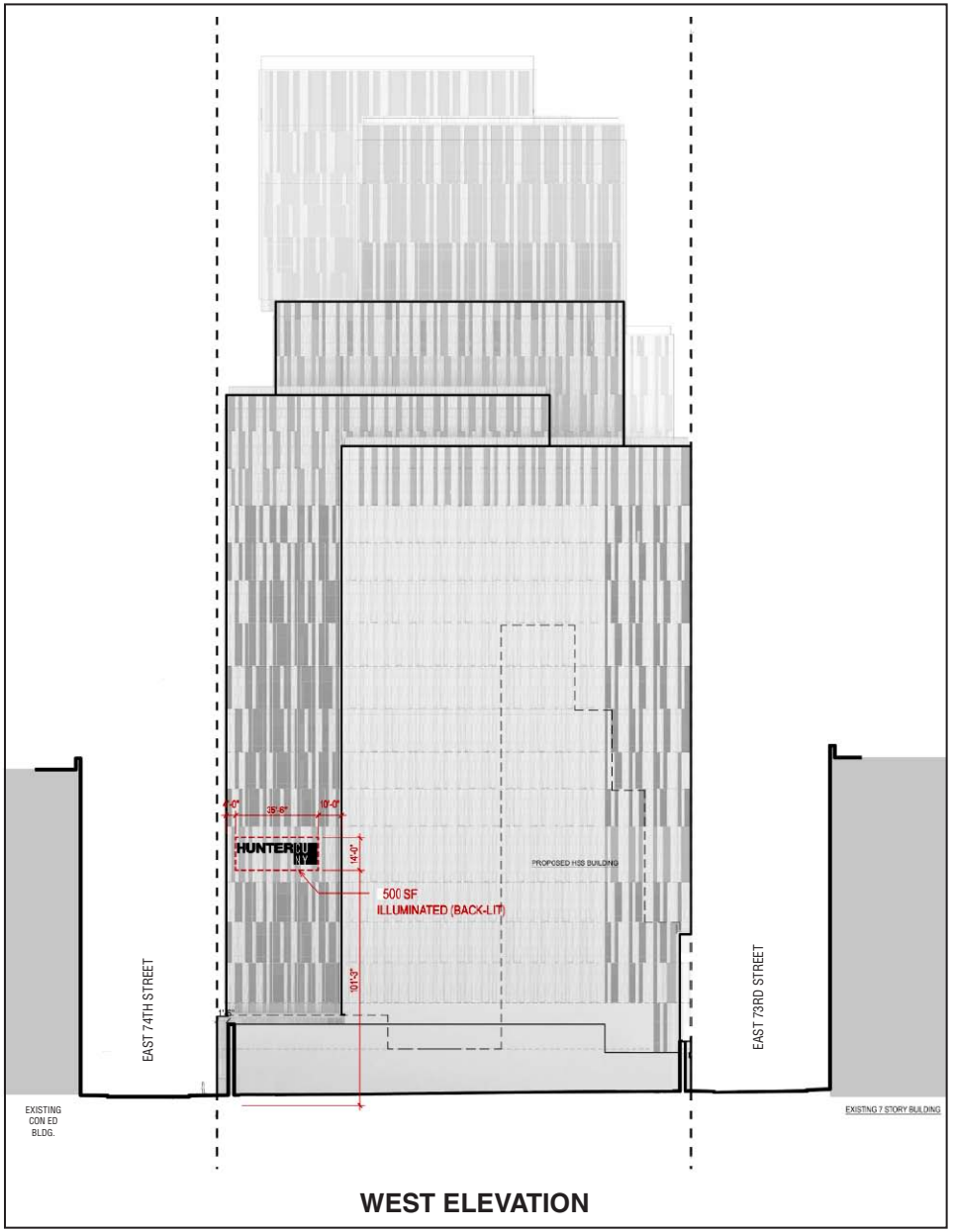
MSK ACC | CUNY-HUNTER

Signage - North Elevation

Figure S-8



EAST ELEVATION



WEST ELEVATION

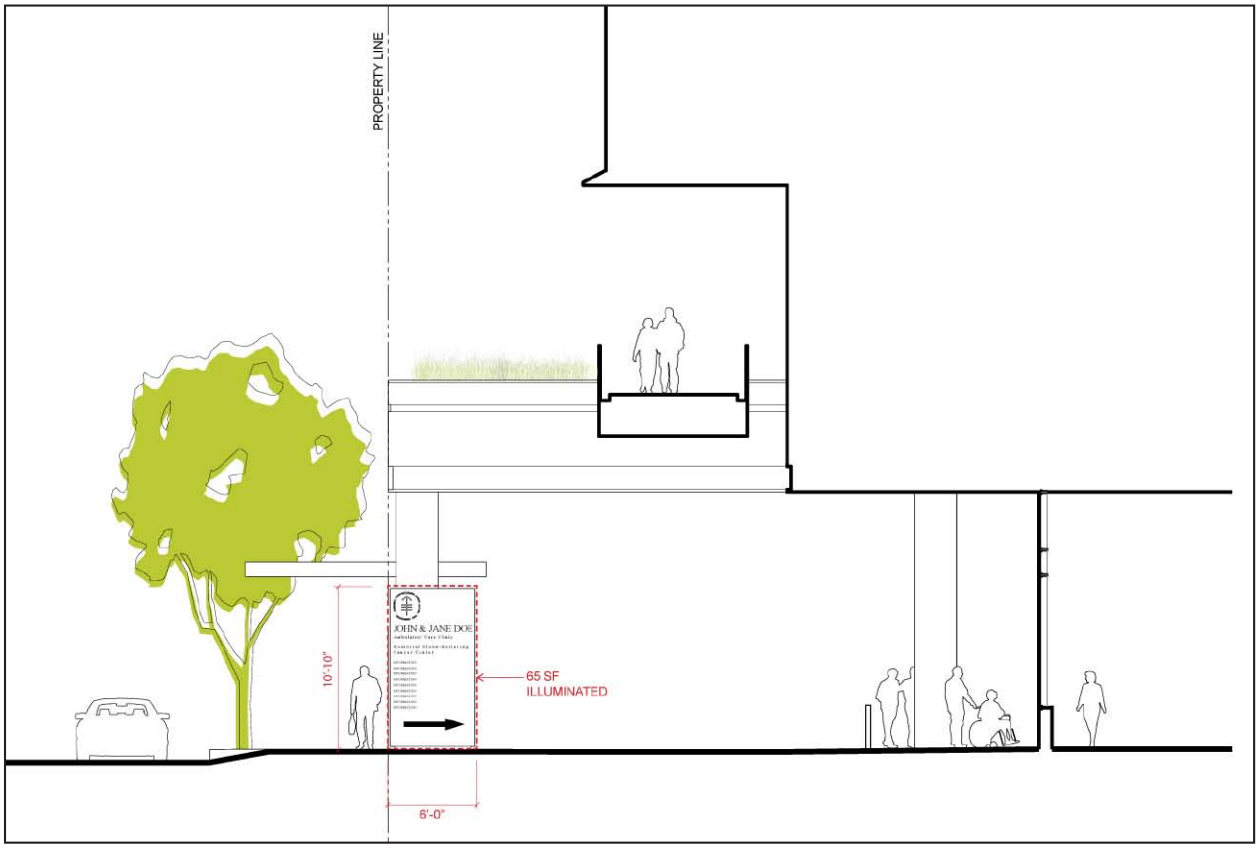
Source: Perkins Eastman | Ennead Architects

For Illustrative Purposes Only

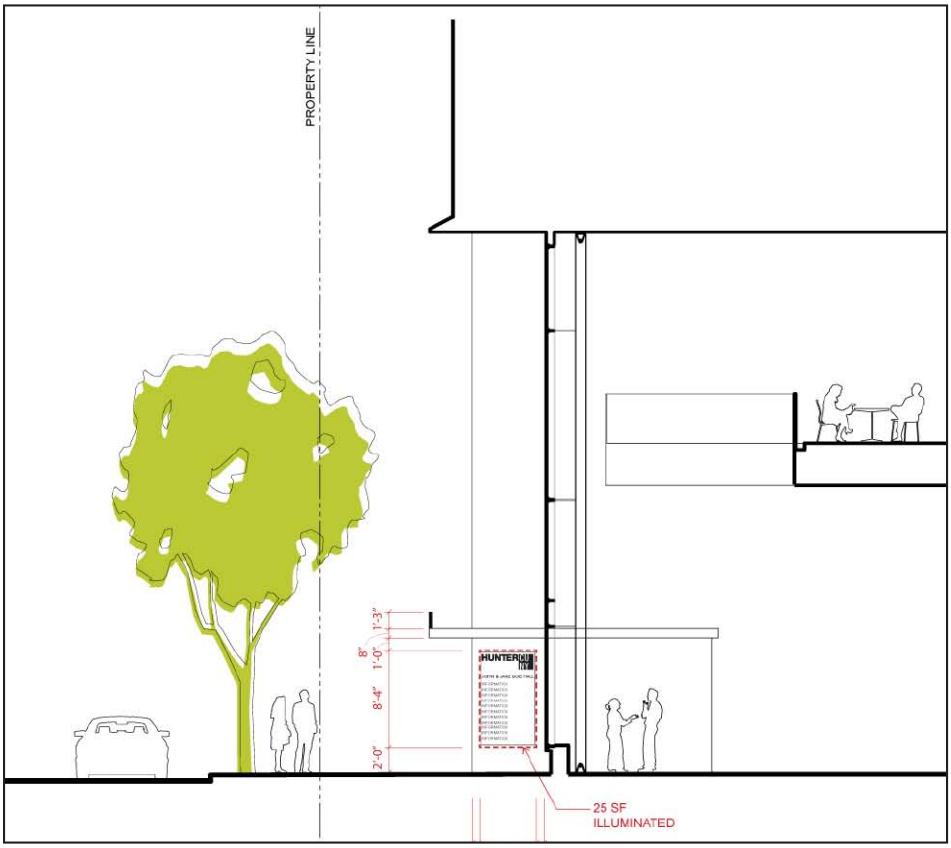
Signage - East and West Elevations

MSK ACC | CUNY-HUNTER

Figure S-9



MSKCC Signage



Source: Perkins Eastman | Ennead Architects

CUNY Signage

For Illustrative Purposes Only

OTHER AGENCY APPROVALS

A certification by the Commissioner of Buildings to permit an entrance and exit to an accessory parking facility to be located within 50 feet of an intersection will be required.

A Certificate of Need is required from the New York State Department of Health for the proposed MSK ACC.

Both CUNY and MSK anticipate using DASNY funding. For purposes of SEQR, DASNY's proposed actions are Authorization of the Issuance of Bonds and/or Authorization of the Expenditure of Bond Proceeds. Therefore, DASNY would be an involved agency.

The CUNY Board must approve, undertake, and fund the CUNY-Hunter Building. For purposes of SEQR/CEQR, CUNY's proposed action is the Final Approval of the undertaking and funding of the proposed project. Therefore, CUNY would be an involved agency.

CUCF must also approve acquisition of the real property. For purposes of SEQR/CEQR, CUCF's proposed action is the Final Approval of the acquisition of real property. Therefore, CUCF would be an involved agency.

PROJECT POPULATION

With the proposed project it is anticipated that approximately 1,620 staff would work at the MSK ACC, with an estimated 1,335 patients and 2,670 visitors per day.

MSK Building	Population (persons)
Staff	1,620
Patients	1,335
Visitors and Family	2,670
Total	5,625

MSK estimates that 95 percent of the staff would be in the building daily. With 1,539 staff coming to the building each day, the total population over the course of the day would reach 5,544. However, since patients would arrive based on the time of their appointments and depart based on the length of their tests, treatments, or procedures, the entire daily population would not be on the site at once. In addition, staff schedules would be staggered throughout the day to meet patient demand.

In addition to the 2,944 students, faculty, and visitors, Hunter College expects that the single, 350-seat auditorium in the building would be used by students from the main Hunter College campus at Lexington Avenue and East 68th Street. When the auditorium is in use, the population of the building could reach 3,294. However, it is unlikely that all the students and staff would be on the campus at the same time given differing class and work schedules.

CUNY-Hunter Building	Population (persons)
Undergraduate Students	1,130
Graduate Students	1,219
Faculty	267
Staff	280
Visitors	48
Total	2,944

ANALYTICAL FRAMEWORK

ENVIRONMENTAL REVIEW PROCESS

Most state, county, and local government agencies in New York State, except the State Legislature and the courts, must comply with the State Environmental Quality Review Act (SEQRA; Article 8 of the New York State Environmental Conservation Law) when undertaking or approving discretionary actions that could affect the environment. New York City has promulgated CEQR procedures to implement SEQRA for such actions involving City agencies.

To understand the environmental consequences of their decision-making, and to afford the public an opportunity to participate in identifying such consequences, all discretionary decisions of an agency to approve, fund, or directly undertake an action are subject to review under CEQR, unless explicitly excluded or exempted under the regulations. Discretionary decisions involve choices to be made by the decision-makers that determine whether and how an action is to be taken. Non-discretionary or ministerial decisions for which the only determination of an action's approval is verification of compliance with specific and pre-determined criteria (e.g., issuance of a building permit) are not subject to CEQR.

LEGISLATIVE APPLICABILITY

This document has been prepared pursuant to the SEQRA, Article 8 of the New York State Environmental Conservation Law, and its implementing regulations (6 NYCRR Part 617) and CEQR requirements as established in Executive Order No. 91 of 1977, as amended, and in Title 62 of the Rules of the City of New York, Chapter 5.

PROCESS OVERVIEW

The following section provides a summary of the procedural framework utilized to comply with environmental review regulations.

Establishing a Lead Agency

Under SEQR and CEQR, the "lead agency" is the public entity responsible for conducting the environmental review of a proposed action. Other agencies can also participate in the review process as involved or interested agencies. Involved agencies are those with discretionary decisions to make regarding some aspect of the proposed project. Interested agencies are agencies without jurisdiction to fund, approve, or undertake an action, but that wish to comment during the review process. ODMED in the Office of the Mayor is the lead agency for the preparation of this DEIS.

Determination of Significance

The lead agency's first decision is to determine whether a proposed action may have a significant adverse impact on the environment. This is based on an EAS, which includes information about the existing environmental setting of the proposed action, as well as a screening analysis to determine its potential to have significant adverse impacts. On reviewing the EAS prepared for the proposed project, ODMED determined that it could have a significant adverse effect on the environment, requiring that an EIS be prepared. ODMED issued a Positive Declaration for the proposed project on October 2, 2012.

Scoping

Once a lead agency issues a Positive Declaration, the scope of the environmental studies to be undertaken as part of the EIS is established and shared with interested and involved agencies and the public. "Scoping" is the process of focusing the environmental impact analyses on the key issues that are to be studied and creating an opportunity for the public to comment on the intended effort. The lead agency provides a DSOW to all involved agencies, makes it publicly available, and to anyone who has expressed interest in the project. Although SEQR does not mandate public scoping, CEQR does require a public scoping meeting. Under CEQR, governmental agencies and the public are given the opportunity to provide comments on the DSOW. After considering such comments, the lead agency prepares and issues an FSOW.

For the proposed project, the DSOW was issued by ODMED on October 2, 2012. A public scoping meeting was held on November 1, 2011 in the Kaye Theater at Hunter College, on East 68th Street between Park and Lexington Avenues, New York, New York. The scoping meeting was continued on December 4, 2012, at the Mortimer B. Zuckerman Research Center Auditorium of the Memorial Sloan-Kettering Cancer Center, 415 East 68th Street, New York, New York, and the period for the submission of written comments was extended to December 14, 2012. After considering comments received during the public comment period, an FSOW was prepared to direct the content and preparation of the DEIS.

The FSOW was issued on March 12, 2013.

Preparation of the DEIS

The DEIS is a comprehensive document used to consider systematically the probable environmental effects of a proposed action, evaluate reasonable alternatives, and identify feasible mitigation measures that, to the maximum extent practicable, can address any potentially significant adverse environmental impacts of a proposed action. The lead agency reviews all aspects of the document to determine its adequacy and adherence to the work effort outlined in the FSOW. Once the lead agency is satisfied that the DEIS is complete for purposes of public review, it issues a Notice of Completion and circulates the DEIS for public review.

Public Review

Publication of the DEIS and issuance of the Notice of Completion starts public review, which must include a public hearing and a public comment period that must extend for at least 30 days and must remain open for at least 10 days after the close of the hearing. The lead agency must publish a notice of the hearing at least 14 days before it takes place. All substantive comments become part of the CEQR record and must be summarized and responded to in the Final EIS (FEIS).

Preparation and Completion of the FEIS

After the close of the public comment period, the lead agency prepares the FEIS. The FEIS must include a summary of the substantive comments received and the lead agency's responses to the comments. When the lead agency has reviewed the FEIS and determines it is a complete and adequate document, a Notice of Completion of the FEIS is issued. The completed FEIS is available to agencies and the public for a minimum of 10 days before the lead agency and the involved agencies can make their respective findings as to the expected environmental impacts of the proposed project, after which such agencies are in a position to make their respective decisions on the proposed project.

Statement of Findings

The lead agency and each involved agency must adopt a formal set of written findings based on the FEIS, reflecting its conclusions about the potential significant adverse environmental impacts of the proposed project, potential alternatives, and potential mitigation measures. The Statement of Findings may not be adopted until 10 days after the Notice of Completion for the FEIS has been issued.

In accordance with 6 NYCRR Part 617.11(d), a SEQR Findings Statement issued in connection with a project approval must (i) consider the relevant environmental impacts, facts, and conclusions disclosed in the FEIS; (ii) weigh and balance environmental impacts with relevant social, economic, and other considerations; (iii) provide the rationale for the agency's decision; (iv) certify that the requirements of 6 NYCRR Part 617.11(d) were met; and (v) certify that consistent with social, economic, and other essential considerations, and considering the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent practicable while still accomplishing the goals and objectives of the project, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures identified as practicable.

Once the findings are adopted, the SEQR/CEQR process is completed, and the lead agency and involved agencies may approve and implement the proposed action.

COORDINATION WITH WATERFRONT REVITALIZATION PROCESS

The City has adopted the Local Waterfront Revitalization Program (LWRP) pursuant to the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act. Discretionary actions subject to CEQR and occurring within the program's boundaries are to be reviewed by the lead agency for consistency with the program's policies. Since the project is located within the designated Coastal Zone of New York City, the LWRP consistency assessment is incorporated into this EIS. In accordance with 6 NYCRR Part 617.11(e), for actions located in coastal areas, written findings must first be issued that that action is consistent to the maximum extent practicable with the local waterfront revitalization program before any agency can make a final decision.

B. PROBABLE IMPACTS OF THE PROPOSED PROJECT

LAND USE, ZONING, AND PUBLIC POLICY

As described in detail in this chapter, the proposed project would not result in any significant adverse impacts on land use, zoning, or public policy. The proposed project would not directly displace any land uses so as to adversely affect surrounding land uses, nor would the proposed project generate land uses that would be incompatible with land uses, zoning, or public policy in the study area. The proposed project would not create land uses or structures that would be incompatible with the underlying zoning, nor would the proposed project cause any existing structures to become non-conforming. The proposed project would not result in land uses that conflict with public policies applicable to the study area.

The proposed project would result in the construction of a new ambulatory care center and a new science and health professions building, which would complement the existing and planned health- and education-related institutional uses in the study area. The proposed project would be

compatible with the residential and commercial uses in the study area, many of which cater to the faculty, staff, and student populations of the institutions. While the development of the two buildings on the project site would represent a change from the No Build condition in which the site would remain largely vacant, this change would add active ground floor uses and would be consistent with (or shorter than) other existing structures in the study area. The setbacks and overhangs of the proposed buildings would contribute to creating a visually dynamic waterfront and become part of the dense surrounding development.

The discretionary approvals being requested for the proposed project include a disposition of City property; a zoning map amendment to rezone the project site and an approximately 6 inch wide portion of Block 1485, Lots 14 and 39 immediately west of the project site from M3-2 to C1-9 and to extend the existing M1-4 zoning district (on Block 1485, Lots 14 and 39, to the west) east to the boundary of the proposed C1-9 district; a zoning text amendment to establish a new provision in the LSGD special permit to allow a predominantly community facility development in a C1-9 district in Community District 8 in Manhattan to qualify for a floor area bonus of up to 20 percent by providing a public park improvement within the same community district or within a 1-mile radius of the proposed project; special permits to waive bulk, side yard, rear yard equivalent, height and setback regulations, and sign regulations, and to provide for a 2.0 FAR bonus; and a Special Permit for accessory parking beyond the number of spaces allowed as-of-right. The proposed project would also require certification by the Commissioner of Buildings to permit an entrance/exit to an accessory parking facility to be located within 50 feet of an intersection.

The proposed special permits would be specific to the project site and would not apply to any other areas. The proposed text amendment would allow an FAR bonus since MSK would make a substantial contribution to the New York City Department of Parks and Recreation (DPR) for Phase 2B of the park improvement plan for Andrew Haswell Green Park, a 1.98-acre parcel owned by the City, under the jurisdiction of DPR and located roughly between East 59th Street and East 63rd Street along the East River Esplanade, as described below in "Open Space." Improvement to this park would allow 1.1 acres of the open space to be opened to the public, and would amount to a substantial contribution to the East River Esplanade in this section of the waterfront and to all the people who use the esplanade for outdoor recreation such as walking and jogging.

The proposed project would be consistent with and supportive of PlaNYC's policies and goals, the ten criteria of the New York State Smart Growth Public Infrastructure Policy Act, and the Coastal Zone policies and the City's Waterfront Revitalization Program (WRP).

OPEN SPACE

DIRECT EFFECTS

The proposed project would not remove any open space, but would cast shadow on a portion of the East River Esplanade in the afternoon in all seasons of the year and on John Jay Park in December.

While MSK would provide funding to DPR for improvements to Andrew Haswell Green Park, this 1.98 acre open space is located outside the study area near East 61st Street. Therefore, it is not counted in the quantitative assessment of impacts. Further, both MSK and CUNY would provide open space on the project site. While those open spaces would serve users of the proposed project, they would not be open to the public, and they are not counted in the quantitative analysis.

INDIRECT EFFECTS

The project site is located in an area that, according to the 2012 *CEQR Technical Manual*, is underserved in terms of open space. Underserved areas are defined as areas having a high population density and being located far from parkland such that the amount of open space per 1,000 residents is less than 2.5 acres.

According to the *CEQR Technical Manual*, a worker population of over 125 may noticeably diminish the ability of open spaces in the area to serve the total future population. As the proposed project would generate well over the 125-worker threshold for analysis a detailed analysis was undertaken. The quantitative assessment of open space is based on ratios of usable open space acreage to the study area populations (the "open space ratios").

The proposed project would decrease the total, active, and passive open space ratios in the study area by 31.7 percent. The passive open space ratio would decrease by 32 percent, but would remain above the City's passive open space guidelines with the proposed project. Therefore, the proposed project would result in a significant adverse impact on passive open space.

The proposed project would partially reduce the additional demand for open space presented by its worker and student population in the study area by providing interior and outdoor passive spaces that would be attractive and much closer to the employee and student populations generated by the proposed project. These facilities, while not open to the public, would likely serve the needs of MSK and CUNY's workers, students, and faculty members seeking places to take short breaks, and would decrease the number of non-residents who would seek out public open space resources in the area.

In addition, MSK would make a substantial contribution to DPR for Phase 2B of DPR's improvement plan for Andrew Haswell Green Park. While the improvement to 1.1 acres of this park would be a part of the East River Esplanade which runs by the project site, this improvement is outside the study area.

SHADOWS

The analysis concluded that the proposed project would cast new shadows on portions of the adjacent East River Esplanade in the spring, summer, and fall afternoons for durations between two hours and 20 minutes and up to three hours and 40 minutes depending on the season, but that most of the new shadow would fall on a section of the esplanade containing only a narrow bikeway/walkway connector extending between the FDR Drive and a two-story structure related to the Con Edison Steam Plant. Therefore, the proposed project would not cause a significant adverse impact to the esplanade. New project-generated shadow would also fall on John Jay Park, a few blocks north of the project site, on the winter analysis day only. The new shadow would last for a total of two hours and 38 minutes and would fall on different areas as it moves across the space, but would never eliminate all the remaining sun and would not significantly impact the use of the space. A few other resources, including the East River, would also receive project-generated shadow but would not experience significant adverse shadow impacts.

HISTORIC AND CULTURAL RESOURCES

The proposed project would not have any significant adverse impacts on historic and cultural resources on the project site and study area. There are no historic resources and cultural resources on the project site. The New York State Office of Parks, Recreation, and Historic Preservation found two structures in the study area eligible for listing on the State and National

Registers of Historic Places: the Con Edison East 74th Street Steam Plant and the garage at 524 East 73rd Street. Both are located within 90 feet of the project site. A Construction Protection Plan (CPP) would be prepared and implemented to avoid inadvertent construction-related impacts on these architectural resources. The proposed project also would not obstruct significant public views of these architectural resources. Although views of the Con Edison Steam Plant would be eliminated from East 73rd Street, unobstructed views of the plant from the immediately surrounding streets and from Roosevelt Island, the East River, and the East River Esplanade would remain. Similarly, although views of the garage at 524 East 73rd Street would be obstructed from East 74th Street by the proposed project, views of the garage from East 73rd Street would remain. Therefore, the proposed project would not have any significant adverse contextual or visual impacts on architectural resources in the study area.

URBAN DESIGN AND VISUAL RESOURCES

While a detailed analysis was undertaken due to the scale of the proposed buildings, the proposed project would not have significant adverse impacts related to urban design and visual resources on the project site and in the study area based on a number of considerations. The proposed project would not alter the arrangement, appearance, or functionality of the project site such that the alteration would negatively affect a pedestrian's experience of the area. Rather, instead of a largely vacant and underutilized lot, the pedestrian would experience new buildings with active ground floors. East 74th Street with the main entrances to both structures would be improved with new street trees and landscaping. While East 73rd Street would be the location of both service entries, the facilities are designed such that trucks maneuver inside the buildings and the docks and storage areas are inside the buildings and out of pedestrian views.

Signs proposed for the north, east, and west façades and the building entrances on East 74th Street would be indirectly illuminated and non-flashing or not illuminated. The larger signs would be visible from a distance and not obtrusive to pedestrians. The smaller signs at the entrances would be wayfinding aids.

In addition, there are no visual resources on the project site and the proposed project would not block significant public views of the East River or the two known architectural resources and one potential architectural resource located in the study area. There would be no adverse impacts on view corridors or visual resources as a result of the proposed project.

HAZARDOUS MATERIALS

The Phase I ESA identified a variety of historical uses of the project site including a Sanitation Department incinerator and garage (with vehicle fueling and maintenance). Although removal of a number of petroleum tanks and petroleum contaminated soil was conducted, contamination of groundwater remained and remediation (and monitoring) continues. The Phase I also noted that partially demolished on-site structures and/or project site fill materials may contain asbestos, lead-based paint (LBP) and/or polychlorinated biphenyls (PCB)-containing elements.

The Subsurface (Phase II) Investigation identified field evidence (e.g., odors) of petroleum contamination in some of the collected soil and groundwater samples. A 1.5-inch layer of petroleum product was measured floating on the water table in one of the geotechnical borings, Laboratory analysis identified /petroleum-related compounds in soil and groundwater samples. Other sampling results were typical of those found at other sites with historical urban fill materials in New York City.

The potential for significant adverse impacts associated with the identified contamination would be avoided by placing an (E) designation for hazardous materials on Block 1485, Lot 15 to ensure that appropriate procedures for any necessary subsurface disturbance are followed prior to, during, and following construction as delineated in the Hazardous Materials chapter of the DEIS.

In addition, the laboratories in the proposed CUNY-Hunter Building would be operated under the same state and local regulations and controls as the existing Hunter College laboratories to manage the use of chemical, biological, and radiological materials. With these measures, there would be no potential for the proposed project to have significant adverse impacts related to the use of hazardous materials.

WATER AND SEWER INFRASTRUCTURE

The aforementioned new uses, and associated project-generated clinic visitors, students, employees, and other users, would increase the project site's water consumption, sewage generation, and storm water runoff as compared to conditions in the No Build condition. However, the following analysis finds that the proposed project would not result in any significant adverse impacts on the City's water supply, wastewater or storm water conveyance and treatment infrastructure.

WATER SUPPLY

By the 2019 analysis year, the proposed project would generate an incremental water demand of 293,090 gallons per day (gpd) as compared to the future without the proposed project. This represents an increase in demand on the New York City water supply system, since the site is currently largely vacant and does not currently generate any water demand. Nevertheless, it is expected that there would be adequate water service to meet the proposed project's incremental water demand, and there would be no significant adverse impacts on the City's water supply.

SANITARY SEWAGE

By the 2019 analysis year, the proposed project would generate an incremental 239,540 gpd of sewage over the future without the proposed project. This incremental volume in sanitary flow to the combined sewer system would represent approximately 0.09 percent of the average daily flow to the Wards Island Wastewater Treatment Plant (Wards Island WWTP). This volume would not result in an exceedance of the Wards Island WWTP's capacity, as per the plant's State Pollutant Discharge Elimination System (SPDES) permit, and therefore would not create a significant adverse impact on the City's sewage conveyance or treatment systems.

STORM WATER

The overall volume of storm water runoff and the peak storm water runoff rate from the project site is anticipated to increase slightly, due to the replacement of the existing paved parking area with more impervious building rooftop. With the incorporation of selected best management practices (BMPs), the peak storm water runoff rates would be reduced from the future without the proposed project and would not have a significant impact on the City's sewage conveyance or treatment systems.

TRANSPORTATION

TRAFFIC

Traffic conditions were evaluated at 19 intersections for the weekday AM, midday, and PM peak hours. Under the future with the proposed project, there would be the potential for significant adverse impacts at 11 different intersections, 8 intersections each during the weekday AM, midday, and PM peak hours, as follows:

Weekday AM Peak Hour

- York Avenue and East 79th Street – eastbound and northbound approaches;
- York Avenue and East 74th Street – eastbound approach;
- York Avenue and East 73rd Street – northbound approach, southbound defacto left-turn, and southbound through/right-turn;
- York Avenue and East 72nd Street – eastbound defacto left-turn and northbound approach;
- York Avenue and East 71st Street – northbound approach;
- York Avenue and East 65th Street – eastbound approach;
- York Avenue and East 61st Street – westbound right-turn; and
- First Avenue and East 65th Street – eastbound approach.

Weekday Midday Peak Hour

- York Avenue and East 79th Street – eastbound and northbound approaches;
- York Avenue and East 75th Street – northbound approach;
- York Avenue and East 74th Street – eastbound and westbound approaches;
- York Avenue and East 73rd Street – northbound and southbound approaches;
- York Avenue and East 72nd Street – eastbound defacto left-turn and northbound approach;
- York Avenue and East 66th Street – northbound approach;
- York Avenue and East 65th Street – eastbound approach; and
- First Avenue and East 65th Street – eastbound approach.

Weekday PM Peak Hour

- York Avenue and East 79th Street – eastbound approach and northbound through/right-turn;
- York Avenue and East 74th Street – eastbound and westbound approaches;
- York Avenue and East 73rd Street – westbound approach, northbound approach, southbound defacto left-turn, and southbound through/right-turn;
- York Avenue and East 72nd Street – eastbound defacto left-turn and northbound approach;
- York Avenue and East 66th Street – southbound approach;
- York Avenue and East 65th Street – eastbound approach;
- First Avenue and 72nd Street – eastbound defacto left-turn; and
- First Avenue and East 65th Street – eastbound approach.

Table S-1 provides a summary of the above impacted locations by analysis time periods. Traffic capacity improvements that would be needed to mitigate these significant adverse impacts are

addressed in Chapter 17, "Mitigation." With the proposed mitigation measures in place, all the significant adverse traffic impacts could be fully mitigated during all three analysis peak hours, with the exception of those at the York Avenue and East 79th Street intersection.

Table S-1
Summary of Significant Adverse Traffic Impacts

Intersection		AM	Midday	PM
EB/WB Street	**NB/SB Street**	**Peak Hour**	**Peak Hour**	**Peak Hour**
East 79th Street	York Avenue	EB-LTR NB-LTR	EB-LTR NB-LTR	EB-LTR NB-TR
East 75th Street	York Avenue		NB-LTR	
East 74th Street	York Avenue	EB-LTR	EB-LTR WB-LR	EB-LTR WB-LR
East 73rd Street	York Avenue	 NB-LTR SB-DefL SB-TR	 NB-LTR SB-LTR	WB-LTR NB-LTR SB-DefL SB-TR
East 72nd Street	York Avenue	EB-DefL NB-LTR	EB-DefL NB-LTR	EB-DefL NB-LTR
East 71st Street	York Avenue	NB-LTR		
East 66th Street	York Avenue		NB-LTR	 SB-LTR
East 65th Street	York Avenue	EB-LR	EB-LR	EB-LR
East 61st Street	York Avenue	WB-R		
East 72nd Street	First Avenue			EB-DefL
East 65th Street	First Avenue	EB-LT	EB-LT	EB-LT

Notes: EB = Eastbound; WB = Westbound; NB = Northbound; SB = Southbound; L = Left Turn; T = Through; R = Right Turn; DefL = Defacto Left Turn

TRANSIT

The preliminary screening assessment summarized below concluded that a bus line-haul analysis of the M66 and M72 bus routes, a line-haul analysis of the future Second Avenue Q subway line, and a detailed analysis of station elements at the 72nd Street/Second Avenue subway station (future Second Avenue Q line), which is currently under Phase 1 construction and planned to open in 2016, were warranted. Based on the results of the transit analyses, the proposed project would not result in any significant adverse impacts on subway line-haul or circulation and control area elements at the future Second Avenue Subway station. In addition, a detailed allocation of incremental bus riders onto specific segments of the M66 and M72 bus routes was performed. This analysis concluded that the proposed project would not have the potential to incur a significant adverse line-haul impact on either of these bus routes.

PEDESTRIANS

Weekday peak period pedestrian conditions were evaluated at key sidewalk, corner reservoir, and crosswalk elements at seven area intersections. It was concluded that the proposed project would not result in any significant adverse pedestrian impacts at any of the analysis locations.

VEHICULAR AND PEDESTRIAN SAFETY

Accident data for the study area intersections were obtained from the New York State Department of Transportation (NYSDOT) for the time period between January 1, 2009 and December 31, 2011. During this period, a total of 280 reportable and non-reportable accidents,

zero fatalities, 209 injuries, and 68 pedestrian/bicyclist-related accidents occurred at the study area intersections. A rolling total of accident data identifies two study area intersections as high accident locations in the 2009 to 2011 period. These locations are First Avenue at East 72nd Street and York Avenue at East 72nd Street.

With the proposed project, the intersection of First Avenue and East 72nd Street would experience moderate increases in vehicular and pedestrian traffic. The incremental vehicular and pedestrian levels at this intersection would be above the *CEQR* analysis threshold of 50 peak hour vehicle trips while the incremental pedestrian levels would be below the *CEQR* analysis threshold of 200 peak hour pedestrian trips. The intersection of First Avenue and East 72nd Street would be impacted during the weekday PM peak hour. However, as described in Chapter 17, "Mitigation," the predicted impact at this intersection could be fully mitigated with standard traffic engineering measures. Therefore, the proposed project is not anticipated to exacerbate any of the current causes of pedestrian-related accidents. Nonetheless, additional safety measures, such as the installation of countdown timers on all pedestrian crosswalks, the installation of pedestrian safety signs warning turning vehicles to yield to pedestrians in the crosswalk, and restriping both the faded north and south crosswalks, can be implemented to improve pedestrian safety at this intersection.

With the proposed project, the intersection of York Avenue and East 72nd Street would experience noticeable increases in vehicular and pedestrian traffic. The incremental vehicular and pedestrian levels at this intersection would be above the *CEQR* analysis threshold of 50 peak hour vehicle trips and 200 peak hour pedestrian trips. The intersection of York Avenue and East 72nd Street would be impacted during all three analysis peak hours. However, as described in Chapter 17, "Mitigation," the predicted impacts at this intersection could be fully mitigated with standard traffic engineering measures. Therefore, the proposed project is not anticipated to exacerbate any of the current causes of pedestrian-related accidents. Nonetheless, additional safety measures, such as the installation of countdown timers on all pedestrian crosswalks and the installation of pedestrian safety signs warning turning vehicles to yield to pedestrians in the crosswalk, can be implemented to improve pedestrian safety at this intersection.

PARKING

The proposed project would displace existing public parking spaces and include new off-street accessory parking spaces. In the Build condition, anticipated future development projects (including No Build projects and the proposed project) are expected to displace the surface public parking lot on the western portion of the project site, for a total displacement of 128 parking spaces. The proposed project would include a total of up to 250 off-street accessory parking spaces. Accounting for the displacement of the public parking spaces, the addition of the accessory parking spaces, and the parking demand generated from background growth, No Build projects, and the proposed project, the Build public parking supply and utilization analysis shows that there would be a parking shortfall during the weekday midday period within the ¼-mile off-street parking study area. It is anticipated that the excess demand could be accommodated with a slightly longer walking distance beyond the ¼-mile radius. Furthermore, as stated in the *CEQR Technical Manual*, a parking shortfall resulting from a project located in Manhattan does not constitute a significant adverse parking impact, due to the magnitude of available alternative modes of transportation.

SUMMARY OF MITIGATION ANALYSIS

Out of the 11 impacted different traffic intersections summarized above, all projected significant adverse impacts, except for those at one study area intersection, could be fully mitigated with readily implementable measures, such as signal retiming, changes to parking regulations, lane restriping, and prohibition of left-turns. The specific measures that would be feasible to mitigate the significant adverse impacts summarized above are further discussed in Chapter 17, "Mitigation." These measures would be subject to the review and approval by the New York City Department of Transportation (NYCDOT).

AIR QUALITY

The maximum predicted pollutant concentrations and concentration increments from mobile sources with the proposed project would be below the corresponding guidance thresholds and ambient air quality standards. In addition, an analysis of the project's accessory parking garage determined there would not be any significant adverse air quality impacts. Therefore, the proposed project would not have significant adverse impacts from mobile source emissions.

Based on the stationary source analyses, there would be no potential significant adverse stationary source air quality impacts from pollutant emissions from fossil fuel-fired boiler and cogeneration systems.

An analysis of the proposed CUNY-Hunter Building's laboratory exhaust system determined there would be no significant impacts in the proposed building or on the surrounding community in the event of a chemical spill in a laboratory.

Based on the analysis of the existing and future large emission sources on the proposed project, there would be no significant impacts. In addition, nearby existing sources from manufacturing or processing facilities were surveyed for their potential impacts on the proposed project. There are no existing permitted sources of manufacturing use emissions within the study area that could affect the proposed project. Therefore, there would be no potential for significant adverse impacts on air quality.

GREENHOUSE GAS EMISSIONS

The building energy use and vehicle use associated with the proposed project would result in up to approximately 27,000 metric tons of carbon dioxide equivalent (CO_2e) emissions per year. Of that amount, up to 20,000 metric tons of CO_2e would be generated by MSK ACC uses, while up to 7,000 metric tons of CO_2e would be generated by CUNY-Hunter Building uses. While the above result includes the incorporation of substantial building energy reduction measures, the proposed project is investigating additional options for reducing energy consumption and the ensuing GHG emissions, which could result lower GHG emissions by up to approximately 5,800 metric tons of CO_2e. Additional GHG emissions associated with the production of materials to be used by the proposed project would be reduced by the selection of lower-carbon alternatives where practicable.

The proximity of the proposed project to public transportation and efficient design are all factors that contribute to energy efficiency. At this time, the proposed project is intending to meet or exceed the requirements for the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) Silver certification. As such, specific measures would need to be incorporated into the design of the proposed project to qualify for the LEED rating, which would decrease the potential GHG emissions from the proposed project as described above.

Based on these project components and efficiency measures, the proposed project would be consistent with the City's emissions reduction goal, as defined in the *CEQR Technical Manual.*

NOISE

The analysis finds that the proposed project would not result in any significant adverse noise impacts due to operations of the project.

The detailed mobile source noise analysis concludes that there would be no significant adverse noise impact with respect to mobile source noise.

The CEQR building-attenuation analysis concludes that in order to meet CEQR interior noise level requirements, up to 38 dBA of building attenuation for the project building would be required by placement of an (E) designation for noise on the project site. Because the project building would be designed to satisfy these specifications, there would be no significant adverse noise impact with respect to building attenuation.

Noise levels in the newly created open spaces would be greater than the 55 dBA $L_{10(1)}$ CEQR guideline, but would be comparable to other parks around New York City. Therefore, there would be no significant adverse noise impacts with respect to the newly created open spaces.

PUBLIC HEALTH

As described in the preceding sections, the proposed project would not result in significant adverse impacts in the following technical areas: air quality, water quality, hazardous materials, or noise.

As a result of traffic noise from the adjacent FDR Drive, noise levels within the proposed project's second and sixth floor terrace open spaces are predicted to exceed the 55-dBA $L_{10(1)}$ threshold contained in the *CEQR Technical Manual* noise exposure guidelines for outdoor areas requiring serenity and quiet, but would be comparable to other parks around New York City. Therefore, there would be no significant adverse noise impacts with respect to the newly created open spaces. Furthermore, the CEQR noise thresholds are based on quality of life considerations and not on public health considerations. Therefore, the proposed project would not result in significant adverse public health impacts.

NEIGHBORHOOD CHARACTER

Based on the methodology of the *CEQR Technical Manual*, a preliminary analysis of the proposed projects' effects on neighborhood character was conducted to determine the need for a detailed analysis. The preliminary analysis concluded that the proposed project would not result in significant adverse impacts to neighborhood character and that a detailed analysis was not necessary.

As described in the relevant chapters of this EIS, while the proposed project could have significant adverse impacts on certain technical areas, including open space, and transportation, these technical areas are not defining features of the neighborhood. In addition, the proposed project would include uses that are already common in the area, including institutional and medical facility uses. Although the new buildings would represent a significant change to the project site, the types of uses would not be new to the area and the proposed changes would result in buildings that would be consistent with the existing mix of bulk, uses, and types of buildings in the neighborhood. The entrance to the proposed below-grade parking garage for the

MSK ACC would located at the east end of the MSK ACC along East 74th Street, and would be in keeping with other accessory parking garages that are found in the immediate area, such as the garage in the residential buildings at 1 East River Place on East 73rd Street. The proposed project would also be an improvement over the largely vacant and underutilized lot by adding new buildings with active ground floors. In addition, open space within the proposed MSK ACC and CUNY-Hunter Building would serve the user population generated by the project, which would help diminish impacts on nearby open spaces in the study area. Further, MSK would make a substantial contribution to DPR for Phase 2B of DPR's improvement plan for Andrew Haswell Green Park, a 1.98-acre open space along the East River Esplanade that is outside the study area. Improvement to this park would allow 1.1 acres of the open space to be opened to the public, and would amount to a substantial contribution to the East River Esplanade in this section of the waterfront and to all the people who use the esplanade for outdoor recreation such as walking and jogging. Overall, the proposed project would revitalize the project site—replacing a largely vacant lot with active uses, and enlivening the neighborhood with street-level activity. Therefore, the proposed project would not have a significant adverse impact on neighborhood character.

CONSTRUCTION

The analysis concludes that the proposed project would result in significant adverse construction impacts with respect to vehicular traffic. The results of the construction analyses for each technical area are discussed in more detail below.

TRANSPORTATION

Peak construction conditions in the 4th quarter of 2016 were considered for the analysis of potential transportation impacts during construction. Based on the construction trip projections and comparison with operational analysis results, construction of the proposed project (the "Build" condition) is expected to result in significant adverse traffic impacts and the potential for a parking shortfall during peak construction, as summarized below. However, no significant adverse impacts to transit or pedestrian conditions are anticipated due to construction. As stated above, it can be expected that construction activities associated with HSS would be substantially lower than those for the proposed project. As a result, cumulative effects of simultaneous construction of the two projects from construction worker and truck trip-making would not be expected to be materially different from the peak construction condition depicted for the proposed project.

Traffic

During peak construction in 2016, the project-generated trips would be less than what would be realized upon the full build-out of the proposed project in 2019. Therefore, the potential traffic impacts during peak construction would be within the envelope of significant adverse traffic impacts identified for the Build condition in Chapter 9, "Transportation." As detailed in Chapter 17, "Mitigation," measures to mitigate the operational traffic impacts were recommended for implementation at 11 different intersections during weekday peak hours. These measures would entail primarily signal timing adjustments and other operational measures, all of which could be implemented early at the discretion of NYCDOT to address actual conditions experienced at that time. However, similar to the operational analysis, traffic impacts during construction at the York Avenue and East 79th Street intersection would likewise be unmitigated. Between the

Draft and Final EIS, in coordination with NYCDOT, additional analysis of construction traffic will be prepared.

Maintenance and Protection of Traffic (MPT) plans would be developed, reviewed, and approved by NYCDOT's Office of Construction Mitigation and Coordination (OCMC) for curb-lane and sidewalk closures as well as equipment staging activities. It is expected that traffic and pedestrian flow along all surrounding streets would be maintained throughout the entire construction period.

Parking

The anticipated construction activities are projected to generate a maximum parking demand of 277 spaces during the 4th quarter of 2016. Based on the parking analysis results presented in Chapter 9, "Transportation," with the proposed project, there would be a parking shortfall of 298 spaces within ¼-mile of the project site. Although the parking demand associated with construction workers commuting via auto would contribute minimally to the overall parking demand in the area, it can be expected that a parking shortfall may still occur during construction. However, as with the analysis results for the operational project presented in Chapter 9, it is anticipated that the excess demand could be accommodated with a slightly longer walking distance beyond the ¼-mile radius. Furthermore, as stated in the *CEQR Technical Manual*, a parking shortfall resulting from a project located in Manhattan does not constitute a significant adverse parking impact, due to the magnitude of available alternative modes of transportation.

Transit

The estimated number of total peak hour transit trips would be 282 during peak construction in 2016. These construction worker trips would occur outside of peak periods of transit ridership and would be distributed and dispersed to nearby transit facilities and would not result in any significant adverse transit impacts during construction.

Pedestrians

The estimated number of total peak hour pedestrian trips traversing the area's sidewalks, corners, and crosswalks would be up to 552 during peak construction in 2016. These trips are expected to have minimal effects on pedestrian operations during the construction peak hours. As discussed in Chapter 9, "Transportation," the proposed project would not result in any significant adverse pedestrian impacts at any of the analysis locations. Therefore, like the Build condition, travel by construction workers would not result in any significant adverse pedestrian impacts.

AIR QUALITY

No significant adverse air quality impacts would be expected at any sensitive receptor locations due to the on-site and off-site construction activities of the proposed project. To ensure that the construction of the proposed project would result in the lowest practicable diesel particulate matter (DPM) emissions, the project would implement an emissions reduction program for all construction activities, including: diesel equipment reduction; clean fuel; best available tailpipe reduction technologies; utilization of newer equipment; source location; dust control; and idle restriction.

Overall, the most intense construction activities (demolition/excavation/foundation work) in terms of air pollutant emissions would be less than two years. Based on the sizes of the proposed project buildings and the nature of the construction work involved, construction activities for the proposed project would not be considered out of the ordinary in terms of intensity and, in fact, emissions would be lower due to the emission control measures that would be implemented during construction of the proposed project. In addition, the project site is generally located at some distance away from sensitive uses, with the Con Edison Steam Plant to the north of the project site, the FDR Drive to the east of the project site, and no sensitive uses immediately to the west of the project site during the demolition, excavation, and foundation work of the proposed project. The nearest existing residential building is located 55 feet south of the project site across East 73rd Street. Its lower levels consist of garage and service uses with residential uses beginning several floors above East 73rd Street. Such distance between the emissions sources and these sensitive locations would result in enhanced dispersion of pollutants and therefore potential concentration increments from on-site sources at such locations would be reduced. Furthermore, the construction would not result in increases in vehicle volumes higher than those identified in the operational condition and, therefore, an off-site construction mobile source analysis is not warranted.

While construction of the HSS building on the adjacent site to the west may occur at the same time as construction of the MSK ACC and the CUNY-Hunter Building, potential concentration increments due to the proposed project on residential locations along East 73rd Street and the Epiphany Community Nursery School on East 74th Street would be considerably diminished by dispersion due to the increased distance between the construction emission sources at the project site and these sensitive receptors. This would occur regardless of construction on the intervening site. Therefore, no significant adverse air quality impacts would occur due to the combined construction impacts of the HSS building and the proposed project.

Based on analysis of all of the factors affecting construction emissions, on-site and off-site construction activities due to construction of the project would not result in any significant adverse impact on air quality.

NOISE AND VIBRATION

Noise

Noise associated with the proposed project's construction activities would not result in any significant adverse impacts. Construction on the project site would include noise control measures as required by the New York City Noise Control Code, including both path and source controls. The nearest sensitive locations are residential and school receptors west and south of the project site on East 73rd and 74th Streets. The construction of the proposed project would be expected to last a total of approximately five years but the most noise-intensive construction activities (demolition/excavation/foundation work) would last for only a portion of this duration, taking approximately 19 months. The construction of the HSS building to the west, being much smaller than the proposed project, would be expected to have a much shorter construction duration than the proposed project, such that even if both projects' construction durations were to overlap, the overall construction period would be less than 24 months. Consequently, exceedances of the CEQR Technical Manual noise impact criteria that would occur at the residential and school receptors west and south of the project site on East 73rd and 74th Streets during the noisiest work would not be expected to occur continuously for 24 months. Therefore, while the noise level increases may be perceptible and intrusive, they would not be considered

"long-term" or significant according to CEQR criteria. During the portions of this period that might coincide with construction of the HSS on the adjacent site, noise level increases due to the construction of the proposed project would be below the CEQR Technical Manual noise impact criteria due to the distance of the proposed project from the nearby receptors and the noise levels generated by the construction activities on the adjacent site. Further, to the extent that the independent construction on the adjacent site is delayed or proceeds in advance of the proposed project, there may be a structure on the adjacent site that would provide noise shielding similar to a noise barrier. The East River Esplanade is located approximately 70 feet east of the construction site and is separated from the site by the FDR Drive. Noise levels at the esplanade from the construction of the proposed project would be imperceptible in comparison to the existing noise levels resulting from traffic on the FDR Drive. Noise levels resulting from the FDR Drive at this location are currently in the high 70s dBA and would be expected to remain as such in the future conditions without the proposed project (the "No Build" condition). Consequently, only minimal exceedances of 2012 *CEQR Technical Manual* impact criteria would be expected to occur and no significant adverse noise impacts would be expected at this location. Therefore, based on these factors, no significant adverse noise impacts would be expected at any sensitive receptor locations from the proposed construction activities.

Vibration

The proposed project is not expected to result in significant adverse construction impacts with respect to vibration. Use of construction equipment that would have the most potential to exceed the 65 vibration decibels (VdB) criterion at sensitive receptor locations (e.g., equipment used during pile driving and rock blasting) would be perceptible and annoying. Therefore, for limited time periods, perceptible vibration levels may be experienced by occupants and visitors to all of the buildings and locations on and immediately adjacent to the construction sites. However, the operations that would result in these perceptible vibration levels would only occur for finite periods of time at any particular location and, therefore, the resulting vibration levels, while perceptible, would not considered to be significant adverse impacts.

OTHER TECHNICAL AREAS

Land Use and Neighborhood Character

Construction activities would affect land use on the project site but would not alter surrounding land uses. As is typical with construction projects, during periods of peak construction activity there would be some disruption, predominantly noise, to the nearby area. There would be construction trucks and construction workers coming to the site. There would also be noise, sometimes intrusive, from building construction as well as trucks and other vehicles backing up, loading, and unloading. These disruptions would be temporary in nature and would have limited effects on land uses within the study area, particularly as most construction activities would take place within the project site or within portions of sidewalks, curbs, and travel lanes of public streets immediately adjacent to the project site. Overall, while the construction at the site would be evident to the local community, the limited duration of construction would not result in significant or long-term adverse impacts on local land use patterns or the character of the nearby area.

Socioeconomic Conditions

Construction activities associated with the proposed project would not result in any significant adverse impacts on socioeconomic conditions. Construction of the proposed project would not

block or restrict access to any facilities in the area or affect the operations of any nearby businesses, including Glorious Foods—a catering business—west of the project site. Lane closures are not expected to occur in front of entrances to any existing or planned retail businesses, and construction activities would not obstruct major thoroughfares used by customers or businesses. Utility service would be maintained to all businesses. Overall, construction of the proposed project is not expected to result in any significant adverse impacts on surrounding businesses.

Construction would create direct benefits resulting from expenditures on labor, materials, and services, and indirect benefits created by expenditures by material suppliers, construction workers, and other employees involved in the construction activity. Construction also would contribute to increased tax revenues for the City and State, including those from personal income taxes.

Community Facilities

While construction of the proposed project would result in temporary increases in traffic during the construction period, access to and from any facilities in the area, including the Epiphany Community Nursery School west of the project site, would not be affected during the construction period. In addition, the construction sites would be surrounded by construction fencing and barriers that would limit the effects of construction on nearby facilities. At limited times, activities such as excavation and foundation construction may be perceptible and intrusive to the residents and the school located generally west of the site. However, as discussed above in "Noise," these noise levels would not be considered "long-term" or significant according to CEQR criteria. Further, they would occur at some distance from the sensitive uses which would be shielded by intervening structures as well as the construction fence surrounding the project site. Construction workers would not place any burden on public schools and would have minimal, if any, demands on libraries, child care facilities, and health care. Construction of the proposed buildings would not block or restrict access to any facilities in the area, and would not materially affect emergency response times significantly. The New York City Police Department (NYPD) and the New York City Fire Department (FDNY) emergency services and response times would not be materially affected due to the geographic distribution of the police and fire facilities and their respective coverage areas.

Open Space

There are no publicly accessible open spaces within the project site, and no open space resources would be used for staging or other construction activities. The nearest open space is the East River Esplanade, which is located across the FDR Drive approximately 70 feet east of the project site. At limited times, activities such as excavation and foundation construction may generate noise that could impair the enjoyment of any nearby open space users, but such noise effects would be temporary. Further, for the East River Esplanade, given the intervening traffic on the FDR Drive and the construction fences around the project site the noise increases may not be perceptible to open space users on the esplanade. Construction of the proposed project would not limit access to the esplanade or other open space resources in the vicinity of the project site. Therefore, construction of the proposed project would not result in significant adverse impacts on open space.

Historic and Cultural Resources

Historic and cultural resources include both archaeological and architectural resources. The study area for archeological resources is the site itself where disturbance from excavation and construction is anticipated. The New York City Landmarks Preservation Commission (LPC) and the New York Office of Parks, Recreation, and Historic Preservation (OPRHP) determined that the project site is not archaeologically sensitive. Since the proposed project is located within 90 feet of the S/NR-eligible Con Edison Steam Plant and the S/NR-eligible garage at 524 East 73rd Street, a CPP would be prepared to avoid inadvertent construction-related impacts on these structures. The CPP would contain measures to avoid construction-related impacts including ground-borne vibration and accidental damage from heavy machinery as appropriate. The CPP would be developed in consultation with LPC and OPRHP and implemented by a professional engineer prior to demolition or construction activities. The CPP would follow the guidelines set forth in Chapter 9, Section 523 of the *CEQR Technical Manual*. With the implementation of the CPP, construction of the proposed project would not result in significant adverse impacts on these architectural resources. Therefore, the proposed project would not result in significant adverse construction-related impacts to historic and cultural resources.

Hazardous Materials

The greatest potential for exposure to any contaminated materials would occur during subsurface disturbance associated with construction of the proposed project. However, the potential for adverse impacts associated with these activities would be avoided by placement of an (E) designation for hazardous materials on the project site and adhering to the following protocols: all remedial activities at the project site (and off-site) would continue to be conducted in accordance with applicable regulations; additional subsurface investigations would be conducted to delineate the extent of the free-phase petroleum product observed within a geotechnical boring on the southeastern portion of the project site to evaluate appropriate remediation measures to address the contamination; if evidence of contaminated soil or rock is encountered, these materials would be disposed of in accordance with applicable federal, state and local regulations; if any underground storage tanks (USTs) are encountered, they would be properly assessed, and removed in accordance with state and local regulations; if more significant soil and/or groundwater contamination is discovered during excavation activities, such contamination would require further investigation and/or remediation in accordance with all applicable regulations; any demolition debris containing suspect asbestos-containing materials (ACM), lead-based paint (LPB), PCBs, and/or USTs encountered during redevelopment would be characterized and disposed of in accordance with applicable local, state and federal regulations; and prior to excavation activities, testing would be performed to evaluate the need for pre-treatment prior to discharge for compliance with DEP discharge permit/approval requirements. With the implementation of these measures outlined above, no significant adverse impacts related to hazardous materials would be expected to occur as a result of the construction of the proposed project.

ALTERNATIVES

The No Action Alternative is the future without the proposed project described in each of the analysis sections of this document. In this case it assumes that the project site would remain undeveloped with only a surface parking lot and the remnants of the former DSNY garage.

Since all other significant adverse impacts were mitigated, the No Unmitigated Impact Alternative focuses on the significant adverse impacts to open space and to traffic.

- For open space, neither reducing the population nor providing publicly accessible open space on-site were considered feasible measures. The former would reduce the proposed employee population from 4,516 to 570 to represent a decrease of no more than a 5 percent in the open space ratio. A reduced staffing level of this nature would not yield workable institutional uses. The later would require that a major portion of the proposed project not be constructed. Therefore, there a No Unmitigated Adverse Impact Alternative does not exist.
- For traffic, the proposed project would result in unmitigated traffic impacts at the intersection of York Avenue and East 79th Street. Due to congested No Build conditions at this intersection, even a small increase in traffic would result in unmitigated impacts. Based on a sensitivity analysis of this intersection, no other feasible mitigation measures could be implemented to mitigate the impacts at this intersection and the project generated vehicle trips would have to be reduced by 95 percent for this intersection to be not impacted. This reduction would not yield workable institutional uses. Therefore, no reasonable alternative could be developed to avoid such impacts without substantially compromising the proposed project's stated goals.

MITIGATION

As discussed above in "Transportation," traffic conditions were evaluated at 19 intersections for the weekday AM, midday, and PM peak hours, and the proposed project would result in significant adverse impacts at 11 different intersections, 8 intersections each during the weekday AM, midday, and PM peak hours. As summarized in **Table S-2**, with the implementation of standard mitigation measures (including primarily signal timing changes and daylighting), the significant adverse traffic impacts identified above could be fully mitigated during all three analysis peak hours, with the exception of those at the York Avenue and East 79th Street intersection.

Table S-2
Summary of Significant Adverse Traffic Impacts

Intersection		AM Peak Hour		Midday Peak Hour		PM Peak Hour	
EB/WB Street	**NB/SB Street**	**Significant Impacts**	**Mit**	**Significant Impacts**	**Mit**	**Significant Impacts**	**Mit**
East 79th St	York Ave	EB-LTR NB-LTR	No No	EB-LTR NB-LTR	No No	EB-LTR NB-TR	No No
East 75th St	York Ave			NB-LTR	Yes		
East 74th St	York Ave	EB-LTR	Yes	EB-LTR WB-LR	Yes Yes	EB-LTR WB-LR	Yes Yes
East 73rd St	York Ave	 NB-LTR SB-DefL SB-TR	 Yes Yes Yes	 NB-LTR SB-LTR	 Yes Yes	WB-LTR NB-LTR SB-DefL SB-TR	Yes Yes Yes Yes
East 72nd St	York Ave	EB-DefL NB-LTR	Yes Yes	EB-DefL NB-LTR	Yes Yes	EB-DefL NB-LTR	Yes Yes
East 71st St	York Ave	NB-LTR	Yes				
East 66th St	York Ave			NB-LTR	Yes	 SB-LTR	 Yes
East 65th St	York Ave	EB-LR	Yes	EB-LR	Yes	EB-LR	Yes
East 61st St	York Ave	WB-R	Yes				
East 72nd St	First Ave					EB-DefL	Yes
East 65th St	First Ave	EB-LT	Yes	EB-LT	Yes	EB-LT	Yes

Notes: EB = Eastbound; WB = Westbound; NB = Northbound; SB = Southbound; L = Left Turn; T = Through; R = Right Turn; and MIT = Mitigation Provided

With respect to construction, the proposed project could result in significant adverse construction traffic impacts. These impacts could be mitigated using the same measures identified for the operational significant adverse traffic impacts, and likewise, traffic impacts during construction at the York Avenue and East 79th Street intersection would be unmitigated. Between the Draft and Final EIS, in coordination with NYCDOT, additional analysis of construction traffic will be prepared.

UNAVOIDABLE ADVERSE IMPACTS

OPEN SPACE

The significant adverse impact of the proposed project on open space would not be fully mitigated. As described above in "Open Space," the proposed project is located in an area that, according to the 2012 *CEQR Technical Manual*, is underserved in terms of open space. Underserved areas are defined as areas having a high population density and being located far from parkland such that the amount of open space per 1,000 residents is less than 2.5 acres. With the proposed project, the passive open space ratio in the study area would decrease by 32 percent (but would remain above the City's passive open space guidelines with the proposed project), resulting in a significant adverse impact on passive open space. However, the open space would remain above the City's passive open guidelines with the proposed project.

The proposed project would partially reduce the additional demand for open space presented by its worker and student population in the study area by providing interior and outdoor passive spaces that would be attractive and much closer to the employee and student populations generated by the proposed project. These facilities, while not open to the public, would likely serve the needs of MSK and CUNY's workers, students, and faculty members seeking places to take short breaks, and would decrease the number of non-residents who would seek out public open space resources in the area.

In addition, MSK would make a substantial contribution to DPR for Phase 2B of DPR's improvement plan for Andrew Haswell Green Park, a 1.98-acre open space along the East River Esplanade that is outside the study area. Previously controlled by the Department of Transportation and used as a heliport, DPR took control of the parcel in 2007 and began the process of developing it into a public park. While the ramp down to the site is open to the public, of the 1.98-acre area, 1.1 acres at the grade of the esplanade has not been opened to public access due to lack of sufficient capital funding to complete necessary infrastructure repairs and replacements-in-kind. The funding would be used by DPR for such repairs, replacements-in-kind, and improvements at DPR's discretion. Based on currently available information, including the Phase 2B plans for Andrew Haswell Green Park issued in 2010, work would include repairs to the piers beneath the platform supporting a portion of the Park; upgrades and repairs to structures; landscaping, paving, railings, and public access features. As previously planned, this work would allow DPR to open the portion of Andrew Haswell Green Park at esplanade grade to public access.

Improvements to parks and public open spaces in the study area were considered, but were not found to be feasible. There are no large unused City-owned properties in the study area. The Upper East Side and Community Board 8 are considered highly desirable places to live, and unutilized or underutilized sites (other than the project site) are not owned by the City. At 1.1 acres, the area of Andrew Haswell Green Park to be improved and made accessible to the public represents a considerable benefit. John Jay Park to the north of the project site is well-

maintained, well-programmed and fully open to the public. Improvements to Andrew Haswell Green Park therefore would be more beneficial. The East River Esplanade across the FDR Drive from the project site is a narrow tract adjacent to a Con Edison oil receiving facility that leaves no space for a pedestrian bridge to touch down or even for the placement of smaller improvements. Improvement to this park would allow 1.1 acres of the open space to be opened to the public, and would amount to a substantial contribution to the East River Esplanade in this section of the waterfront and to all the people who use the esplanade for outdoor recreation such as walking and jogging.

TRANSPORTATION

As discussed above in "Transportation," traffic conditions were evaluated at 19 intersections for the weekday AM, midday, and PM peak hours. Under the future with the proposed project, there would be the potential for significant adverse impacts at 11 different intersections, 8 intersections each during the weekday AM, midday, and PM peak hours. With the proposed mitigation measures in place, all the significant adverse traffic impacts could be fully mitigated during all three analysis peak hours, with the exception of those at the York Avenue and East 79th Street intersection. Therefore, the proposed project would result in unavoidable significant adverse traffic impacts.

CONSTRUCTION

As discussed above in "Construction," the peak construction traffic increments would be lower than the full operational traffic increments associated with the proposed project in 2019. Therefore, the potential traffic impacts during peak construction would be within the envelope of significant adverse traffic impacts identified for the Build condition in Chapter 9, "Transportation." Nonetheless, because existing and No Build traffic conditions at some of the study area intersections through which construction-related traffic would also travel were determined to operate at unacceptable levels during commuter peak hours, it is possible that significant adverse traffic impacts could occur at some or many of these locations during construction. In order to alleviate construction traffic impacts, measures recommended to mitigate impacts associated with the operational traffic of the proposed project could be implemented during construction before full build-out of the proposed project. As detailed in Chapter 17, "Mitigation," measures to mitigate the operational traffic impacts in 2019 were recommended for implementation at 10 out of the 11 different impacted intersections during weekday peak hours. These measures would encompass primarily signal timing adjustments and other operational measures, all of which could be implemented earlier at the discretion of NYCDOT to address actual conditions experienced at that time. However, traffic impacts during construction at the York Avenue and East 79th Street intersection would likewise be unmitigated. Therefore, construction under the proposed project could result in unavoidable significant adverse traffic impacts. Between the Draft and Final EIS, in coordination with NYCDOT, additional analysis of construction traffic will be prepared.

GROWTH-INDUCING ASPECTS OF THE PROPOSED PROJECT

While the proposed uses would result in increased activity on the project site, they do not represent new types of land uses in the study area, which currently contains institutional, commercial, parking, light manufacturing, and residential uses. As described in Chapter 2, "Land Use, Zoning, and Public Policy," the proposed actions would result in development that would be compatible with and complementary to existing study area land uses. The area

surrounding the project site is fully developed, and the level of development is controlled by zoning. As such, the proposed project would not "induce" new growth in the study area. The proposed project and related actions are specific to the project site only.

In addition, as discussed in Chapter 8, "Water and Sewer Infrastructure," the proposed project would not result in any significant adverse impacts to water supply or wastewater and storm water infrastructure. While the proposed project would increase the project site's water consumption, sewage generation, and storm water runoff as compared to the No Build condition, it is expected that there would be adequate water service to meet the proposed project's incremental water demand, and there would be no significant adverse impacts on the City's water supply; the incremental volume in sanitary flow to the combined sewer system would not result in an exceedance of the Wards Island WWTP's capacity, as per the plant's SPDES permit, and therefore would not create a significant adverse impact on the City's sewage conveyance or treatment systems; and with the incorporation of selected BMPs, the peak storm water runoff rates would be reduced from the future without the proposed project and would not have a significant impact on the City's sewage conveyance or treatment systems.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

There are a number of resources, both natural and built, that would be expended in the construction and operation of the proposed project. These resources would include the materials used in construction; energy in the form of gas and electricity consumed during construction and operation of the proposed development; and the human effort (i.e., time and labor) required to develop, construct, and operate various components of the proposed development.

The resources are considered irretrievably committed because their reuse for some purpose other than the proposed project would be highly unlikely. The land use changes associated with the development of the proposed project site may be considered a resource loss. The proposed project would constitute an irreversible and irretrievable commitment of the development site as a land resource, thereby rendering land use for other purposes infeasible, at least in the near term.

These commitments of land resources and materials are weighed against the benefits of the proposed development. The proposed development would bring new institutional uses to an underdeveloped site. This is expected to substantially improve the project site. ✷