McBriar, Robert

From: outgoingagency@customerservice.nyc.gov
Sent: Saturday, September 18, 2004 11:07 PM
To: j_schule@planning.nyc.gov; eespinal@cityhall.nyc.gov
Subject: NYC.gov - Correspondence #1-1-131126394 Message to Director, DCP - ULURP Project Status Questions

Your NYC.gov CRM Correspondence Number is 1-1-131126394
DATE RECEIVED: 09/18/2004 22:03:36
DATE DUE: 10/01/2004

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All other web forms are to be handled by the receiving agency.

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-----Original Message-----

From: PortalAdmin@doitt.nyc.gov
Sent: 09/18/2004 22:03:16
To: sbladmp@customerservice.nyc.gov
Subject: < No Subject >

From: centolanzi@aol.com (Patrick Centolanzi)
Subject: Message to Director, DCP

Below is the result of your feedback form. It was submitted by Patrick Centolanzi (centolanzi@aol.com) on Saturday, September 18, 2004 at 22:03:15

This form resides at
http://www.nyc.gov/html/mail/html/maildcp.html

Message Type: Misc. Comments

Topic: ULURP Project Status Questions

Contact Info: Yes

M/M: Mr.

First Name: Patrick

Middle Name: M

Last Name: Centolanzi

Suffix: PE

Company: NYC Department of Education

Street Address: P. O. Box 1803

City: New York

State: NY

Postal Code: 10163

Country: United States

Work Phone #: 917-881-4217

Email Address: centolanzi@aol.com

Message: Please include this message in the NYC City Planning Commission Public Hearing on Hudson Yards held September 23, 2004. I am unable to attend the hearing and want to leave my comments.

I comment and applaud the NYC/DCP and the MTA/NYC Transit on the wonderful and complete job on the EIS for the Hudson Yards redevelopment.

I am in complete support the the entire Hudson Yard redevelopment, including the Flushing Subway extension, the Javits Center expansion, and the New York Sports and Conventino Center.

I am in favor of connecting the Hudson River Park to the NYSCC by covering over the West Side Highway. I am in favor of the underground moving walkway to connect Penn Station to the West Side. I am also in favor of extending the Highline along 31st Street to MSG as an open, elevated promenade (rather than an enclosed walkway ending on the West Side of 8th Avenue as described in the EIS.

I also support the NYC Olympic Bid, and as such, I support the NYSCC to be built.

REMOTE_HOST: 172.140.170.32
HTTP_USER_AGENT: Mozilla/4.0 (compatible; MSIE 6.0; Windows NT 5.1; SV1)

****

P M Centolanzi
P. O. Box 1803
Grand Central Station
New York, NY 10163

Mr. Emil F. Dul, PE, Principal Engineer
Sustainability and Environmental Management
MTA/New York City Transit
2 Broadway, 2nd Floor
New York, NY 10004

Patrick M. Centolanzi, PE
P. O. Box 1803
Grand Central Station
New York, NY 10163

September 19, 2004

Mr. Emil F. Dul, PE, Principal Engineer
Sustainability and Environmental Management
MTA/New York City Transit
2 Broadway, 2nd Floor
New York, NY 10004

Dear Mr. Dul:

Please include this message in the NYC City Planning Commission Public Hearing on Hudson Yards held September 23, 2004. I am unable to attend the hearing and want to leave my comments.

I compliment and applaud the NYC/DCP and the MTA/NYC Transit on the wonderful and complete job on the EIS for the Hudson Yards redevelopment.

I am in complete support of the entire Hudson Yard redevelopment, including the Flushing Subway extension, the Javits Center expansion, and the New York Sports and Convention Center (NYSCC).

I am in favor of connecting the Hudson River Park to the NYSCC by covering over the West Side Highway. I am in favor of the underground moving walkway to connect Penn Station to the West Side. I am also in favor of extending the Highline along 31st Street to MSG as an open, elevated promenade (rather than an enclosed walkway ending on the West Side of 8th Avenue as described in the EIS).

I also support the NYC Olympic Bid, and as such, I support the NYSCC to be built. The NYSCC, along with an expanded Javits Center, will allow New York City to take its rightful place as a leader in the global convention and tourism industry. The jobs and tax revenue generated by this development will benefit all New Yorkers.

The Environmental Impact Statement has addressed every impact of the entire West Side development. It will allow planners to take steps to make sure the implementation of the West Side development benefits all and has very few negative affects.

I thank you very much for your support of the entire Hudson Yards/West Side development (and the NYSCC and NYC2012 bid) for the benefit of all in our region.

Sincerely,

Patrick M. Centolanzi, PE

BILL ASHE
STUDIO

Dul/Record 24 Sept 04
→ J Brown (PB Team)
M Kong
T Lundy

September 20, 2004

Mr. Robert Dobruskin, AICP
NYC Dept of City Planning
22 Reade Street #4E
New York, N.Y. 10007

William C. Ashe
Owner Block 706,Lot 48

re: ULURP No. 040507 MMM
CEQR No 03DCP031M
SEQRA Classification Type 1
Hearing Date 9/23/04
DGEIS Written Public Hearing Comments

Dear Sir or Madam,

I would like to go on record as being opposed to the construction of a stadium above the West Side Rail Yards, for many reasons. As a property owner and landlord, I depend on my property for my livelihood. The plan for redevelopment would condemn my property and take from me my primary source of income, for which I have worked most of my life. In addition it would displace my tenants, who have recently installed their corporate headquarters in my renovated property.

When I hear political officials refer to the "blighted, underdeveloped" west side of today, I think back to the 1970s when young businesspersons like myself bought property in the "Way-West" Hudson Yards area. Back then descriptions of this as a blighted, seedy neighborhood were certainly true. Soon after the Javits Center was built, there were many proposals for rezoning and bureaucratic help for the neighborhood. Sadly, these changes never materialized.

Even so, the neighborhood slowly improved as small business pioneers, like myself, bought property and ran businesses in the area. Their faith in the neighborhood created this improvement. For example, when the parks department planted trees on my block some of the truckers complained it made it difficult to make deliveries. But I was all for the trees, and after the first one planted in front of my building was destroyed by a truck, I had another one planted at my expense. When that one was mowed down I again replaced it at my expense, and that time installed barriers to protect it. It's still there and looks great!

Now the city subsidizing a Stadium for a football organzaton seems fiscally irresponsible. The big winner in this deal will be the N.Y. Jets and the losers will be the vast majorty of tax paying New Yorkers. I am not opposed to progress and redevelopment on the westside,

560 W 43rd St., Suite 43A NY,NY 10036 212 695 6473
www.billashe.com

however building a rarely used football stadium on some of the most valuable ground left in Manhattan is a grave mistake. It would not encourage development, but rather create sporadic traffic nightmares. And where would all these football fans have their tailgate parties? On the

surrounding streets? Or would they simply abandon their beloved team for one that allows them this essential football tradition.

Why not use this site for some mixed use towers, similar to what you have in mind for my block? It wouldn't use taxpayers money, and if you throw in some subsidized housing everyone might be happy (with the exception of one or two individuals and the Jets organization.)

The hosting of the 2012 Olympic games in NYC, however important to some individulals, should not be the keystone in the redevelopment of a vast area of the greatest city in the world. Should the Olympic Committee select New York, I am sure we can create the necessary facilities without the burden of a sports arena in the middle of Manhattan. The recent hosting of the Republican Convention brought midtown to a halt, paralyzed traffic, and gave NYC, for it's residents, the feel of a police state. If a few thousand visitors can do that, what will happen when tens of thousands of visitors from around the world arrive at a midtown facility. In planning the redevelopment of such a large area of New York, it seems very short sighted to connect such development to the dreams of hosting a single event in Midtown.

In conclusion, I do favor redevelopment. I feel re-zoning of the west side is essential. I think creation of open space is also essential. However I am fearful of losing my property where I ran a sucessful business for over 20 years and now depend on it for my livelihood. I have invested a great deal of money in its renovation and through a lifetime of hard work have created a valuable asset upon which I depend. I do oppose the construction of a stadium on one of the most valuable parcels left in one of the, already, most congested urban centers on earth. This project will enhance the fortunes of a limited few at the expense of many hard working small businesses. I favor rethinking the project without the stadium.

Sincerely,

William C. Ashe

cc Emil F. Dul PE
Bernard Flaton Esq.

Fredric Sirasky
325 W. 45th Street
New York, NY 10036
(212) 245-5268

Duty/Kong/Lundy
J Broron (PB Team)
Rec'd 9/28/04

September 23, 2004

Metropolitan Transportation Authority – New York City Transit
2 Broadway, 2nd Floor
New York, NY 10004
Attn: Emil F. Dul, P.E.

City of New York City Planning Commission
22 Reade Street, 4E
New York, NY 10007
Attn: Robert Dobruskin, AICP

Re: Comments on the *Draft Generic Environmental Impact Statement* in connection with the Hearing held on September 23, 2004

Members of the MTA and Planning Commission:

I have lived in the Clinton District of Manhattan since 1973. It is my neighborhood and my home.

Measured development that includes affordable housing, small businesses, expansion of the Javits Center, and reasonably sized new structures in keeping with the recreational character of Hudson River Park is fine.

THE PLANNED JETS STADIUM DOES **NOT** FIT INTO THIS KIND OF DEVELOPMENT.

I have two major concerns regarding the impact of the proposed stadium on my neighborhood.

1. A football stadium on the West Side of Manhattan will draw an enormous number of cars from the suburbs and outer boroughs, which will require a huge commitment of space devoted to parking facilities.

Once these parking facilities are constructed, they will be used 24 hours a day, 7 days a week. Our neighborhood will cease being a neighborhood. It will become the prime parking location in Manhattan. The avenues and streets on the West Side are already overcrowded. The resulting air quality is extremely unhealthy, especially when traffic to and from the Lincoln Tunnel crawls along or comes to a standstill. The parking facilities required by the proposed stadium will make this situation unbearable, not just on game days, but every day of the year. The Planning Commission should be thinking of ways to keep cars out of Manhattan, not lure them in.

2. A football stadium will be a magnet for helicopters.

Residents of the West Side who live near Times Square and the Lincoln Tunnel are already constantly besieged by hovering and circling helicopters. This is not an insignificant matter. Unless you have lived in a neighborhood whose skies are inundated by these incredibly noisy machines, you cannot imagine the uncivilizing influence the constant "pop-pop-pop-pop" sound has on the quality of life. A hovering helicopter can be several blocks away from a residence and still wake one out of a sound sleep. Residents of the East Side near the UN fought for years to eliminate this menace. We on the West Side are just beginning the battle to clear the air of noise. A West Side stadium will only make our cause more difficult.

Finally, I am a union member (AEA). I support jobs for union construction workers. But the same number of jobs could be generated by support for the measured development I mentioned above. Construction does not always have to be for glamour projects like a stadium which profit only a few and which drain tax monies from the housing and infrastructure that really need it.

Thank you for this hearing, and for your public service.

Respectfully submitted,

Fredric Sirasky

Fredric Sirasky

Dabl Kong/ Lundy
J Brown (PB team)
Rec'd 9/28/04

ROBERT SEWARD

470 WEST 24TH STREET NEW YORK NY 10011

SEWARD@TKK.ATT.NE.JP

September, 27 2004

Metropolitan Transportation Authority—New York City Transit
2 Broadway, 2nd Floor
New York, NY 10004
Attention Emil F. Dul, P.E.

Subject: proposed Hudson Yards Rezoning and Development Program

Dear Mr. Dul:

I am writing in opposition to the proposed Hudson Yards Plan, which was the subject of the public hearing on 23 September 2004. I was present and have attended other meetings on the matter.

While the idea of integrating this west side of Manhattan into the traffic pattern of Manhattan is commendable, the problem is a stadium (the mayor's ultimate goal) and the congestion it brings. The goal is not all that transparent—a stadium for professional sports and the Olympics.

As a public policy matter these things don't pay. This is a bait (transportation) and switch (stadium and Olympic) trick that cannot be justified on environmental, quality of living or financial terms.

Citizens in the area are organized in opposition.

After having lived through the mayor's party for the Republicans, I just don't want to have to go through that all over again on a regular basis. The result is disruptive and the benefits just don't accrue—no matter how many paid organized labor supporters shout and intimidate those opposed to the Hudson Yards Plan.

Cost weighed against benefits? The numbers don't add.

As for the proposed stadium, the quality of life in our adjacent neighborhoods will be severely impacted. Dumping 60,000 to 75,000 people every other weekend for a Jets game is

unimaginable. Has the planning department ever taken a look at the congestion on 10th Avenue as it is? The Lincoln Tunnel and adjacent traffic tie-ups, the noise, the glaring lights, the trash, the added security necessary for crowd control, impacts on parking—at a premium now, infrastructure requirements, the impact on neighborhood and community life—all of these do not favor this project. Social costs are great and social benefits are minimal. Manhattan is simply not the place for such an activity.

The Jets will have a tax break. And what about us New York tax payers. I am against subsidizing sports teams. The benefits are just not there for us New Yorkers. I imagine, as well, that my property values will decline.

I am not particularly a sports fan, but being a devotee of sports is beside the point. I do know economics and I understand about urban environments: Transportation is just a ruse to get a stadium that does not belong on the west side of Manhattan. No to the Hudson Yards Plan.

Sincerely,

Robert Seward
212 645-7347

cc:

Thomas K. Duane, Senator
Richard Gottfried, Assemblyman
Christine Quinn, Councilwoman

Dat / Kong / Hundy
J Byrnon (PB Team)
Rcvd 9/28/04

PLEASE DO NOT BUILD A STADIUM IN MY NEIGHBORHOOD. I LIVE ON THE FIRST FLOOR AND IT IS VERY LOUD AND BUSY ALREADY. Difficult to SLEEP.

YOURS SINCERELY,

Lawrence Krauser
426 West 48th St.
1-FE
NEW YORK 10036.

Dat/Kong/Wendy
J Brown (PB Team)
Recvd 9/28/04

Jenkens & Gilchrist Parker Chapin LLP

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Caroline G. Harris
(212) 704-6434
charris@jenkens.com

September 27, 2004

City Planning Commission
Calendar Information Office
22 Reade Street Room 2E
New York, NY 10007

City Planning Commission
Environmental Review Office
22 Reade Street Room 4E
New York, NY 10007
Attn: Robert Dobruskin, AICP

Re: No. 7 Subway Extension-Hudson Yards Rezoning and Development Program
Comments on ULURP ##040499ZMM, 040499(A)ZMM, N 040500ZRM, and N 040500(A)ZRM
Comments on DGEIS

Ladies and Gentlemen:

I am Land Use Counsel to Jenkens & Gilchrist, Parker Chapin LLP. I head our land use practice in New York and nationally. We represent national and local developers and community groups. Formerly, I was Associate Counsel at the Department of City Planning. I teach in Hunter College's Master's Program in Planning, and at the New York University Real Estate Institute. I recently published an article, "The Zen of Cities," in the AIA/Journal (copy enclosed).

The City's proposed Hudson Yards rezoning responds to the demand for additional development in the Far West Side. However, the need for an upzoning should not overshadow the remarkable opportunity we have to protect and improve our environment. We need to

balance the measurable economic value of developing big buildings with the immeasurable human value of creating an environment that supports life and generates a sense of community.

We should take leadership in this arena with whatever zoning proposal is ultimately adopted. Specifically, the Hudson Yards text should mandate that all new developments and enlargements (residential, commercial, or institutional) in the Hudson Yards area be topped by eco roofs: specially layered lawns on top of a building that benefit the environment and, ultimately, the public. At the very least, the law should grant a floor area bonus to any building that incorporates an eco roof, just as is done in Chicago. (In addition, the state and the city should authorize tax credits to support the eco roofs.)

The proposed Hudson Yards plan already includes an eco roof on top of the state-owned Convention Center. The Draft GEIS recognizes some of the benefits of eco roofs, such as aiding storm water management, reducing the "urban heat island" effect, and lowering energy demands. Eco roofs also improve ambient air quality and muffle noise. Significantly, they generate additional open space.

The Draft GEIS reports that in the full build out of the Hudson Yards, including the 24 acres of proposed new open space, there still will be an open space deficit. By mandating the incorporation of green roofs on all new and enlarged buildings, the open space deficit would be mitigated – perhaps not technically under CEQR guidelines, but in reality. The total lot area for all projected development sites is almost 2.9 million square feet. Imagine an additional 66 acres of green open space! The existence of these green open spaces, albeit private, would ease the demand on the publicly accessible open spaces (most of which are made of hard, inanimate materials, and contain trees in planters). Environmentally beneficial, the green roofs would be a social asset, as well, offering a haven from the busy streets and encouraging a sense of community, whether through community gardening or as a gathering place.

In conclusion, I urge you to initiate a vigorous city-wide eco roof program, beginning with its incorporation in the rezoning of the Hudson Yards.

Sincerely yours,

Caroline G. Harris

Caroline G. Harris

CGH:jo
Enclosure

No Enclosure / 9/28/04

cc: A. Burden, Chair
G. Miller, Speaker
C. Quinn, Councilperson
Community Board 4
E. F. Dul, P.E.

Deb / Kong / Lundy
J. Brown (PBTeam)
Recd 9/28/04

ELMER LUKE

470 WEST 24TH STREET 19B

NEW YORK NY 10011-1240

1 212 691 7397

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26 September 2004

Metropolitan Transportation Authority—New York City Transit
2 Broadway, 2nd Floor
New York, NY 10004

Attention: Emil F. Dul, P.E.
RE: DGEIS for proposed Hudson Yards Rezoning and Development Program

Dear Mr. Dul:

I am writing about the proposed Hudson Yards Plan, which was the subject of the public hearing on 23 September 2004, and which I was present at.

It's an ambitious plan, and integrating this western side of Manhattan into the larger flow of city would seem to be based on good intentions. In its sweep, however, the plan seems to gloss over—"bulldoze" might be a more apt word—other considerations important to the life of city and its residents. I speak of quality of life, stability of community, sustainable development, and proper attention to the environment.

In any public policy decision, cost must be weighed against benefits. How beneficial is a decision going to be, and at what cost? And over what time period? If the cost is too high, if they go on for years and years, then obviously the benefits are diminished. And then there is basic matter of who pays for the cost. And who benefits.

Specifically, my concerns have to do with the proposed stadium. First, on a practical level, the quality of life in adjacent neighborhoods—as well as midtown Manhattan—would be

severely impacted by the presence of such a stadium. Imagine the deluge of 60,000 to 75,000 people every other weekend for a Jets game. Consider the traffic tie-ups, the noise, the glaring lights, the trash, the police necessary for crowd control. Consider the burden on electricity, water and sewage, roads and transportation. Think about the loss of parking, the inevitable crime, the mess, the repeated invasion into neighborhood and community life. The social costs are terrible. Would anyone on the Planning Commission want a stadium in his or her neighborhood? I don't think so.

On an economic level, the costs are huge. Who will pay? Not the Jets, after they drop their initial contribution. It will be New Yorkers who will foot the bill, year upon year upon year—not only for the actual construction but also for the maintenance and repairs and police and congestion, roadwork, infrastructure. All this outlay takes away from money that could be better invested in education, which would benefit New Yorkers much more. The Jets will have their tax break; what tax break will New Yorkers get? This is not intelligent, sustainable development. Nor can I imagine that my property values will rise with the presence of a stadium in the neighborhood.

Finally, on an environmental level, a stadium puts dangerous strain on an urban environment already under strain. A stadium would be an environmental insult—to neighborhoods, communities, the borough of Manhattan. It will make huge demands on city infrastructure, electricity, water supply, the sewer system, roads, bridges, and tunnels, and, I repeat, quality of life. Noise, lights, crowds, trash, the influx of rowdies into neighborhoods, the loss of already scarce parking spaces. Things will not be better for this stadium; things will be frighteningly worse. And the costs will only grow year after year.

A stadium does not belong in the city proper. I am a sports fan, but to foist my sports enthusiasm on an unsuspecting neighborhood that will have to pay for it does not seem fair or just or socially responsible. Construct a stadium where it is appreciated by all.

Sincerely,

Elmer Luke

10 Copies
~~Deb~~ / Kong / Lundy
JBrown (PB Team)

WOMEN'S CITY CLUB of NEW YORK
SHAPING PUBLIC POLICY

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TESTIMONY PRESENTED BY BARBARA ZUCKER, CHAIR HOUSING AND PLANNING COMMITTEE

BEFORE THE CITY PLANNING COMMISSION REGARDING HUDSON YARDS ULURP APPLICATION

DATE: SEPTEMBER 23, 2004

The Women's City Club of New York is an 89-year old nonpartisan advocacy organization concerned with a broad range of public policy issues in New York City. Our hundreds of members are dedicated to making New York City a better place in which to work and live. We recognize that the development of Hudson Yards is a unique opportunity to create a vibrant mixed-use community in mid-Manhattan fronting on the Hudson River. Because of the scarcity of large potential development sites in Manhattan, and the major capital investment involved, it is essential that we "get it right."

Affordable Housing. One of the Women's City Club's long-standing concerns is the lack of affordable housing in New York City. In June 2004 we published a report, "New York City's Affordable Housing Crisis, What Can Be Done?" We noted that while there are a number of programs with various incentives to encourage development of affordable housing, these are voluntary and temporary.

We believe that affordable housing must be made an integral and mandatory element of all residential developments constructed with government assistance, whether the assistance is in the form of tax subsidies or abatements or Brownfield cleanup or upzoning.

Founded in 1915, the Women's City Club of New York is an independent, nonpartisan, nonprofit advocate working to make New York City a better place by shaping public policy and encouraging citizen involvement in government.

Only 3% of the Hudson Yards area is currently zoned for residential use. The zoning amendment in the ULURP application proposes that density in Hudson Yards be greatly increased. If adopted, the Department of City Planning projects that it would result in a likely 30-year build-out of 12 million square feet of residential development, in the form of 12,600 new residential units. However, not one single housing unit of those 12,600 need be affordable. That is left entirely up to the developers. Those who choose to build so called 80/20 houses will receive an additional benefit – greater density through an increased FAR. But it is entirely voluntary, and the affordability is for a limited period of time. We submit that the upzoning should mandate that a portion of the housing be affordable to low and middle income residents.

More Flexible Zoning. The major portion of Hudson Yards, some 28 million square feet, is to be zoned for commercial use. Even taking into account the extended build-out period, some economists question whether the area can really support this much additional commercial space. In view of the uncertainty, we suggest that a portion of the rezoning be sufficiently flexible that it permit either commercial or residential use, depending on future demand.

Financing. The original agreement between New York City and the Battery Park City Authority provided for payments to the City to be used for affordable housing. Nevertheless, most receipts have gone into New York City's general revenue fund. Now the City is proposing to use reserve funds from the Battery Park City Authority for its share of the infrastructure improvements in Hudson Yards. We oppose such diversion of funds.

Football Stadium/Convention Facility. The Women's City Club does not believe that a stadium belongs in midtown Manhattan where it would create traffic, noise and air pollution. Moreover, a structure equivalent to a 30-story building would block both visual and physical access to the Hudson River. There are other possible locations for an Olympic Stadium in New York or New Jersey. There are no other vacant waterfront locations of similar size in mid-Manhattan.

In addition to the very substantial cost of the infrastructure for the multi-use facility, there is a quality of life cost for our residents. The proposed financing plan includes sale of development rights in return for permitting developers to build with greater density. Absent a stadium, a redeveloped Hudson Yards would likely still include a platform over the rail yards. However, without a need for $225 million to pay for a retractable roof, the Department of City Planning might be less generous with density bonuses.

Javits Convention Center. We do support expansion of the Jacob K. Javits Convention Center. For many years there have been complaints that the existing convention center is too small to attract large meetings and multi-day events. Conventioneers bring needed revenue to New York City. With the planned adjacent hotel and more convenient subway access, the expanded Javits Center should attract additional convention business.

As a State project built on State land, there is little provision for public comment on the particulars of the Javits Center expansion and little oversight on its implementation. Despite the lack of input, New York City is expected to contribute $350 million towards the cost of the Javits Center project. As previously noted, we particularly object to the use of Battery Park City funds for that contribution since Battery Park City surplus was supposed to be earmarked for affordable housing.

Transportation. Lack of public transportation has been a major impediment to the development of Hudson Yards and full use of the Javits Center. We believe that the proposed two-step extension of the #7 subway line would improve access and is likely to speed up development. As an interim solution, we suggest the MTA provide more frequent bus service on the 42nd Street corridor, such as bus-only or express bus lanes. And to improve access from the west, we support plans to increase ferry service from New Jersey.

~~Dat~~/Rec'd 9/29/2004
↳ Kong / Lundy
J Brown (PB Team)

Sheree Sano
484 West 43rd Street #25-K
New York, NY 10036
(212) 594-3593

September 27, 2004

Dear M.T.A. - New York City Transit:

I spoke at the hearing on the 23rd so the comments I made at that time will be in the transcript of that hearing. There are 2 more points, however, that I would like to add:

First, considering the world in which we currently find ourselves, with terrorists and assorted mal-contents everywhere whose only goal is to kill as many people as possible - preferably Americans - is it really wise to gather 75,000 people together in one place from which they cannot be evacuated quickly? "Dirty" bombs, explosives, biological or chemical weapons introduced into the stadium's water supply or ventilation system are all tools that terrorists will try to use to attack the stadium. How many resources, money and manpower will it take to protect the stadium? And what are the chances that we will be able to foil ***every*** attempt? And if we fail, just once, and the terrorists are successful? We lost 3,000 souls when the World Trade Center was attacked; we could potentially lose 25 times that many people as the result of a successful attack on the stadium.

Second, I would ask you to take very seriously the testimony given at the hearing by Manhattan Borough President Fields. She has weighed the relative merits of every aspect of this proposed plan. At the hearing she sponsored on September 21st, she welcomed testimony from all sides and after thorough and extremely thoughtful analysis, it was her conclusion that the current plans for the stadium and development of the West Side should be rejected.

We can do better for the people of New York and I urge you to turn down this proposed plan and hold out for a better plan - one that truly addresses the needs of the citizens of this great city. As Harry S. Truman once said to a gathering of his advisors, "Let's not be in too big a hurry to make our mistakes."

Thank you for your kind attention.

Sincerely,

Sheree Sano

Sheree Sano

Received ~~Kong~~ 4/Oct 04
Due / J. Brown PB

FAX TRANSMISSION

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Fax No:	646-252-3140	Pages:	8+ cover
From:	Robert L. Gambell Deputy Attorney General		
Subject:	Hudson Yards Comments		

COMMENTS: See attached.

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Attorney General

October 4, 2004

VIA FAXSIMILIE TO 646-252-3140
Mr. Robert Dobruskin, AICP
Director, Environmental Assessment Review Division
New York City Department of City Planning
Room 4E
22 Reade Street
New York, NY 10007

Re: No 7 Subway Extension Hudson Yards Rezoning
and Development Program
Public Comments

Dear Sir:

On behalf of the Attorney General of the State of New Jersey in consultation with the New Jersey Department of Environmental Protection, we submit the following comments with respect to the Draft Generic Environmental Impact Statement for No. 7 Subway Extension Hudson Yards Rezoning and Development Program (2004) ("DGEIS"):

National Environmental Policy Act

A federal Environmental Impact Statement ("EIS) is required for "major federal actions significantly affecting the quality of the human environment" under the National Environmental Policy Act ("NEPA"), 42 USC §§ 4321, 4332(C). A project requiring the issuance of a federal permit or federal review would constitute major federal action requiring the preparation of an EIS. Id. The DGEIS and related exhibits and renderings presented by the applicants describe construction of a deck over Route 9A to the east of the proposed project area and a pier over the Hudson River. Both of these proposals would require permits by federal agencies. Construction of a deck over Route 9A would require approval by, at a minimum, the Federal Highway Authority, and construction of a pier over the Hudson River would require approval of the United States Army Corps of Engineers and as such a NEPA review will be

required. The DGEIS makes no reference to review by either of these federal agencies under NEPA. The DGEIS should explain, at a minimum, whether the proposed deck and pier will be constructed and, if so, whether the required federal reviews have been undertaken.

Water Quality Impacts

The Clean Water Act, 33 U.S.C. § 1251 *et seq.* was enacted in 1972 "to restore and maintain the chemical, physical, and biological integrity of the Nation's waters." § 1251(a). In order to achieve these goals, § 301(a) of 33 U.S.C makes unlawful the discharge of any pollutant into navigable waters except as authorized by specified sections of the Act. 33 U.S.C. § 1311(a).

The DGEIS acknowledges that the proposed project will increase sewage flows from 1.1 million gallons per day to 8.6 million gallons per day from the project area. As a result, discharges of raw sewage into the Hudson River on rainy days will increase in frequency and severity. Each sewage overflow event would have the potential to result in an increase in the concentration of untreated sewage and associated pollutants (e.g., TSS, fecal coliforms) discharged to the Hudson River during combined sewer overflow ("CSO") events. CSO water is made up of raw sewage diluted with runoff from impervious surfaces in urban areas (e.g., streets, parking lots, buildings). CSO water is characterized by high concentrations of suspended solids, oxygen demanding organic matter, coliform bacteria, nutrients (i.e., nitrogen, phosphorus), trace metals and trace organic substances.

In New York City sewer regulators are designed to allow two times dry weather flow into the interceptor. During high storm flows twice the mean dry weather flow is directed to the interceptor, while flow in excess of this value is diverted to CSOs which discharge directly into the Hudson River and other waters surrounding New York City. The release of these materials into the Hudson River can result in degradation of the water resource, limiting human use, have deleterious effects on the structure and function of the ecosystem and cause significant consequences on the State of New Jersey. The contaminants of particular interest with respect to the New York Harbor area include inputs of nitrogen, trace substances, particularly mercury and pathogenic bacteria.

CSOs are a human health concern because they can create the potential for exposure to disease causing pathogens, including protozoa, bacteria and viruses. Because CSO discharges include raw sewage, they contain a combination of untreated human waste and pollutants discharged by commercial and industrial establishments. They also have a significant storm water component, that includes pollutants from urban and rural runoff. These pathogens, solids, and toxics may be discharged directly to the waters of New Jersey during wet weather events through CSOs. Further, exposure to CSO contaminants through direct contact with water (eg. swimming) can lead to infectious diseases such as hepatitis, gastrointestinal disorders, dysentery, and swimmer's ear infection. Other forms of bacteria can cause typhoid, cholera, and dysentery. Human health can be impacted from ingesting fish or shellfish contaminated by CSO discharges.

The DGEIS provides no basis, other than conjecture, for asserting the findings of the probable impacts of the development project. Examples of these unsupported findings are quoted from the DGEIS as follows:

> ...the current water quality conditions present within the Lower Hudson River suggest that it is reasonable to conclude that occasional CSO events in this portion of the Lower Hudson River, even if discharging a higher concentration of sewage than under current conditions, would result in water quality conditions that continue to meet the standards and uses established for use Class I waters. (See 13-18)
>
> CSO events that may occur under the Future With Proposed Action Condition in 2010 would not be expected to result in significant adverse impacts to water quality in the river. As a result, there will be no significant adverse impacts on aquatic biota living in the river. (See 13-18)

Further, the study failed to evaluate the long-term fate and effect of pollutant transport, particularly pathogens and the potential effect on the beneficial uses of the downstream waters including, but not limited to, primary contact recreation and shellfish harvesting.

Increasing the frequency or duration of wet weather discharges from CSOs or increasing the pollutant concentrations of CSO

discharges is inconsistent with the National CSO Control Policy. (See the National Combined Sewer Overflow Control Strategy (National Strategy) (See 54 FR 37370 Sept. 8, 1989) and the National CSO Control Policy (National Policy) (See 59 FR. 18688, April 19, 1994). The National CSO Control Policy represents a comprehensive national strategy to ensure that municipalities, permitting authorities, water quality standards authorities and the public engage in a comprehensive and coordinated planning effort to achieve cost-effective CSO controls that ultimately meet appropriate health and environmental objectives and requirements. The objectives of the National CSO Control Policy are: to ensure that if CSOs occur, they are only as a result of wet weather; to bring all wet weather CSO discharge points into compliance with the technology-based and water quality-based requirements of the CWA; and to minimize water quality, aquatic biota, and human health impacts from CSOs.

Major re-development projects, of a magnitude such as this, should incorporate sewer separation and elimination of the combined sewer system and the elimination of CSO Points as a requirement. The construction of separate sanitary sewers can direct all sanitary sewage directly to the Wastewater Treatment Facilities so as to prevent the chance of discharges through CSO discharge points without adequate treatment including disinfection. Separate storm water sewer systems can direct all surface water and rooftop drainage to the rivers through conduits isolated from sanitary contamination. Such an infrastructure arrangement can eliminate substantial loadings of pathogenic contamination to the New York/New Jersey Harbor Complex and could reduce discharges of pathogens that threaten New Jersey's shellfish beds and recreational activities.

Discharges of mercury from raw sewage can be converted to methyl mercury through biological processes that occur in all sediments. Methyl mercury is a potent neurotoxin that bioaccumulates and bioconcentrates through the food chain. Because of its high bioconcentration factor, a small amount of methyl mercury can result in substantial exposure to humans and wildlife. In aquatic ecosystems, methyl mercury causes neurological, behavioral and reproductive changes, and at extremely high levels may cause direct death in fish and wildlife (Chan et al, Schehammer, 1998; Spalding et al 2000; Bouton et al 1999, Heinz 1974, 1979, Barr 1986; Burgess et al 1998; Meyer et al 1998; Nocera and Taylor, 1998). The biological impacts of mercury pollution occur throughout the entire ecosystem.

The higher sewage flows resulting from the project may impact (1) New Jersey shellfish beds, requiring closings due to contamination; (2) New Jersey's fishing industry; and (3) recreational and other water uses along the New Jersey Shore. The frequency and amounts of these sewage overflows cannot be determined from average daily flows, because the overflows occur during wet weather conditions, and those overflows are masked by daily averages.

The DGEIS is deficient in other ways. It fails to address how often CSOs occur, the locations along the Hudson River where they occur, how much raw sewage is released into the river when they occur, the concentration of raw sewage when it enters the river, or how much the concentration would be increased by the project. Additionally, the DGEIS fails to propose any mitigation measures to address these untreated sewage discharges.

Coastal ecosystems are naturally very rich in plant and animal life. However, since the richness (or productivity) of saltwater ecosystems is naturally limited by the availability of reactive nitrogen, excess nitrogen can lead to a condition of over-enrichment known as eutrophication (Ryther and Dunstan 1971; Nixon 1986; Fisher and Oppenheimer 1991; D'Elia et al. 1992). According to a study by the National Oceanic and Atmospheric Administration, of 23 estuaries examined in the Northeast, 61 percent were classified as moderately to severely degraded by nutrient over-enrichment (Bricker et al. 1999).

Elevated nitrogen inputs to estuaries leads to increased frequencies of harmful algal blooms, hypoxic and anoxic bottom waters, loss of sea grasses and reduced fish stocks (Valiela and Costa 1988; Valiela et al. 1990; Hallegraeff 1993; Boynton et al. 1995; Paerl 1988; 1995; 1997). The over-enrichment of estuaries promotes the excessive growth of algae. The increased algal growth can shade-out seagrass beds and other submerged aquatic vegetation that provide critical habitat for fish and other marine organisms. Furthermore, when the algae die and decompose, oxygen in the bottom water is consumed. Low oxygen conditions, known as hypoxia, can cause fish and shellfish suffocation.

The degree of eutrophication an estuary can tolerate without adverse effects depends on the amount of reactive nitrogen it receives and its physical characteristics, such as size, depth, volume of freshwater runoff, and tidal flushing. Even with these many physical variables, the reactive nitrogen input rate is considered the major determinant of water quality degradation.

These unwanted eutrophication problems are primarily related to human-induced increases in nitrogen inputs to estuaries and are likely to persist or even expand in the future as a consequence of increased population growth in coastal regions and increases in air pollution (Lee and Olsen 1985; Peierls et al. 1991; Nixon 1995; Lapointe and Matzie 1996; Vitousek et al. 1997). A significant portion of nitrogen inputs to estuaries is derived from atmospheric deposition (Jaworski et al. 1997; Paerl et al. 2000).

The DGEIS indicates that there will not be any adverse effects on water use or ecosystem structure and function as a result of CSO discharges associated with the proposed action. However, the DGEIS does not present studies or information that would allow for such a conclusion to be made. Although we understand that there are at least fifty (50) CSO events each year precipitated by only one-eighth of an inch of rainfall, no information is provided in the DGEIS on the projected number of such events that occur per year. Moreover, no data are presented on the timing and discharge associated with these events currently in the project area or projected in the future from the proposed action. No information is given on the quality of CSO water, although information from the literature would suggest that concentrations of critical contaminants are elevated in CSO water, comparable to dilute raw sewage. The DGEIS further claims, without analytical support, that any increase in water pollution will not affect water quality because the receiving waters currently meet water quality standards.

Limited data are presented on dissolved oxygen and fecal coliform concentrations in Hudson River/New York Harbor (MTA/CPC 2004) obtained from the New York City Department of Environmental Protection routine monitoring program (DEP 2003). Unfortunately, these data are not sufficiently comprehensive. No water quality data are reported for reactive nitrogen species (i.e., nitrate, ammonium, dissolved organic nitrogen), PCBs, mercury or other toxic trace substances to assess ambient concentrations of loadings. Information on CSO discharges and relevant contaminant concentrations are needed to conduct mass balances to quantify material loading from CSOs to the River/Harbor. To assess the effects of CSOs it is also critical to monitor the discharge water and receiving water during events (i.e., snowmelt and storm events resulting in CSOs) for contaminants of interest. CSO events are transient. In order to assess their impact, CSO events must be studied with time-intensive measurements. Routine dry-weather monitoring is not adequate to assess the impacts of CSO discharges on receiving waters. Without such information it is impossible to

quantify the supply and effects of these contaminants to the Hudson River/New York Harbor area and the impact of CSOs under current and projected future conditions following the development project.

We submit that the DGEIS does not provide the necessary information to determine the severity of the impact of CSO events on the State of New Jersey, nor does it provide sufficient information upon which a conclusion can be drawn that there will be no adverse effects caused by the CSO discharges. Nevertheless, it is clear that the proposal will severely impair the quality of the Hudson River and thereby impact the State of New Jersey in violation of the Clean Water Act, 33 U.S.C.A. 1251 et seq. and related Interstate Environmental Commission regulations pertaining to interstate waters of the Hudson River. (See N.J.A.C. 7:9b-1.5 (b) and 6 NYCRR 750-2.1(d))

Finally, there is an Administrative Consent Order ("ACO") which resulted from a complaint by the State of New York Department of Environmental Conservation ("DEC") against the City of New York "CITY") (See DEC Case # CO2-20000107-8) which is of relevance to the proposal and is not addressed in the DGEIS. The complaint was brought by DEC as the City was not in compliance with State Pollutant Discharge Elimination System ("SPDES") permits, particularly with regard to CSO discharges from the City's fourteen municipal water pollution control plants. In that ACO, the City agreed to submit to a CSO Control Policy and the abatement of CSO discharges within specified timeframes.

Without sufficient data provided in the DGEIS to ascertain the quantity of the additional pollutants contained in the CSOs and the number of CSO events in the project area, it is impossible to determine if the City will be in compliance with the ACO in achieving compliance with water quality standards. It is also impossible to quantify the extent of the impact the project will certainly have on the State of New Jersey without this information.

Air Quality Impacts

The DGEIS air quality assessment that has been conducted to date is seriously deficient. Specifically, the assessment does not reflect the full short-term or long-term air quality impacts because it does not account for all project-related activities; or evaluate the cumulative air quality analysis impacts of all project-related activities. Rather, it merely looks at individual

sources of potential pollution in isolation. Moreover, the assessment is based on assumptions that greatly understate traffic - and therefore emissions - from motor vehicles, particularly as they idle at the tunnels and bridges from New Jersey into New York.

Given these critical deficiencies, the DGEIS can not be regarded as a complete and accurate characterization of air quality impacts and the true impact on New Jersey cannot be assessed.

The "Clean Air Act", 42 U.S.C.A. § 7401 et seq. , provides that the United States Environmental Protection Agency (EPA) establishes national ambient air quality standards ("NAAQS"). To avoid sanctions, each state must submit a state implementation plan ("SIP") designed to attain and maintain those standards. Section 110(a)(2) of the Act (42 U.S.C. § 7410(a)) lists a number of criteria that the SIP must meet to obtain approval from the EPA. New Jersey and New York have submitted respective SIPS for EPA approval . Although the DGEIS acknowledges substantial increases in air emissions such that air quality standards will be violated, it fails to quantify the impact of the additional emissions for conformance with the New York SIP as well as its contribution to nonattainment or interference with maintenance status in New Jersey.

The proposed project, as set forth in the DGEIS, will have an adverse impact on air quality in the State of New Jersey. In the short term, air quality will be impaired due to construction-related activities that will generate additional dust and potentially toxic emissions. These activities include removal, handling, staging, and transporting substantial quantities of hazardous materials at many parcels in the project area. In the long-term, air quality will be impaired due to increased traffic and idle times at key entry points into New York City. We are particularly concerned with the project's long-term impacts on the State of New Jersey's SIP and the attainment of it and/or maintenance with the NAAQS.

Summary

In summary, the State of New Jersey submits that the No. 7 Subway Extension Hudson Yards Rezoning and Development Project will have a deleterious environmental impact on the property, environment and citizens of New Jersey. The DGEIS does not provide sufficient information upon which a conclusion can be made that

there are no adverse impacts. In addition, sufficient and appropriate data must be provided so as to determine the full extent of the impact on the environment of the State of New Jersey. We further submit that this project must be reviewed by the Environmental Protection Agency, Federal Highway Authority and the Army Corps of Engineers pursuant to National Environmental Policy Act.

For these reasons, the New York City Department of City Planning and the Municipal Transit Authority should deny the approval of the DGEIS and should direct the applicant to revise and resubmit the DGEIS with all necessary data, studies, analysis and modeling for further public review and consideration.

Respectfully Submitted,

PETER C. HARVEY
ATTORNEY GENERAL OF NEW JERSEY

C: Metropolitan Transportation Authority
2 Broadway, 2nd Floor
New York, NY 10004
Atten: Emil F. Dull, P.E.

Recieved ~~Kong~~ 4/oct 04
Due / J. Brown PB

THE MUNICIPAL ART SOCIETY OF NEW YORK

MUNICIPAL ART SOCIETY FAX TRANSMISSION SHEET

DATE SENT: 10/4/03

FAX#: ~~212~~ 646-252-3374

TO: Emil Dul

ORGANIZATION/COMPANY: MTA

NUMBER OF PAGES TO FOLLOW: 5

FROM: Kimberly Miller

OUR FAX: (212) 753-1816

OUR PHONE: (212) 935-3960

COMMENTS: Attached are our comments on the No. 7 Subway Extension - Hudson Yards Rezoning and Development Program DGEIS.

THE MUNICIPAL ART SOCIETY OF NEW YORK 457 MADISON AVENUE NEW YORK NY 10022 TEL: (212) 935-3960 FAX: (212) 753-1816

No. 7 Subway Extension - Hudson Yards Rezoning and Development Program
Draft Generic Environmental Impact Statement

October 4, 2004

The Municipal Art Society (MAS) would like to commend the Department of City Planning and the MTA for their cooperative efforts on the No. 7 Subway Extension - Hudson Yards Rezoning and Development Program Draft Generic Environmental Impact Statement (DGEIS). As the planning process moves forward, the MAS is continuing to study the zoning proposal along with the DGEIS to better understand its implications. The letter submitted today will address the priorities identified by our Board and Planning Committee, as well as the topics on which we are pursuing additional investigation.

We address the following five issues:

1. Opportunity for Public Comment
2. Moynihan Station as the Development's Focal Point
3. Open Space and Hudson River Access
4. Density and Land Use at the Western Frontier
5. Strengthening Transit Capacity

Opportunity for Public Comment

First, as this is an enormously complex project, encompassing rezonings, transit improvements and major facility master planning, we encourage the City and its partners at the State to provide opportunities for the public to review the various project components on a concurrent schedule. The planning process to date reflects the comprehensive efforts of City Planning and the MTA. The approval process for the many projects embedded in this plan, however, seems unnecessarily fragmented. We urge that a more formal process be provided in which the Hudson Yards plan can be considered in its entirety, including the Javits expansion and stadium. On another note, modifications to the proposed zoning text under consideration were only submitted and available for public review on August 30, which means that in a project as complex as this, the allotted time is inadequate for a full public review. Therefore, we have requested that the ULURP hearing be continued.

Moynihan Station as Focal Point

The corridor from the new Moynihan Station to the river is the most appropriate location for high-density commercial development space. Each day, over 500,000 passengers from four transit networks and at least three states use Penn Station, a number that will increase by 30% when the

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new Moynihan Station is completed. This makes the area bounded by 30th to 35th Streets and 9th Avenue to the Hudson River the ideal location for a transit-oriented commercial district, an idea which is also supported by many of our colleagues in the civic and professional worlds as well as the community in residence.

The proximity to a new transit resource as well as the magnificent arrival experience created by Moynihan Station would make this not only the optimum, but also the most profitable place to concentrate a dense new commercial center. Because of the heavy financial burdens associated with the realization of this plan, the lead agencies should thoroughly consider the increased benefits that would be associated with shifting an even greater proportion of the density from 11th Avenue and the new boulevard to the Moynihan Corridor district. It is also important to enhance the experience of traveling in New York by way of the new Moynihan Station by making the area around it an identifiable destination. We commend the Department of City Planning for exploring options for a westward entrance to Moynihan through reinstating the grid at 32nd Street. We encourage the Department to explore additional opportunities to make the passage toward the river an open, inviting space that can draw the new investment needed to support the program.

To provide for even greater integration of the region's transportation resources, we also continue to urge the City to investigate ways to connect the No. 7 line to the new Moynihan Station that would finally connect major Midtown transportation facilities and business districts.

Open Space and Hudson River Access

The Hudson Yards plan represents a significant opportunity to reconnect the city with its natural environment through the integration of new open space and access to the waterfront in the existing neighborhood. Although, as stated in the DGEIS, the cumulative total open space at full build out in 2025 will be a total of twenty-four acres, there are several elements of the open space and waterfront access strategy that give us pause.

First, the plan provides inadequate access to the waterfront. At a time when the City and State are jointly engaged in constructing the Hudson River Park and a new ferry terminal at 39th Street, a Javits extension plan that would close 39th and 40th Streets to the Hudson River seems out of step with the City and State's established goals. For this reason, the MAS has developed an alternative to the Javits Center design proposed in the Hudson Yards plan. Our design would achieve the space and program requirements identified by the Center's management while keeping open these streets, which provide crucial passages and views to the waterfront. (See MAS Javits Center alternative attached to this testimony).

Secondly, we have a number of concerns with respect to the amount and configuration of parks space. Several of the parks and open spaces proposed as a part of the plan are oddly configured or difficult to reach, and should be further examined for usability. For example, how would residents, workers and visitors access the five acres of open space atop the Jacob Javits Convention Center? Would increased security threats that have been part of daily life in New York for the last three years affect the ability of this space to provide a reliable open space resource? Would locating the only proposed active neighborhood park in the new development on the roof of a tow pound (between 11th & 12th Avenues, between 29th and 30th Streets) provide the community with the type of resource it needs, or would it become another underutilized, above grade park? It also seems that if open space is to be proposed over the Lincoln Tunnel decks along 9th Avenue, it should be integral to the plan, not dependent on developers. In addition, the

plan has yet to approach publicly stated goals for the provision of open space. At full build-out, the ratio would only be .68 acres per 1,000 residents. The City standard established by the CEQR manual sets as a goal the achievement of 1.5 acres per 1,000 residents on a Community Board level. The goal for large scale actions, which make up a portion of this plan, generally are 2.5 acres per 1,000 residents. Although in this high-density area, a 2.5-acre ratio might be difficult to achieve, additional study should be devoted to understand how park space might better serve the needs of the population.

Density and Land Use at the Western Frontier

As Manhattan's western edge is the primary approach to its newly revitalized waterfront and the Hudson River Park, it is important that the proposed development meet standards that will guarantee sufficient light, air and life on the streets. With regard to the bulk and massing of the Hudson Yards proposal, we are investigating whether it would set a new standard for permitted floor area in future rezonings citywide. Today, the City's highest density districts permit structures of approximately 21.6 FAR, generally achieved through density ameliorating bonuses and transfers from landmarks. If enacted, this district would allow some buildings along 11th Avenue to reach 24 FAR and others to achieve unlimited bulk with the purchase of development rights. Questions have been raised about the amount of floor area and its impact on light, air and quality of life at the street level. From our review of the shadow studies presented in the DGEIS we have particular concerns about the plan's impact on the proposed open spaces at the time of build out. These concerns are only exacerbated by the continued problem of uncounted floor area mechanical space, a persistent zoning resolution problem which this project has yet to address.

Particularly along the 11th Avenue corridor, it is important that this new place echo the city's traditional zoning vocabulary. In contrast to the attention paid to zoning and urban design concerns along the newly created boulevard, the omission of urban design controls along an existing street at 11th Avenue is particularly troubling. In the absence of more stringent urban design requirements mandating retail and streetwall setbacks, the arid 11th Avenue facing Javits today might be very similar to the 11th Avenue of the future, despite all of the proposed investment in this neglected area.

In recent changes to the proposed zoning text, the City has begun to make changes that would allow for a more liberal mixing of uses throughout the site, particularly with respect to housing. We would encourage even more flexibility on this issue. One of the distinguishing characteristics of New York City are its 24/7 neighborhoods, which combine residential and commercial uses. There is a proven and immediate demand for residential development on the West Side. As it is very difficult to predict the nature of real estate demand in this area for a twenty-year horizon, it is important to allow for the flexibility that will make the plan both financially and socially viable.

Strengthening Transit Capacity

The magnitude of development proposed in the Hudson Yards Plan makes the extension of the No. 7 line imperative. Adequate access to the Hudson Yards development site will be key to attracting development to the area. Redevelopment will indeed require new transportation and infrastructure improvements to stimulate private investment.

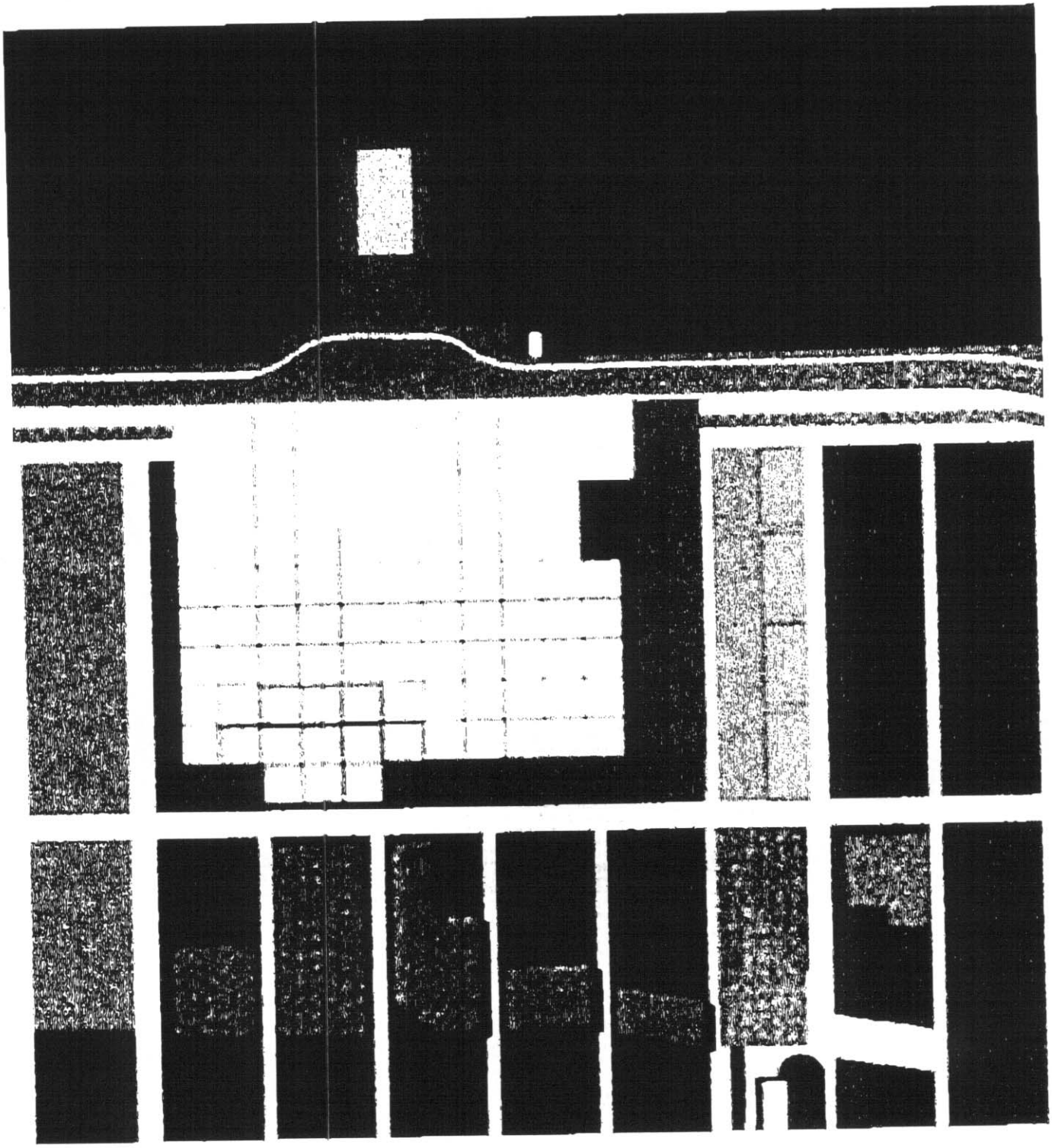
However, the DGEIS indicates a number of stresses on the region's transportation system that will occur as a result of the Hudson Yards development and that the No. 7 will not alleviate by

itself. First, the DGEIS describes a considerable increase in crowding that is likely to occur at Grand Central Terminal as a consequence of the No. 7 line extension, but it does not propose effective mitigations or alternatives to alleviate this condition.

Furthermore, the extension of the No.7 line by itself will not serve to adequately mitigate stresses on intersections, parking facilities, and sidewalks, many of which are projected in the DGEIS to operate at levels-of-service D, E, and F. The No. 7 extension must therefore be augmented with other transit options, thereby creating a multifaceted transportation network that can adequately meet the transit needs of residents, commuters, and visitors. The DGEIS should consider additional transit opportunities including expansion of trans-Hudson commuter capacity, expanded ferry service, and the establishment of a new rail station in the renovated Farley Post Office building (see discussion of Moynihan Station above).

A key component of this new network should be a 42nd Street light rail line. The MAS believes that a surface light rail system that runs river to river along 42nd Street and connect to the new ferry terminal, as opposed to the truncated route proposed in the DGEIS, would be an enormous asset to the Hudson Yards Plan. The Light-Rail Transit system, or LRT, could offer connections to major transit centers and destinations including Grand Central Terminal, the Port Authority Bus Terminal, the West Midtown Ferry Terminal, midtown hotels, theaters and the Javits Convention Center, and serve to offset the crowding on the No. 7 line stairways and platforms as described in the DGEIS.

The City also has plans to expand the West Midtown Ferry Terminal at West 39th Street and the Hudson River. It is imperative that the Hudson Yards Plan effectively create pedestrian friendly linkages between the expanded ferry terminal and the No. 7 line extension, as well as to other elements of the existing and proposed transportation system. An opportunity for better transit and pedestrian connections will be lost if the ferry is isolated from the extended No. 7 line. We urge City agencies to give attention to making these important transportation linkages and to integrate all of these important transportation projects into the Hudson Yards Plan.



Clean Air Campaign Inc., 250 West 57th Street, Ste. 1913-A, NY NY 10107, 212/582-2578

October 4, 2004

Metropolitan Transportation Authority (MTA)
Att: Emil F. Dul, P.E., Principal Engineer
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Received ~~Kang~~ 4 Oct 04
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City of New York City Planning Commission (CPC)
Att: Robert Dobruskin, Director, Environmental Assessment & Review Division
Department of City Planning
22 Reade Street
New York NY 10007

Subject: Comments on Draft Generic Environmental Impact Statement for No. 7 Subway Extension and Other Far West Side Manhattan Development Proposals

Dear MTA and CPC:

The City and State Administrations and their public authorities are proposing $7.2 billion in public spending by 2010 for a stadium, a $2 billion #7 subway line extension to the stadium (and beyond), and other capital projects on the far West Side of Manhattan. (Draft Generic Environmental Impact Statement [DGEIS] p. ES-26.) The $7.2 billion estimate is far too low. Among other reasons, it doesn't include such costs as operating the #7 line extension if this project is completed.

The DGEIS should have included an honest, detailed discussion of where this money would come from, along with the environmental and other impacts of these public spending priorities choices, their context, and alternative uses for available public funds. The brief discussion of financing on pp. ES-7 and ES-8 of the DGEIS is completely insufficient.

Clean Air Campaign Inc. (CAC) opposes both the stadium and the #7 subway line extension because their fiscal, economic and environmental impacts are likely to be devastating. CAC also opposes the Bloomberg Administration's enormously risky and undemocratic plans for financing these boondoggles with unorthodox borrowing through unaccountable public authorities. This letter focuses on the #7 line extension because other organizations are commenting extensively on the stadium.

Even without the stadium, the #7 line extension is a bad idea. It would increase traffic and pollution by diverting crucial revenue from the existing transit system. The MTA has to raise fares and/or cut service when it doesn't get enough revenue to meet its expenses. These fare hikes and service cuts drive riders out of mass transit and into automobiles, increasing traffic congestion and pollution and harming the city's economy. The DGEIS ignores these impacts.

Transit Spending Priorities and Revenue.

Keeping the existing subway, bus and commuter rail system in a state of good repair is the Metropolitan Transportation Authority's (MTA's) top capital spending priority, as it must be, since New York City's economy depends on the existing mass transit system. The MTA doesn't even have the money to do this now, much less finance the system's expansion.

If the transit system is expanded, the top priority should be serving demand that already exists. The Second Avenue subway will do that, insuring that there will be enough riders to cover a good percentage of its operating costs. The #7 line extension would have relatively few riders most of the time, and generate little revenue--far less than its operating costs.

Documents outside the DGEIS imply that the MTA needn't be concerned with misplaced system expansion as long as "the City of New York" funds it. This is irresponsible and misleading. An honest EIS discussion of current, historical and proposed money flows among the City, State and Federal governments and the MTA and other authorities is needed.

The City Administration is proposing (again, outside the EIS process) to use an unorthodox and unusually expensive public authority bonding scheme to borrow $1.99 billion outside of the normal budget process for the #7 extension. (And this is before cost overruns, inflation and changes.) This scheme ultimately depends on the City's personal income tax. Those tax revenues could be used for City payments to the MTA's Transit Authority to improve the existing transit system and/or avoid fare hikes and service cuts instead. This alternative for the use of limited public funds would produce far greater benefits for mass transit, the environment and the City as a whole. It should be discussed in an objective, unbiased EIS.

There are many sites along existing subway lines throughout the City which are undeveloped or underdeveloped, including sites in lower Manhattan. Improving transit service to and from those locations (for example, with faster, more frequent trains) and encouraging development at those locations should boost transit ridership and revenue without the enormous financial risks involved in building and operating the #7 line extension.

These are just a few examples of the kinds of financial issues that should be addressed in a new EIS.

Development Priorities.

The purpose of the #7 line extension is to subsidize new development on the far west side of Manhattan, and increase the value of speculative real estate there. There is no real evidence in the DGEIS that this huge and enormously risky subsidy will benefit the City as a whole.

The DGEIS implies that it's so important to have new development on the far west side of Manhattan that it's worth not only borrowing billions for the #7 line extension but also changing zoning and property and sales tax requirements and exemptions in order to create incentives to make it happen. Why? DGEIS claims that the City is running out of land for office space in particular seem to be based on assumptions that haven't been true since 9/11 if they ever were true at all.

The only way the massive development contemplated for the far West Side of Manhattan is likely to occur is by shifting new development from better locations throughout the City with a combination of carrots and sticks. If this shift in development works, it will erode the City's tax base at other locations (again, leaving less money in the City's treasury available for mass transit). It will spread out transit ridership and revenue in a way which is bound to diminish

service along subway lines that already exists today. It will force the City to pay for new schools and municipal services on the far west side of Manhattan while other neighborhoods are underserved. It will increase the raw sewage going into the Hudson when it rains far more than the DGEIS admits, and make it harder than ever for the City to pay for solutions to its combined sewer overflow problem. These are just a few examples of the adverse impacts of shifting development to the far west side of Manhattan which are completely omitted or understated in the DGEIS.

One final point: CAC's June 2003 comments on the draft scope for the document have not been adequately addressed in the DGEIS.

Plans for the stadium, the #7 line extension, and their unorthodox and risky financing should be canceled. If they aren't, a completely new EIS is essential before they go ahead.

Sincerely,

Marcy Benstock

Marcy Benstock
Executive Director

Received 04 Oct 04
20 copies ~~Kang~~ / Rul / J. Brown PB

Comments of The Port Authority of New York & New Jersey
On the No. 7 Subway Extension/Hudson Yards Rezoning & Development Program
Generic Environmental Impact Statement
CEQR No. 03DCP031M

October 4, 2004

The Port Authority of New York and New Jersey submits the following comments on the Draft Generic Environmental Impact Statement (DGEIS) issued on June 21, 2004. These comments reflect the agency's review of the DGEIS and summarize ongoing consultations with the sponsor agencies and other transportation operators.

Summary

The Port Authority supports major West Midtown redevelopment based on a comprehensive plan that balances the scale, pace, and location of new development with progress in ongoing efforts to improve the transportation facilities and services concentrated in the area. The plan assessed in the DGEIS represents an important accomplishment, combining urban design, community planning, public-facility and transportation improvements, and proposing a framework for development that extends two decades and beyond. The breadth and duration of the effort reflect the strategic importance of West Midtown development to New York City and the surrounding region.

Under New York City and State environmental statutes, the final scope of work for this DGEIS does not encompass a full assessment in the analysis years of conditions on interstate transportation facilities and services that serve the study area and broader markets in both the states. Based on its reviews of the scope of work and the DGEIS findings, the Port Authority has advised the sponsors to continue and expand ongoing interagency consultation specifically regarding interstate transportation facilities and especially in evaluating the long-term interstate-transportation system implications of the proposed rezoning. The rezoning also presents some specific issues regarding Port-Authority-owned parcels, noted below, that the agency will address as appropriate in the current ULURP (Uniform Land Use Review Procedure) proceeding.

The Port Authority has offered to work collaboratively with sponsors and other transportation agencies to address these issues through the environmental-review and ULURP processes and other required approvals. The goal of this effort would be to assure that reliable and adequate access to interstate transportation services is maintained as the actions encompassed in the DGEIS are implemented.

Port Authority Role: A Transportation and Development Partner

On June 16, 2003, the Port Authority submitted detailed comments on the draft scope of work for the DGEIS. The comments cited the significant interest of the agency and its customers in the issues to be addressed as part of the environmental review and the city

planning process. The Port Authority owns and operates two major regional transportation facilities within and serving West Midtown: the Lincoln Tunnel and the Port Authority Bus Terminal, as well as associated infrastructure and parcels used for transportation purposes.

In addition, the Port Authority is responsible for assessing interstate transportation requirements within the Port District and recommending to the states initiatives to sustain reliable mobility for people and goods moving between New York and New Jersey. In its broader role, the Port Authority has partnered with other public agencies in both states to enhance facilities, improve service, and create new airport transit services via the Penn Station New York complex. The Port Authority's PATH system reaches Herald Square and its public-private ferry partnerships also involve the agency in promoting commuter service to Manhattan via private ferry services.

This portfolio makes the Port Authority an active and supportive partner in efforts to develop and serve West Midtown. The agency has recognized this zone as among a short list of locations in the bistate region where significant opportunities exist to concentrate new development where it will make efficient use of available land and will reinforce transit-oriented patterns of regional development. West Midtown already is a gateway to the entire Manhattan Central Business District (CBD) for much of the region's commuter market, as well as for vital truck-borne goods and services.

In commenting on the DGEIS work scope, the Port Authority noted that the key to successfully implementing large-scale redevelopment of West Midtown lay in attracting new development that takes advantage of its superior accessibility, while protecting and enhancing the transportation services that deliver workers, visitors, and commercial services to this immediate area and the entire CBD. The DGEIS findings presented this summer demonstrate that striking this balance will require an intensive, ongoing effort involving transportation and development agencies at each stage in the evolution envisioned by the comprehensive plan.

Regional Network Issues

The Port Authority has identified several technical issues bearing on its transportation facilities and interstate network operations that warrant additional analysis and interagency consultation as the environmental review and other approval processes move forward. In addition, other parties have offered formal comments citing potential implications for trans-Hudson services, which are most appropriately addressed in consultation with the Port Authority. In brief, the areas meriting such consultations include --

- Lincoln Tunnel traffic flows including but not limited to the New Jersey approaches and the Exclusive Bus Lane operations

- Port Authority Bus Terminal operations, including pedestrian flows to and from and within the facility;

- Total interstate Transportation Network capacity and service-level requirements, especially beyond 2010;

- Potential for displacement of West-Midtown-based commercial operations to New Jersey, with consequent increases in Lincoln Tunnel bus and truck traffic as noted by others and acknowledged in interagency consultation with the sponsors;

- Review of construction-coordination plans with regard to maintenance of traffic and transportation management plans, focusing on trans-Hudson services;

- Coordination of planning to manage and relocate daytime storage of commuter buses and charter buses now using locations within the study area that are proposed for other uses in the rezoning plan, sustaining the ability to provide efficient bus transit alternatives.

- Assurance of ongoing operating-agency coordination to monitor West Midtown transportation conditions, refine and augment mitigation measures, and manage limited available transportation capacity.

Projected growth in trans-Hudson commutation already is recognized as a factor in regional transportation plans for both New York and New Jersey. Some of the issues also are being addressed in transportation planning initiatives of the Port Authority and partner agencies. These efforts are intended to identify potential but not yet programmed transportation improvements that can help meet growing demand in trans-Hudson commuter volumes. The concentration of new commercial and residential development in West Midtown in the proposed rezoning action can be expected to require closer planning and operational coordination to maintain accessibility as redevelopment proceeds in the near- and long-term.

Initial Development Phase: To 2010

The proposed extension of the Number 7 (Flushing) subway line, the Jacob K. Javits Convention Center expansion, and proposed Multi-Use Facility, all to be completed under the proposal by 2010, are significant investments in themselves that in the City's planning vision lay the groundwork for intensive commercial and residential development in the study area. The DGEIS proposes significant mitigations and acknowledges the need for intensive management and cooperation by transportation providers to maintain acceptable levels of service, especially during major events and exhibitions.

The Port Authority recommends immediate establishment of an operating-agency working group that can monitor transportation conditions as approved public and private projects move into construction and come into service. Modeled on the interagency effort to manage Lower Manhattan redevelopment, this working partnership also can provide a means of coordinating construction activity, monitoring transportation system conditions,

and assessing mitigation programs on an ongoing basis. The Port Authority's experience in working with the New York City Department of Transportation and local community interests on local issues underscores the value of close and continuous coordination.

The group's task would be to turn the transportation approaches outlined analytically in the DGEIS, augmented with attention to interstate transportation services, into an effective and flexible operating plan. Successful implementation of transportation strategies for the area during the first redevelopment phase is critically important to the success of these initial projects, the maintenance of vehicular and transit access to and through the West Midtown, and to the area's appeal in attracting future commercial and residential development.

Port Authority staff and the project team have worked closely together in addressing the relationship of the alignment for the Number 7 Line Subway extension project with the Port Authority's infrastructure and property holdings, as well as the construction plan for this project. The Port Authority concurs that impacts of the project and its construction on the agency's facilities and operations are manageable based on current plans. The Port Authority has indicated to the team aspects of project management and design that should be resolved at the early stages of the contracting process.

Issues Beyond 2010

The Port Authority's comments are based on the June 21, 2004 DGEIS and information available at this writing regarding the rezoning plan and related transportation analysis. Statements by City officials indicate that the rezoning plan is being modified. In light of this information, the Port Authority anticipates further opportunities for interagency consultation on changes potentially effecting Port Authority facilities or property as the sponsors work to finalize the plan.

The transportation analysis in the DGEIS assumes coordinated implementation of its public-sector components and phased emergence of private commercial and residential development in the area. Mechanisms should be considered to help ensure that the anticipated sequence of development takes place as assumed in the DGEIS, and that zoning actions and private development do not prematurely displace current transportation-related activities nor preclude implementation of significant transportation improvements.

A specific example is the need to maintain bus staging and storage activity on Port Authority-owned properties in the area currently leased to bus carriers and proposed for redevelopment in the City's rezoning plan. The Port Authority anticipates the continued need for bus storage at these locations pending the completion of the joint PA-NYC Bus Staging and Storage Study and the selection, approval, funding, and construction of a replacement facility or facilities for this purpose.

In addition, while the DGEIS indicates a tentative site for a bus staging and storage facility physically connected to the Port Authority Bus Terminal, the suitability of this

location and its benefits relative to other candidate sites identified in the Bus Staging and Storage Study have not been established. Final action on the environmental review and ULURP package should not preclude the ability to locate needed bus storage capacity at the most appropriate site or sites. A decision to add such a facility or facilities to the Port Authority capital program would follow completion of the study and would require certain approvals beyond the scope of the DGEIS.

Port Authority Property Issues

In addition to bus facility planning, the rezoning plan raises several issues with respect to Port-Authority-owned infrastructure and property holdings in the study area:

- The Port Authority already has begun working with the Department of City Planning and the development community on direct development and air-rights transfer opportunities for agency-owned parcels in the study area. The agency supports additional projects involving these sites consistent with facility operations and security requirements.

- Property or air-rights transfers involving any Port Authority parcels will be predicated on fair market value return; providing a portion of funds required to finance Port Authority transportation improvements within and beyond the study area

- Proposals for construction of decks over roadway cuts owned by the Port Authority and estimates of their cost should reflect design requirements, construction requirements, security and ventilation standards, and other factors as appropriate.

Received 04 Oct 04
Kong / Dul / J. Brown PB

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13 copies

October 4, 2004

BY HAND

City Planning Commission
22 Reade Street, 4E
New York, NY 10007
Attn: Robert Dobruskin, AICP

Metropolitan Transportation Authority
2 Broadway, 2nd Floor
New York, NY 10004
Attn: Emil F. Dul, P.E.

Re: Hudson Yards Plan
CEQR Number 03DCP031M

Dear Mr. Dobruskin and Mr. Dul:

We represent Federal Express Corporation ("FedEx Express"), a subsidiary of FedEx Corporation. As was stated at the public hearing on September 23, 2004, FedEx Express is opposed to the Hudson Yards Plan in so far as it calls for the permanent displacement of the FedEx Express distribution facility at 528-556 West 34th Street, between 10th and 11th Avenues (the "34th Street Facility"). As detailed below, the Draft Generic Environmental Impact Statement ("DGEIS") fails to account for the traffic and socioeconomic impacts that displacement of the 34th Street Facility will create.

The 34th Street Facility has a service area generally described as 41st Street to the north, 4th and 14th Street to the south and the East and Hudson Rivers to the east and west, respectively. In addition to the 34th Street Facility, FedEx Express has three other Manhattan distribution centers, with service areas as follows:

560 West 42nd Street: serves Manhattan north of 59th Street;

650 12th Avenue: serves Manhattan from 59th Street to 41st Street;

67 Clarkson Street: serves Manhattan from 14th and 4th Streets south to encompass

all of Lower Manhattan.

Because all of these facilities are operating at or near capacity, the relocation of the 34th Street Facility to one or more of the other distribution centers is not feasible.

The 34th Street facility was built in 1925 and contains approximately 207,000 square feet in total area, spread equally among a cellar, first, second and third floors, making the building footprint in excess of 50,000 square feet. The building was originally a United States Postal Service facility, and as such the building was designed to accommodate trucks and sorting operations, making it one of a limited number of existing buildings particularly suitable for a FedEx Express operation. Subsequent to leasing the facility in August 1988, FedEx Express spent approximately $54,000,000 customizing the building for its operations, making required structural renovations, upgrades and equipping the facility with sort and other equipment.

Current 34th Street Facility Functions

1. FedEx World Service Center: customer drop-off and pick-up of packages
2. Loading and unloading:
   - Cargo containers from tractor trailers
   - Freight and packages onto and from conveyor belts
   - Loose freight and packages from shuttle vans
   - Pickup and delivery vehicles
3. Sorting: inbound and outbound freight and packages
4. Vehicle maintenance
5. Administrative Offices

34th Street Facility Operations

The 34th Street Facility operates approximately 22 hours a day, Monday through Friday, with the building generally inactive from midnight to 2 a.m. A significantly scaled-down sort and delivery operation occurs on Saturday and there are no operations on Sunday.

The 34th Street Facility is served primarily by two types of vehicles: tractor-trailers loaded with cargo containers ("CTV's") that deliver cargo to and from Newark Airport and other distribution centers in the city; and, pick-up and delivery vehicles ("PUD's") that pick-

up and deliver packages from and to the 34th Street facility and customers.

Currently, approximately 42 CTV's service the 34th Street Facility. Approximately 50% of the CTV's arrive at the 34th Street Facility between midnight and 4 a.m., with the other 50% arriving between 6 a.m. and 8 a.m. Almost all of the CTV's depart the facility between 8 p.m. and midnight. All of the CTV's are loaded and unloaded from bays on the ground floor which open onto West 34th Street.

When a CTV arrives at the 34th Street Facility, it is unloaded and the packages are sorted and loaded onto individual PUD's. There are 129 PUD's assigned to the facility. The sorting and loading time generally starts at 6:25 a.m. and the PUD's depart (are "launched") from the facility shortly after completion of the sorting and loading phase. At the 34th Street Facility, 75 PUD's are launched at 8 a.m., with another 44 launched by 8:15 a.m.

Although there are 129 PUD's assigned to the 34th Street Facility, many of the PUD's operate two distinct routes, one in the morning and one in the afternoon. As a result, the facility is responsible for 197 routes each day with 119 in the morning and 78 in the afternoon. Unlike the mornings, which see the highly concentrated launch of 119 PUD's in a short time-frame, the PUD's return to the facility at various times throughout the day and into the evening. The PUD's generally operate within the midtown service area described above.

Upon the return of the PUD's to the facility, FedEx Express employees unload the PUD's, sort the packages, load the sorted packages into cargo containers and load the CTV's with those cargo containers. Approximately 80% of the CTV's depart the 34th Street Facility for Newark Airport, with the remainder going to other distribution facilities within the city. As stated above, typically most CTV's do not depart the facility until after 8 p.m..

Impact of the Proposed Actions

The DGEIS presumes that the FedEx Express operation at the 34th Street Facility can be easily relocated within Manhattan. As of this time, however, FedEx Express does not have suitable and economically feasible relocation options within Manhattan. The 34th Street Facility is a unique building in that it was built with multiple floors to accommodate a truck-oriented package delivery and sort operation. Furthermore, the 34th Street Facility occupies a lot of over 50,000 square feet. Lots of this size are not readily available in Manhattan. Those few lots of this size, or greater, are cost-prohibitive, improperly zoned, already occupied or are saddled with a combination of these factors.

Based upon its research, FedEx Express has concluded that, if the proposed actions occur and the 34th Street Facility is displaced and no suitable and economically feasible Manhattan location is acquired, FedEx Express will face the highly undesirable situation of servicing the service area from outside Manhattan. Non-Manhattan location options include the

Bronx or New Jersey. Because the package and freight volume for the 34th Street Facility is serviced via FedEx Express's Newark Airport ramp operation, a location in New Jersey provides shorter CTV transit distances and travel time from the Newark ramp when compared to the Bronx. While PUD's operating from New Jersey would have to cross the Hudson River, the CTV runs from FedEx Express's Newark ramp to the Bronx would be considerably longer. In addition, PUD's coming into Manhattan from a Bronx facility would also face hindrances due to truck restrictions on the FDR Drive and West Side Highway and congested major arterial roads in the rush hour periods. Each operating PUD makes four daily traffic movements: morning out and back, and afternoon-evening out and back. Due to the time sensitive nature of FedEx Express's business, the importance of being located within the local service area cannot be over-emphasized. A Bronx location presents very significant operational concerns both relating to increased CTV and increased PUD times, while a relocation to New Jersey, although not desired and operationally challenging in itself, presents a less disruptive alternative. It should be noted that in either event, there are substantial relocation costs to FedEx Express.

Relocating FedEx Express's operations from the 34th Street Facility to New Jersey or the Bronx presents two clear impacts which the DGEIS fails to address: traffic and socioeconomic conditions.

1. Traffic Conditions

Because the DGEIS presumes that FedEx Express will remain in Manhattan, it fails to account for the increased number of river crossings and associated traffic a New Jersey distribution facility would create if a suitable Manhattan relocation facility is not found. Currently, the PUD's operate within their service areas and have no reason to use the Holland or Lincoln Tunnels. When the PUD's are launched, they are in or near their service areas. The only trucks from the 34th Street Facility that use the Holland and Lincoln Tunnels are the CTV's, which generally operate in the overnight and early morning hours, outside of the peak congestion times.

Specifically, the DGEIS fails to address the increased truck traffic in the morning rush hour due to PUD's having to travel to midtown via the Holland and Lincoln Tunnels. Currently, there are 119 PUD's that are launched into the peak morning traffic from the 34th Street Facility. However, because PUD's leaving a New Jersey location would encounter substantial rush hour delays, FedEx Express will need to add more PUD's for the Manhattan service area in order to maintain the service commitments for which FedEx Express is known, and which FedEx Express will maintain. FedEx Express estimates that approximately 45 additional PUD's would need to be added to the service area. Therefore, a total of 164 PUD's would be entering the Holland and Lincoln Tunnels around 8 a.m. The impact of these trucks on traffic should have been analyzed.

With a New Jersey relocation, the PUD's would need to return to New Jersey at

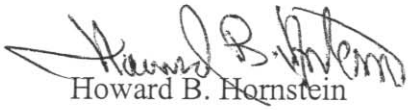
the end of their routes. As the PUD's return at various times throughout the day, there would not be as concentrated a traffic impact in the afternoon and evening, although there obviously would be a general increase in traffic with a number of the return trips occurring during the evening rush hour period.

2. Socioeconomic Conditions

The 34th Street Facility is staffed with approximately 295 employees. Of these employees, approximately 249 live in the five boroughs and another 15 on Long Island, with only 22 residing in New Jersey. FedEx Express provides stable employment and benefits for its employees. Those many FedEx Express employees who are city residents would face extremely inconvenient increases in their commutes in order to work out of a New Jersey facility. FedEx Express anticipates that a number of employees would choose not to make such a commute, resulting in significant city area job loss and the resulting negative impact on the local economy. The DGEIS does not account for these lost jobs, or the other socioeconomic impacts that the loss of a facility the size and scope of the 34th Street Facility will have on the surrounding community.

In light of these impacts, the conclusion of the DGEIS that the 34th Street Facility can be reasonably located has no substantive basis. The DGEIS failed to account for the traffic and socioeconomic impacts that displacement of the large FedEx Express operation will have on the surrounding area. FedEx Express accordingly opposes the Hudson Yards plan in so far as it displaces the 34th Street Facility.

Very truly yours,



Howard B. Hornstein

LAW OFFICE OF

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CAROLE S. SLATER
STUART J. BECKERMAN

Delivery by hand

October 4, 2004

Metropolitan Transportation Authority
2 Broadway, 2nd Floor
New York, NY 10004
Attention: Emil F. Dul, P.E.

Re: ULURP Application C040504 PQM
CEQR No. 03DCP031M
Premises: 355 West 41st Street
Tax Block 1032, Lot 101

Dear Mr. Dul:

This firm is counsel to the owner of the above-referenced premises (the "Premises"). This letter is submitted as written comments on the Draft General Environmental Impact Statement ("DGEIS").

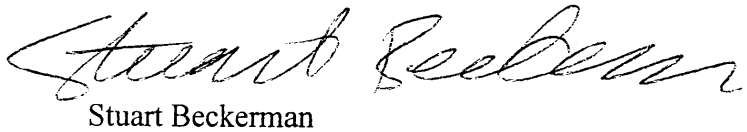
We oppose ULURP Application C040504 PQM (the "Application") on the ground that the DGEIS and the ULURP application lack specific information relative to the Premises. The Application proposes a temporary subsurface easement, at a depth of between 25 and 130 feet, adjacent to the subway tunnel on 41st Street, for a period of five to six years during the construction of the tunnel, for installation of rock bolts that will be detensioned at the completion of construction. Neither the Application nor the DGEIS disclose the MTA's specific plans relative to the Premises.

The difference in impact between an easement 25 feet below ground and an easement 130 feet below ground can be significant. For example, if the Premises were to be redeveloped, the ability to construct a cellar would be substantially affected by an easement 25 feet below ground.

Given that the MTA intends to commence construction soon after the City's approval of the Application, there is little time left for determining the impact of the proposed action on the Premises and for determining the extent to which the use of the Premises will be substantially affected.

In conclusion, we oppose the Application based on lack of information. We would very much appreciate the opportunity to review the MTA's plans relative to the Premises.

Very truly yours,



Stuart Beckerman

cc: Robert Dobruskin, CPC
Martin Sanders
Carole Slater

STATE OF NEW YORK
DEPARTMENT OF TRANSPORTATION
HUNTERS POINT PLAZA
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LONG ISLAND CITY, N.Y. 11101

DOUGLAS A. CURREY, P.E.
REGIONAL DIRECTOR

PHILLIP ENG, P.E.
DEPUTY REGIONAL DIRECTOR

JOSEPH H. BOARDMAN
COMMISSIONER

October 1, 2004

Robert Dobruskin
Hudson Yards Project
City of New York
City Planning Commission
22 Reade Street, 4E
New York, NY 10007

Subject: NYSDOT comments on Hudson Yards DGEIS

Dear Mr. Dobruskin:

As required by Part 15 of Title 17 of the New York Code of Rules and Regulations, NYSDOT provides these comments on the Hudson Yards DGEIS.

Since NYSDOT must comply with SEQRA at the time it grants permission for the elimination of curb bulb outs, construction of auxiliary lanes, pedestrian bridges or other mitigation within the right of way of Route 9A in the future, NYSDOT will rely on the DGEIS as it will be finalized to the maximum extent possible, in considering such requests. To the extent that federal permission must also be granted for any such action, the FGEIS will be relied on to the extent possible.

In 1994, NYSDOT produced an FEIS and Record of Decision for the Route 9A Project from 59th Street to Battery Place which developed traffic volumes generated based on future development. Comparison with the Hudson Yards DGEIS shows that the traffic volumes and impacts identified therein are extremely conservative since accelerated development plus background growth are assumed. Neither of those factors is considered necessary or appropriate under the traffic generation assumptions used by NYSDOT in the development of our FEIS.

This means mitigation identified in the DGEIS may not be required as soon as projected in the document. Thus, we recommend implementation of a monitoring program to most appropriately plan and schedule mitigation implementation. We generally concur with the mitigation concepts in the DGEIS, would consider alternative or additional measures, and commit to carrying out a monitoring program in conjunction with NYCDOT.

Sincerely,

Douglas Currey, P.E.
Regional Director

cc: James R. Brown
Hudson Yards Project
Metropolitan Transportation Authority
2 Broadway, 5th Floor
New York, NY 10004

DATE October 4, 2004

Robert Dobruskin
City Planning Commission
22 Reade Street, 4E
New York, NY 10007

Dear Mr. Dobruskin,

I hereby submit the following comments on the Draft Generic Environmental Impact Statement (DGEIS) for the Hudson Yards Rezoning and Development Program and the No. 7 Subway Extension submitted by the Dept. of City Planning and the Metropolitan Transportation Authority.

I live in the Hudson Yards area and am deeply concerned about the environmental effects of this proposal. According to the DGEIS, the congestion will be so bad that I will be unable to travel freely in my own neighborhood. The noise pollution will be so bad that I will be unable to open my windows. The amount of sewage generated will be so bad that more and more untreated human waste will overflow into our cherished Hudson River. Perhaps worst of all, the air pollution will be so bad that my neighbors with respiratory illnesses will be endangered by every breath they take. And all of this is based on incomplete studies and overly optimistic predictions. I believe that an adequate EIS would show pedestrian, traffic, and transit congestion and air, water and noise pollution to be even worse.

I am also concerned about the ways that this action will harm the character of my neighborhood. Hulking buildings will block my access to the waterfront and skyscrapers will block my views of the Empire State Building. My neighbors stand to lose 17,000 jobs - many in the theater and garment industries. New apartments in this working class neighborhood will have luxury price tags and the new development will encourage landlords to raise rents and squeeze people out of the neighborhood. The DGEIS dismisses all of these concerns as of no account. It says my neighborhood is an ugly slum that is already gentrifying anyway, and it says that anyone in a rent stabilized apartment doesn't have to worry about displacement. This is just wrong. An adequate EIS must give a true assessment of the value of the neighborhood as it is and the number and type of people that live here, and must seriously consider how the loss of jobs and the development of luxury housing will endanger existing residents and change neighborhood character. It must also acknowledge that loss of waterfront access and views is not cancelled out by putting hulking new buildings in our neighborhood.

The DGEIS mentions many new facilities that will have to be built in our neighborhood. It speaks of: a new elementary school; a new fire house; two new electrical substations; a new transmission substation; new water and sewer mains; changes to our streets, sidewalks, and crosswalks; pedestrian overpasses; new elevators and stairways in our subway stations; a new day care center; a new bus layover facility; 130 new MTA buses; a ferry terminal capable of accommodating 8,000 Jets fans in an hour; new demand for as much electricity as is produced by a mid-sized power plant; and a program to give us all new windows and air conditioning units. On top of all that, it doesn't discuss at all how the police are going to protect a new stadium, an expanded convention center, a new hotel, two new subway stations, several new landmark skyscrapers, and tens of thousands of new commuters. Where are all of these facilities going to go and how will new infrastructure and services be paid for? What will be the environmental impact of all of these new facilities which are an integral part of this plan?

I am not an expert in traffic or air pollution or water pollution or anything else, but I know that Madison Square Garden and an array of environmental organizations (NYPIRG, Riverkeeper, the Tristate Transportation Alliance, the Straphangers' Campaign, the Regional Plan Association and others) have submitted comments on this proposal. I know that they share many of my concerns and have the technical expertise to really analyze the DGEIS. I would like to echo all of the concerns that they have raised about the adequacy of this report. I have also had the opportunity to review the comments submitted by Manhattan Community Board No. 4 and I share all of their concerns. In particular, I echo CB4's statements about affordable housing, and the inadequacy of the DGEIS in studying the potential loss of affordable housing units.

I want to protect my neighborhood's character, my health and that of my neighbors, and our environment. Any plan for the development of this neighborhood must meet that standard. I want my neighborhood to continue to exist, including a place for children and friends to live. This plan does none of that, no permanent affordable housing, no plan for traffic congestion, no plan to deal with the overflow from Javits center and the stadium on Sunday afternoons. It doesn't even adequately study the issues. I am extremely concerned that if this plan goes through, this part of the city will no longer be a place I and many others can still call home. I hope you can help preserve my community.

Sincerely, Kernan Huttick

NAME KERNAN Huttick
ADDRESS 351 West 24 Street, 12E
New York, N.Y. 10011
(212) 367-9379

Testimony against the Stadium on Manhattan's West Side—June 14, 2004

Good afternoon to all the tenants present and the members of the City Council. My name is Kernan Huttick. I am a member of the Chelsea Coalition on Housing. We are a grassroots tenants' group located in Chelsea dedicated to maintaining safe, affordable, and integrated housing. We have been serving Chelsea and the surrounding areas for over 30 years. Jane Wood, the founder of the Coalition, recently died and I am here in her place to deliver a large stack of letters opposing the Stadium that we have collected at our tenant center on Thursday nights, including the letter Jane signed several months before her death. I shall now read you the letter.

This letter only scratches the surface of the problems associated with a Stadium on Manhattan's West Side. Even with all of us here today, we still can't foresee all of the many negative impacts the Stadium will bring. Where will the massive power plants go that increase the risk of cancer? Will they go next to the New York City Housing Authority projects filled with low-income families and the working poor? The increase in the number of cars, trucks, and other vehicles will literally choke to death the thousands of young and old people who live with Asthma. What about the enormous infrastructure that needs be built? Our sewers are already backed up, smelling and not working. Why should we fund another massive infrastructure project when we can't even take care of the ones we already have? What other programs for the poor and disenfranchised, as well as lower-middle income people, will be cut in order to build this Stadium and balance the budget?

We hope and pray that if you do build a Stadium, it is in one of the other boroughs that is better equipped to handle the influx of that many people and vehicles. They are lobbying for it and need the development in their largely undeveloped areas. They already have the transportation infrastructure in place.

Let Jane Wood's 96 years of wisdom be heard. The Chelsea Coalition on Housing strongly opposes building a major sports stadium in the City's most intensely developed and congested area for any reason.

Thank you, Kernan Huttick

Kernan Huttick & the Chelsea Coalition on Housing
PO Box 1164, Old Chelsea Station, NY 10113
212 243-0544 or ~~janewood95@aol.com~~
Khuttick@aol.com

CHEALSEA COALITION ON HOUSING
P.O. BOX 1164, OLD CHELSEA STATION
NEW YORK, NY 10113

DEPT OF CITY PLANNING
RECEIVED
2004 OCT -4 PM 5: 18
ENVIRONMENTAL REVIEW DIV.

Chelsea Coalition on Housing
P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

October 4, 2004

Robert Doburskin
City Planning Commission
22 Reade Street, 4E
New York, NY 10007

Dear Mr. Dobruskin,

Please accept these signed petitions as a barometer of many Chelsea residents' negative feelings against the proposed stadium on Manhattan's West Side. Also enclosed is a letter that I signed addressed to you that brings up even more reasons that we think these projects should not go ahead at this time without the proper planning and community involvement to include affordable housing as a major component of any plan.

Please feel free to contact our organization with any questions, input, or advice for the responsible planning of this project. It is enormous and will impact our members whom some live in the areas that will be demolished.

Also enclosed is the testimony we gave at the City Council in June of 2004.

We look forward to hearing back from you about these critically important issues. Thank you for taking the time to study all the input and listen to the voices of the community.

Sincerely, Kernan Huttick

Kernan Huttick & the ***Chelsea Coalition on Housing.***

cc: Governor Pataki
cc: Assembly Speaker Sheldon Silver
cc: City Council Speaker Gifford Miller
Cc: Manhattan Borough President Virginia Fields

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 6.3.05

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

While some people think this part of the West Side is "ripe for development," the area is home to many of your constituents who value their distinctive neighborhoods.

A stadium would bring traffic nightmares and a rise in pollution to Midtown and the neighborhood of Chelsea, Hell's Kitchen/Clinton, and the Upper West Side. Proposing to put a stadium in this area does not help to win support for the Olympics.

Inevitably, city taxpayers will end up paying huge costs for a stadium. We simply cannot afford it Special taxes and other funds spent on the stadium could be better spent on developing affordable housing and mixed uses that are in scale with the existing neighborhoods.

Thank you for your consideration in this matter.

Very truly yours,

Name: Craig Russell

Address: 64 Madison Ave
New York, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Ann Brameier

Address: 318 W. 14th St
New York, NY 10014

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 1/30/03

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Adam Woods

Address: 347 W. 16th St, #3C

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Alysa Hornick

Address: 345 West 16th St #2
NY, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Shirley Cooper

Address: 105 East 15th St. - #42
New York, N.Y. 10003

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Russell Kallen

Address: 139 West 75th St.
New York, NY 10023

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours, Marcia Lappaport

Name: Rabbi Marcia Lappaport

Address: 329 W 22 St
NYC 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 2/13/03

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: STEVE MILLER

Address: 223 2ND AVE. Nº6A
NY NY 10003

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: March 13, 2003

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Diane Drake

Address: 2024 W 14th ST #2B
NY, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: March 13, 2003

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: David Weisel

Address: 395 Pratt St
Brooklyn NY 11225

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 3/20/03

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Florian PINEL

Address: 345 W 16 #2, NYC

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Very truly yours,

Name: Robert A. Mark

Address: 322 West 17 Street

Chelsea Coalition on Housing
P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: MARTHA VISSER

Address: 456 W 22nd St. #4B
New York, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg, Dear Mayor Bloomberg.

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Thank you for your consideration in this matter.

Very truly yours,

Name: Marian E. Faller

Address: PO Box 308
NY NY 10113

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Joel Kelley

Address: 165 W. 26 #3E
NY NY 10001

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Very truly yours,

Name: Mark Markowitz

Address: 454 W 22nd St 1A
N.Y. N.Y. 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: May 9, 2003

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Aanna William

Address: 312 West 21st St. #5E, New York, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: May 2003

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Satish Williams

Address: 312 West 21ST ST #5E
New York NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Very truly yours,

Name: Rowena Doyel

Address: 404 West 20th Street NYC 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours, Marie Parham

Name: Marie Parham

Address: 365 West 25th NYC 10001

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: November 13, 2003

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Very truly yours,

Name: Christopher Wurster Christopher Wurster

Address: 327 W22nd St. Apt. GF
NY, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: David Gonzalez

Address: 322 W. 17th St. #11W
NYC 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours, Claudia A. Hite

Name: CLAUDIA HITE

Address: 221 West 15th
New York NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: July 31, 2003

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours, Judy Eggleston

Name: Judy Eggleston

Address: 100 Arden St. #6D
New York, NY 10040

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: James Stefanik

Address: 110 WEST 14TH ST. - #8
N.Y.C., N.Y. 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 7/10/03

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

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Thank you for your consideration in this matter.

Very truly yours,

Name: Penny Guy

Address: 110 W. 14th St #2
NY NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Lawanda Rosberry ALLEN MANSUM

Address: 450 West 17th Apt 5N

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Robinson D. Eastman ROBINSON D. EASTMAN

Address: 352 W 18th St. #3A
New York N.Y. 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Angela Sampson

Address: 456 West 17th Street
NY, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 1/30/03

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

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Thank you for your consideration in this matter.

Very truly yours,

Name: John F. Crafford

Address: 220 W 24 St, #6C, NYC-NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 1/30/03

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Tyrone Robinson

Address: 443 W 25 St #3E
New York, NY

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 1/30/03

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Mary Hanclosky

Address: 453 East 14 St. NYC 10009

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Maryn Rocca

Address: 457 W 17 st apt 7

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Nidia Leon

Address: 421 E 154 St #2R
Bx N.Y. 10455

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Pamela Kelly

Address: 42 BANK ST
NYC 10014

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: August 21, 2003

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

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Thank you for your consideration in this matter.

Very truly yours,

Name: Pamela Stern

Address: 140 E. 92nd St Apt 2N
NYC, NY 10128

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours, Myriam Lemos.

Name: Myriam Lemos.

Address: 250 W. 50th St, NYC, NY 10019

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Carmen J. Porfido

Address: 309 W. 21st St. #3C
New York, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Very truly yours,

Name: Mayra Navia

Address: 214 W 30th St #18
New York N.Y. 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

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Very truly yours,

Bonnie Holzer

Name:

Bonnie Holzer

Address:

127 W. 79 St
NYC 10024

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: November 13, 2003

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Very truly yours,

Name: June Ekman (JUNE EKMAN)

Address: 47 W 28 St
NYC. 1000

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Very truly yours,

Name: James Wood

Address: 230 Park Place
Brooklyn, NY 11238

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Very truly yours,

Name: Lee Brodsky

Address: 365 W. 28th St.
N.Y.C.

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: March 2004

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours, George Plagianos

Name: GEORGE PLAGIANOS

Address: 328 - W. 17th ST, APT 4F, N.Y. C 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: March 2004

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: ANN SUWANTINDAR

Address: 327 W. 22nd St.
#1F
New York, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Very truly yours,

Name: Roberto Clemente

Address:
117 9th AVE #3-E
nyc ny 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Very truly yours,

Name: Carmen R. Rodrigues

Address: 3514 Holland Ave
Bronx N.Y. 10467
apart 2

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
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Thank you for your consideration in this matter.

Very truly yours,

Name: [illegible]

Address: 335 W. 20th St. 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Shantel

Address: 118 West
8572005
St Apt. 16111 17F

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Very truly yours,

Name: Wanda Schwartz

Address: 322 W 17 St (3W)
NYC 10017

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Ed Delgado

Address: 346 E 21 St
NYC 10010

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 6-6-04

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Anna Lebowitz

Address: 355 8 Ave 3A.
NY, NY 10001

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

While some people think this part of the West Side is "ripe for development," the area is home to many of your constituents who value their distinctive neighborhoods.

A stadium would bring traffic nightmares and a rise in pollution to Midtown and the neighborhoods of Chelsea, Hell's Kitchen/Clinton, and the Upper West Side. Proposing to put a stadium in this area does not help to win support for the Olympics.

Inevitably, city taxpayers will end up paying huge costs for a stadium. We simply cannot afford it. Special taxes and other funds spent on the stadium could be better spent on developing affordable housing and mixed uses that are in scale with the existing neighborhoods.

Thank you for your consideration in this matter.

Very truly yours,

Name: Lisa Y. Rubin

Address: Lisa Y. Rubin
311 W. 24th St, #7B
NYC, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 6/26/2004

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

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Thank you for your consideration in this matter.

Very truly yours, Aida Cruz

Name: 330 W. 30th ST #209

Address: NYC, NY 10001

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours, Patrick J. Flanagan

Name: 186 E. 123rd ST.

Address: New York, N.Y. 10035

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Moses G

Address: 340 W 19th street, N.Y.C. 10011. Apt 18

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Elyse Bolner

Address: 351 W. 24 St. 4F
NY NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Adey Bohner

Address: 351 W. 24 St NYC 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Gilbert Cruz

Address: 484 W. 43rd 46-0
NYC, NY 10036

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Dani Rizzo

Address: 355 8th Ave 10001

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Margaret L. Sands

Address: 245 W. 25 St Apt 36
NY, NY 10001

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Margie Hasson

Address: 210 W 21 St
NY NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Julie A. Toole J. Toole

Address: 425 W.25 St. #6E NYC, NY 10001

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Adrian Strand MD

Address: Adrian Strand, MD
429 W 24th St 3B
NY NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours, Sara Catalinotto

Name: SARA CATALINOTTO

Address: 340 W 28 ST
NY NY 10001

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Taren Sterry

Address: 230 W. 16th St. #3C
NYC 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: BARBARA JONIK

Address: 252 7th AVE. - 6T
NY, NY 10001

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Cynthia Straube

Address: 370 West 17th St.
NY, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough. Fire engines & ambulances have no access now. While some people think this part of the West Side is "ripe for development," the area is home to many of your constituents who value their distinctive neighborhoods.

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Very truly yours,

Name: S Robinson

Address: NYC

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Kimberly Perfetto

Address: 351 W. 14th St. Apt A
NYC 10014

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Jennifer Cheng

Address: 344 W 17th St Apt 3A
New York NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: June 26, 2004

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

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Thank you for your consideration in this matter.

Very truly yours,

Name: Aida DelValle

Address: 519 East 11th St., #3S
NY, NY 10009

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Bernice Santiago

Address: 48-46 43rd St Sunnyside N.Y. 11104

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Betty Carroll

Address: 415 W 25 St
NY C 10001

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Rose M. Torres

Address: 306 West 30th Street
N.Y. N.Y. 10001

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: M Freebourty

Address: 309 W. 19 St #41
NYC 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: R. Picher

Address: 257 W. 19St
NYC 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Fatima Suane

Address: 425 W 25th St. 3A
NY NY 10001

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Jeff Olshansky

Address: 25 Cumming St #26 NY NY 10034

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: ROCHELLE DE CASTRO

Address: 264 W 22 ST
NYC 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

While some people think this part of the West Side is "ripe for development," the area is home to many of your constituents who value their distinctive neighborhoods.

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Inevitably, city taxpayers will end up paying huge costs for a stadium. We simply cannot afford it. Special taxes and other funds spent on the stadium could be better spent on developing affordable housing and mixed uses that are in scale with the existing neighborhoods.

Thank you for your consideration in this matter.

Very truly yours,

Name: ARTURO QUINTERO

Address: 134 9th apt 4R
NY NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

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Thank you for your consideration in this matter.

Very truly yours,

Name: [illegible]

Address: 340 W 19th St.
NYC, NY 10014

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Kerry Stichman

Address: 335 W. 20th St. BW
10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Richard M. Perez

Address: 248 W 21 St #4B
NYC NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Rosanne Ahern

Address: 412 W 19 St, apt 2C, New York N.Y 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Lauren R. Pope

Address: 346 E 71 St
NYC 10010

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Roberta Gold

Address: 640 Riverside Drive #12-G
New York, NY 10031

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: June 26, 2004

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

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Thank you for your consideration in this matter.

Very truly yours,

Name: Andrew Alexander

Address: 265 West 19th Street
New York, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Blanci Prieto

Address: 215 W. 16 St
NYC 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours, Flor Clemente

Name: Flor Clemente

Address: 117 9th Ave. #3E
N.Y.C. N.Y. 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Marie Feliciano

Address: 420 West 19th Street 17-G
NY NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: MAUREEN L. SWEENEY

Address: 421 W. 21 St Apt 3F
N.Y.C. N.Y.
Z-10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: March 2004

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

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Thank you for your consideration in this matter.

Very truly yours,

Name: Hazel McLean

Address: 8400 Shore Front
Far Rockaway
11693

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Darland, MARIE A.

Address: 337 W 14 ST NYC 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: [illegible]

Address: 321 West 16 St
NY NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: November 13, 2003

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Gary L Smith

Address: 379 Bleecker St
NYC 10014

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Very truly yours,

Name: Robert Shashoua

Address: 333 W 19th St. 3E
New York NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Joseph Russo

Address: 336-9AVE
N.Y.N.Y 10001

Chelsea Coalition on Housing
P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Very truly yours,

Name: Kathy Casey
Address: 337 W. 21st St. (Apt. B)
New York, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Miriam Fisher

Address: 337 W. 21st St
NY NY 10011

Miriam Fisher

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 8/23/02

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Luis Carle

Address: 258 West 15th ST 4RE NYC 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: MARIO LESTMAN

Address: 220 W 24th
NY NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Roberto Rodriguez

Address: 420 W 19 St. NYC 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Maribel Baez

Address: 336 W 19 st apt 21
N.Y. NY. 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Rosario Vera

Address: 412 W 19 St apt 2C
Man N.Y 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 1/30/03

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Mary Ruffino

Address: 339 E 12 St New York 10003

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 1/30/03

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours, Harry Haynes

Name: Harry Haynes

Address: 310 W. 20th Street
New York 10011, N.Y. State

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 1·30·03

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: CARLOS DIAZ

Address: 347 WEST 16TH STREET 2D.
NEW YORK CITY N.Y. 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Inevitably, city taxpayers will end up paying huge costs for a stadium. We simply cannot afford it. Special taxes and other funds spent on the stadium could be better spent on developing affordable housing and mixed uses that are in scale with the existing neighborhoods.

Thank you for your consideration in this matter.

Very truly yours,

Name: [illegible]

Address: 458 W. 17 St. #4-N
N.Y. 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

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Thank you for your consideration in this matter.

Very truly yours,

Name: G Jacks

Address: 120 West 17th St.
NYC.

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Dana Bryant

Address:
239 Third Ave #2
NYC 10003-2504

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Sandra Truman

Address: 49 8th Ave.
New York NY. 10014

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Allison Dietz
Allison Dietz

Address:
274 East 3rd St. #8
New York, N.Y. 10009

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: March 11, 2004

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

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Thank you for your consideration in this matter.

Very truly yours, C. David Carter

Name: David Carter

Address: 58 W. 8th St., #5D
New York, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Dale R. Jones

Address: 140 7th Ave.
NYC NY

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Maya Selle

Address: 365 7th Ave #3N
NYC 10001

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: November 13, 2003

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

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Thank you for your consideration in this matter.

Very truly yours,

Name: Kristin Giarletto
Kristin Giarletto

Address: 327 W. 22nd St., Apt. 6F
NY, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: RICHARD BARR

Address: 205 W 86 ST
NYC 10024

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name:

Address: 210 W. 21 St
NY, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Mary Reuter

Address: 330 W. 17 ST #2W
N.Y. NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 4/25/03

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

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Thank you for your consideration in this matter.

Very truly yours,

Name: B Conank

Address: 701 Crotona Park North
Bronx, NY 10457

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: R Pellaeli.

Address: 221 W. 16th St. NYC 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 4/24/03

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Peggy Rose Vrepa

Address: 400 west 20th Street, APT. 2N, N.Y. N.Y. 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Gil Schwartz

Address: 342 W. 15 St.
NYC NY 10011

Chelsea Coalition on Housing
P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Julio A. Guerrero
Address: 337 West 21st Street, 5D
New York, NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: March 20, 2003

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name:
Deane Weston
Address:
515 E. 81st St apt
NYC, NY 10028 2C

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 3/20/03

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Brendon Lennons

Address: 454 W. 22nd St, 1A
NYC 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: James McCaffrey

Address: 446 W. 19th St.
New York City
Zip 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 2/13/03

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Mark Bicemen

Address: 3 NY Plaza, NYC

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: 2/13/03

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Yanin Regm

Address: POB 770-244
WOODSIDE, NY 11377

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours, Virginia Zimenger

Name: Mrs Virginia Springer

Address: 329 W. 22 St NYC 10011 #2F

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Leelin

Address: 102 W 29 ST NYC. NY, 10001

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

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Thank you for your consideration in this matter.

Very truly yours,

Name: Seth A. Miller

Address: 135 Ocean Parkway
Bklyn NY 11218

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date: January 30, 2003

Mayor Michael Bloomberg
City Hall
New York, NY 10007

Dear Mayor Bloomberg,

I am strongly opposed to a stadium on Manhattan's West Side for any purposes. It is unacceptable to place a major sports stadium in the City's most intensely developed and congested borough.

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Thank you for your consideration in this matter.

Very truly yours,

Name: Kieran Murphy

Address: 452 West 19th St, #1C
New York
NY 10011

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours, Morton Tankus

Name: Morton Tankus

Address: 365 West 25th
NYNY 10001

Chelsea Coalition on Housing

P.O. Box 1164 Old Chelsea Station, New York, N.Y. 10113 (212) 243-0544

Date:

Mayor Michael Bloomberg
City Hall
New York, NY 10007

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Thank you for your consideration in this matter.

Very truly yours,

Name: Sheila Jacobs

Address: 290 9th Ave #9B
NYC 10001

Friends of Hudson River Park

September 30, 2004

NYC City Planning Commission
22 Reade Street, 4E
New York, NY 10007

Attn: Robert Dobruskin, AICP

311 West 43rd St, Ste 300
New York, NY 10036

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President:
Albert K. Butzel

Deputy Director:
Monique Lapointe

Administrator:
Phillip Baumgartner

Re: Comments on Hudson Yards DGEIS

Dear Sirs/Madams:

Friends of the Hudson River Park has reviewed the Draft Generic Environmental Impact Statement relating to the Midtown West/Hudson Yards proposal and respectfully submits the following comments on it. All of our comments relate to the impact of the proposal on Hudson River Park.

1 - Competition for funding - The original plans the Hudson River Park anticipated that funding for Hudson River Park would be generated by the appreciation of inboard real estate values and a special tax district on the inboard. Projections of the revenues this district would generate ranged from $80 million to $100 million. The Hudson Yards proposal envisions its own tax district, a significant part of which would overlay the contemplated Hudson River Park special district, but none of the revenues from the Midtown West District would go to the Park, rather being used to help pay for the new Sports and Convention Facility and other improvements foreseen in the Hudson Yards proposal. This will have the consequence of delaying completion of Hudson River Park, possibly by many years, denying the public the benefits of the Park for that period. Moreover, to the extent other public funds that might otherwise have gone to Hudson River Park are diverted to construct the Sports and Convention facility, the public will again suffer from the delay in completing, or possibly the loss of, the Park. Finally, operating revenues to support the Park that might have come from the Park special tax district will also be lost.

2 – Increased traffic on Route 9A and in the Park. With the expanded use of the proposed Sports and Convention Facility for convention activities, concerts and other public events, there will obviously be increased traffic on Route 9A at the time of these events. This will impact the Park, especially in the evenings and on the weekends when the Park is most heavily used. There will also be increased pedestrian traffic in the Park as well. The DGEIS includes a complex analysis of traffic impacts, but the consequences to the Park are not detailed. We think they could be significant.

3 - Competition for space on the esplanade. The proposal appears to narrow the Park in front of the new Stadium to a width of 30 feet, which raises concerns about bicycle/pedestrian interaction in such a narrow space.

4 - The usability of the berm to the west of the Sports and Convention Facility. If the most recent design of the Sports and Convention facility is followed, it appears that the berm to west of the facility will be quite steep, making it difficult to grow plant material, increasing erosion and decreasing its usability. If the berm proves to be more decorative than useable, a taking of parkland could be involved, particularly because the Park is very narrow in this area.

5 - Impact of new structures in the water. The DEIS does not address the impacts of new structures in the Hudson River that may be built in conjunction with the Hudson Yards rezoning and redevelopment. This is presumably because no such structures are being proposed at this time. Yet earlier plans for the Sports & Convention Center did include new piers, and it therefore seems likely that they will [redacted] be a part of the future redevelopment. Indeed, they may be essential to moderate traffic impacts to acceptable levels and should, at the least, be viewed as a mitigating measure with respect to traffic impacts. This would seem to require the analysis of the impacts of such new structures on the Hudson River habitat as an essential part of the Hudson Yards proposal.

6 – Impact of waterborne transportation on the Park. It is not clear whether waterborne transportation to the Stadium will be operated from the new pier that has appeared on a number of documents or from the new Midtown West Ferry Terminal at West 39th Street. If waterborne transport to the Stadium is via the new West 39th Street Terminal there could be significant impacts from pedestrian traffic in this portion of Park before and after games and other events scheduled for the Stadium which will be on Weekends and in the evening. This will be exacerbated by the removal of West 39th Street (see # 9).

7 - Consistency between the environmental impact statements for the proposed project and that of the Park. A number of elements of the proposed redevelopment plan, such as the pier, berm and West 34 Street stairway, do not appear in the Hudson River Park Environmental Impact Statement and may require a supplemental EIS for the Park.

8 - Impact of the pedestrian connection across 34th St. The proposed plan includes a stairway connecting the elevated West 34th St. platform with the Hudson River Park. It appears as if this will require the taking of parkland. In addition, it appears that West 34th Street will be the primary access to the Hudson River Park for the tens of thousands of the office workers and residents who will live in the commercial and residential development anticipated with the Hudson Yards expansion. Perhaps we have missed it in the DEIS, but we do not find analysis of these impacts <u>on the Park</u>.

9 - Removal of West 39th St. access and view corridor. The proposed expansion of the Javits Convention Center, combined with the Sports & Convention Facility if it is built, will create a largely unbroken wall along the River and the Park from 30th to 42nd Streets. This will have a significant effect on the Park, both in terms of those using it and those trying to access it. If the Convention Center were instead to expand southward, westward or eastward, the adverse impacts could be reduced.

10 - Ambiguity about the proposal for Pier 76. The Hudson Yards expansion plans all include something on Pier 76 yet there are no details regarding this use and its potential impact on the Park.

The proposal to redevelop Manhattan's far West Side is called "Hudson Yards." Friends of the Hudson River Park wants to be sure that the redevelopment plan respects the Hudson River for which it is named and helps to capture this once-in-a-lifetime opportunity to create a truly magnificent Hudson River Park that will be a legacy for all New Yorkers. This can only be assured if decision makers have before them the full consequences of proposed actions, both positive and negative. The EIS is one of the key documents in assuring the requisite understanding and consideration. We are not persuaded that the DEIS fulfills this function adequately with respect to Hudson River Park. We hope our comments will help.

Thank you for your consideration.

Sincerely,

Albert K. Butzel
President

Glenn S. Pasanen, Ph.D.
377 Rector Place, #12i
New York, NY 10280
October 3, 2004

DEPT OF CITY PLANNING
SECRETARY
2004 OCT -4 PM 5:19
ENVIRONMENTAL REVIEW

New York City Planning Commission
22 Reade Street, 4E
New York, NY 10007

RE: Hudson Yards DGEIS
Attn: Robert Dobruskin, AICP

Dear City Planning Commission:

I would like to register my profound opposition to the Hudson Yards Draft Generic Environmental Impact Statement (DGEIS). Most importantly, the city of New York's Hudson Yards proposal is full of unacknowledged fiscal dangers. The DGEIS fails to consider these dangers by ignoring the fragile economic assumptions of the city's plan and therefore encouraging the city's shaky capital commitment.

The city's west side financing plan for the Hudson Yards, #7-line subway extension, Javits Center expansion, and Jets stadium is really a series of segmented, undemocratic, and unsound actions designed to minimize public comment, disguise the shakiness of revenue assumptions, and obfuscate state and city accountability.

The financing relies on the use of several public-benefit corporations (or public authorities), including the Battery Park City Authority, the Javits Center Convention Center, and the proposed Hudson Yards Infrastructure Corporation. All of these entities, controlled by Governor George Pataki and/or Mayor Michael Bloomberg, work outside normal democratic processes. The mayor and governor don't want public participation.

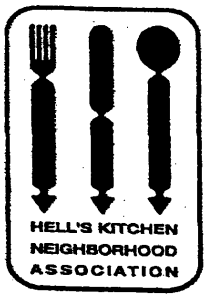
The New York City Independent Budget Office, in its recent "West Side Financing's Complex, $1.3 billion Story" (http://www.ibo.nyc.ny.us/), has shown how unnecessarily expensive the city's current financing plan for the Hudson Yards project is. In my own writing (http://gothamgazette.com/article/finance/20040915/8/1112) I have summarized that IBO study and other problematic aspects of the mayor's west side financing plan.

The Metropolitan Transportation Authority has, like the city of New York, long-term fiscal problems that demand close analysis of any new commitments. For the MTA to assume the city will be able to take on the (probably low-balled estimate of) $2.1 billion costs of the #7 subway extension only ignores and endangers other priorities, such as the Second Avenue subway and maintaining the city's subway fare.

I urge you and the mayor to re-consider the Hudson Yards proposal as currently designed and financed.

Sincerely,

Glen S. Pasanen



DEPT OF CITY PLANNING
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2004 OCT -4 PM 5:54
ENVIRONMENTAL REVIEW DIV.

Robert Dobruskin
Director EARD, NYCDCP
City Planning Commission
22 Reade Street, Room 4E
New York, NY 10007

October 1, 2004
Re: EIS comments- Hudson Yards Plan

Dear Sir,

Most people think of the Far West Side as empty: indeed the last time Mr Bloomberg came to the neighborhood for the republican convention, the avenues were closed and there were 5 officers at each intersection on 9th avenue (at an enormous cost to the city) !

Hudson Yards is unique in the city because of the massive impact of the Lincoln Tunnel traffic, the bus terminal and the concentration of delivery companies on the Traffic situation

Today The Lincoln tunnel processes at peak hour 6000 cars and 700 buses. It has no spare capacity. We experience every day massive back ups honking and understaffed intersections. In fact 42nd and 9th is the most dangerous intersection in Manhattan for pedestrians and cyclists and the nearby Holy-Cross school is the most dangerous for children going to school in Manhattan.

The DEIS agrees that today, there are extreme levels of congestion at both morning and evening rush hours. They identified 48 intersections as overly congested and 38 intersections in the middle of the day. This is the equivalent of 15 blocks on 3 avenues.

- Today the situation is in fact much worse. The DEIS has not taken recent changes in account like the concentration of long trucks rerouted from the Holland tunnel, the closing of streets for security and the change in flow toward the Lincoln tunnel, all having a very negative effect. .

With the proposed plan The DEIS predicts that the proposed office development will create unconceivable levels of congestion

- "Up to 135 intersections would have significant adverse impacts through out the day" This is equivalent to 35 blocks over 4 avenues "

- "Every single parking space on the West Side of Midtown will be filled on an average workday "

And this is before even considering a stadium …

With the plan in fact the situation will be much worse because the DEIS is making a series of factual errors:

- DEIS assumes that thousands of New Jersey workers will come into Penn Station via rail. However NJ TRANSIT 's own projections show the rail system full by 2009. So the DEIS has faulty information. Commuters will have to come by cars.

- The DEIS ignores the largest cause of traffic in our neighborhood: the Lincoln Tunnel and the Port authority bus terminal . The DEIS assumes that there will be no back ups from increased traffic in the Lincoln tunnel! The Lincoln tunnel has no spare capacity today and there is already a minimum of 10 blocks back up everyday! The DEIS failed to take in account the impact of the largest cause of traffic in our neighborhood. There will be massive back ups

- The DEIS assumes that one clogged intersection with 5 minutes delay has no effect on the next! (What is called a cumulative analysis) The DEIS methodology is erroneous and gravely distorts its conclusions: it has not analyzed the back up effect that 138 severely impacted intersections will have on the adjacent intersections! This plan will result in gridlocks much worse than represented. Our own analysis predicts a complete gridlock everyday form 14th street to 70th street from 12th to 5th avenue

And this is again before we consider a stadium.

However the DEIS tell you not to worry: we can mitigate!
Our neighborhood committee has been talking to DOT and the port authority for over a year and they are unable to mitigate today, understaffed and without budget and the volume is simply too much.

We beg you to reject the proposed office density which will compete with Lower Manhattan development, generate massive gridlocks everyday in Manhattan and will adversely impact all businesses throughout the city.

And as far as a stadium —

AT a recent show at the Javits Center, with an attendance comparable to the events considered for the stadium, the neighborhood experienced a gridlock from 11 in the morning to 11 at night. From 37th street to 65th street, spread over five avenues.
It was taking 2 hours to go from Central park to 37th street, a 22 blocks drive.
The next day, the head of the local fire station on 38th street indicated that he had called his headquarters and notified that he was trapped in gridlock and could not attend to any emergency!

How many traffic controllers will it take to manage such a disaster more that 100 times a year, in overtime … and how much wills it cost? These cost are certainly not included in the city business plan.

As we say in New York. Fuggetaboutit!

We beg you again to reject this plan as proposed and take the time to consider the financially sensible alternative plans which have been proposed with the good of the larger community, the business and all of the new Yorkers in mind.

Respectfully,

Christine Berthet
HKNA- Treasurer and Co Chair of the traffic Committee
Resident of Hell's Kitchen for 25 years

For Immediate release – July 2004

CITY'S PLAN TO ADD 7500 CARS AT PEAK COMMUTE TIME IN HELL'S KITCHEN SOUTH/ LINCOLN TUNNEL ENTRANCE,

Holy Cross School (43rd Street between 8th and 9th Avenues) is identified in DOT's **'Walk to School'** initiative as the worst school in Manhattan. Already in 2001 this intersection was **the most dangerous in the city for pedestrians and bicycles.** Yet, in the last six months the traffic on 9th Avenue, Hell's Kitchen's major artery, has gotten steadily, **dangerously** worse – with little relief in sight. A large concentration of long trucks and buses contributes to trap emergency vehicles in gridlock.

Hell's Kitchen South includes the proposed Jets football stadium, and the increased office density of NYC's Hudson Yards Plan. The city's plan proposes to add 7500 vehicles at afternoon peak commute hour to the area. This on the top today's backup from the Lincoln Tunnel, which negatively impacts this neighborhood and its pedestrians and the adjacent Garment District 24/7,

Kathleen Treat, Chair of HKNA, states that; "By the City's own admission (in its current EIS) Hell's Kitchen suffers from an enormous over burdening of traffic, from buses, trucks, commuters: Diesel exhaust **(carcinogenic) levels** exceed the EPA maximum. The EIS states that noise here is much worse than anywhere else in the city.

We are appalled that, with this knowledge, the City contemplates an overwhelming increase in office/single car commuter density here. The Lincoln Tunnel already operates at maximum capacity." **According to the EIS,** ten intersections in the Garment District will be severely impacted, and the entire island will be adversely affected by increased commuter traffic on Second and Third Avenues, Park Avenue, the Queensboro Bridge and cross-town arteries.

New York State Senator Tom Duane said, "We've been attempting to solve traffic and air quality problems in the area, with its completely unique infrastructure needs and challenges, for years now. New traffic routes must be implemented and serious, detailed mitigation strategies must be explored before a single additional vehicle is brought to this neighborhood."

The EIS indicates that City's mitigation proposals have not been thoroughly studied.

HKNA urges the City to implement the following measures: IMMEDIATELY relieve 9th Avenue Lincoln Tunnel traffic by sending commuters to less populated 11th Avenue; AND **before** office construction begins build a **PATH** to bring the 50% of Northern and Western New Jersey commuters who use their cars because they do not have rail access to the city

The Hell's Kitchen Neighborhood Association **(HKNA)** is a community organization formed ten years ago to advocate for its citizens and businesses. HKNA has developed an alternative plan to the City's Hudson Yards Plan.

cc: 34th Street BID, Garment Center BID, Transportation Alternatives, Rep. Jerrold Nadler, NYS Senator Charles Schumer, NYS Senator Hilary Clinton, NYC Assembly Members Richard Gottfried and Scott Stringer, Manhattan Borough President C. Virginia Fields, City Council President Gifford Miller, City Council Member Christine Quinn, DOT Commissioner Irish Weinschel, PA President Charles Gargano, Walter Mankoff, Chair, CB4

DANA D. TURNER

440 West Forty-first Street - Apt. #4D
New York, New York 10036

212 - 563-5150
DanaTEsq @ earthlink.net

September 30, 2004

DEPT OF CITY PLANNING
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2004 OCT -1 PM 1:22
ENVIRONMENTAL REVIEW DIV.

Robert Dobruskin
NEW YORK CITY PLANNING COMMISSION
22 Reade Street - Room 4E
New York, New York 10007

Re: Public Comments Submitted by Resident of 440 West 41st Street

Dear Mr. Dobruskin:

I do hereby, in the form of this letter, submit my formal 'pubic comments' on the Draft Generic Environmental Impact Statement (DGEIS) for the Hudson Yards Rezoning and Development Program ("the Hudson Yards Plan"), and on the proposed No. 7 Subway Extension submitted by the New York City Department of City Planning (DCP), the New York City Planning Commission (CPC) and the Metropolitan Transportation Authority (MTA).

I live in the area located at the egress of the Lincoln Tunnel tubes onto Dyer Avenue, which is in the envisioned 42-block area designated for redevelopment and rezoning and I am deeply concerned about the environmental impacts of the Hudson Yards Plan on my quality of life and on my neighborhood.

According to the DGEIS, the vehicular traffic congestion will be so worsened by the Hudson Yards Plan that I and my neighbors will be unable to travel freely in our own neighborhood. Already the noise and air pollution produced by thousands of busses entering and leaving the Lincoln Tunnel daily presents a risk to the health of people living in the Hell's Kitchen South neighborhood. The greatly increased levels of air pollution will threaten people who live with respiratory illness, such as myself, with relapse, attack and acute respiratory failure. Dirt and soot cover my windowsills no matter how frequently they are cleaned.

Overflows of raw sewage generated by the massive facilities and buildings planned on these sites will cause back-ups at overtaxed water and sewage treatment plants, which will in turn allow untreated human waste to spill into the Hudson River, posing a health hazard to the entire community. And all of this is based on incomplete studies and overly optimistic predictions. I believe that an adequate, accurate and non-partisan EIS would demonstrate even greater pedestrian, traffic, and transit congestion and air, water and noise pollution than that already experienced in the area.

I am also concerned about the ways that this action will change and harm the character of my neighborhood. Massive structures will block access to and views of the waterfront to the West; and skyscraper office buildings will block views of the Empire State Building from the West Side Highway. Our neighborhood stands to lose thousands of jobs and scores of businesses - many in the already distressed theater and garment industries. New apartments in this working class neighborhood will have luxury price tags out of reach of the working-class New Yorker, and the redevelopment will encourage landlords to raise rents and squeeze lifelong tenants out of their homes. The DGEIS dismisses all of these concerns as readily mitigated at some, undetermined, later date.

Bill Cunningham, Mayor Bloomberg's Communications Director says my neighborhood is like the barren landfill upon which Battery City was constructed anew. The CPC says it wants to turn our neighborhood into a "vibrant, mixed-use neighborhood." Let me advise the CPC that our neighborhood has been a thriving, bustling, living, working, vibrant, mixed-use neighborhood for at least 150 years. In fact our neighborhood is the home to tens of thousands of residents, businesses of every description and international corporations that serve New York City and the world from their West Side locations. The Hudson Yards Plan wants to demolish the buildings those businesses have improved and maintained for decades in exchange for a pleasure palace built with public monies where admission tickets will be $75, sodas $5 and hot dogs $7. The City New York has no business, and no legal authority, to employ the public fisc in support of gladiatorial blood-sports and naked consumerism enjoyed by an elite minority of New York City citizens. To build a pork-barrel project that blatantly enriches a privately-held sports entertainment complex in a time when our city cannot "afford" to enter into an equitable contract with the NYPD, is patently offensive. To finagle public finances and to gamble the future solvency of New York City on overly-optimistic projections of bond revenues, ticket sales, ridership increases, and income, property, hotel and sales taxes, is immoral.

An adequate EIS must give a true assessment of the value of the neighborhood as it is and the number and types of people that live there. An effective EIS must seriously consider how the loss of jobs and the development of luxury housing will endanger existing residents and change the character of the neighborhood. An adequate EIS must also acknowledge that loss of waterfront access and views cannot be cancelled out by the construction of overwhelming new buildings and an ill-conceived north-south boulevard and an elevated promenade.

The DGEIS mentions many new facilities that will have to be built in our neighborhood. It speaks of: a new elementary school; a new fire house; two new electrical substations; a new transmission substation; new water and sewer mains; changes to our streets, sidewalks, and crosswalks; pedestrian overpasses; new elevators and stairways in our subway stations; a new day care center; a new bus layover facility; 130 new MTA buses; a ferry terminal capable of accommodating 8,000 Jets fans in an hour; new demand for as much electricity as is produced by a mid-sized power plant; and a program to give us all new windows and air conditioning units. On top of all that, it doesn't discuss at all how the police are going to protect a new stadium, an expanded convention center, a new hotel, two new subway stations, several new landmark high-rises, and tens of thousands of new commuters. Where are all of the people using these facilities going to go and how will new infrastructure and services be paid for? What will be the environmental impact of all of these new facilities which are an integral part of this plan?

I am not an expert in traffic or air pollution or water pollution, but I know that Madison Square Garden and an array of environmental organizations (NYPIRG, Riverkeeper, the Tristate Transportation Alliance, the Straphangers' Campaign, the Regional Plan Association and others) have submitted comments on this proposal. I know that they share many of my concerns and have the technical expertise to really analyze the DGEIS. I would like to echo all of the concerns that they have raised about the adequacy of this report. I have also had the opportunity to review the comments submitted by Manhattan Community Board No. 4 and I share all of their concerns. In particular, I echo CB4's statements about affordable housing, and the inadequacy of the DGEIS in studying the potential loss of affordable housing units.

I want to protect the character of my neighborhood, the health of myself and that of my neighbors, and our shared environment. Any plan for the redevelopment of the West Side must meet that standard. I want Manhattan neighborhoods to continue to thrive which necessarily includes affordable housing and small businesses for daily life such as grocery stores, and schools and parks and playgrounds. This plan does none of that. No permanent affordable housing, no plan for traffic congestion, no plan to deal with the overflow from Javits Center and the stadium on Sunday afternoons.

The Hudson Yards Plan does not even adequately study the issues as required by New York State and New York City law. If the Hudson Yards Plan goes forward, the West Side of Manhatttan will be turned

Sincerely,

Dana DeAndra Turner
Member of the Board,
Hell's Kitchen Neighborhood Assn.

cc: M. Bloomberg, Mayor NYC
C. Fields, MBP
C. Quinn, NYC Council
A. Borelli, CB4
K. Treat, HKNA Chair

INSTITUTE FOR RATIONAL URBAN MOBILITY, INC.

George Haikalis
President

One Washington Square Village, Apt. 5D
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Fax: 212-475-5051
e-mail: geohaikalis@juno.com

DEPT OF CITY PLANNING
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2004 OCT -4 PM 5:19
ENVIRONMENTAL REVIEW DIV.

City of New York City Planning Commission
22 Reade Street, 4E
New Yrok, NY 10007
Attention: Robert Dobruskin, AICP

Re: Comments on Draft Generic EIS for #7 Extension-Hudson Yards Rezoning

The Institute for Rational Urban Mobility, Inc. (IRUM) takes strong exception to the discussion contained in the DEIS on the following issues which were raised by IRUM during the scoping phase of this DEIS:

1. Light Rail

The **vision42** light rail proposal calls for an auto-free light rail boulevard **river-to-river** on 42nd Street. For the northern portion of the Hudson Yards area this proposal would provide an attractive alternative to existing local surface transit and would have enhanced neighborhood open space in what has already become a dense residential community. The DEIS should have given this proposal a careful review.

2. LIRR shuttle to Hudson Yards area

This proposal calls for operation of frequent LIRR train service between Penn Station and a new platform developed in place of Tracks 28 and 29 in the LIRR Caemmerer Yard. LIRR trains have more than twice the capacity of #7 subway trains and Penn Station is an important transportation hub, where access to most of the region's commuter rail lines, and four of Manhattan's five north-south trunk line subways is available. This link should be considered in the no-build element of the DEIS, since it can be constructed for very little cost. With this link in place, the incremental access benefits of the #7 extension could then be more accurately compared with the extension's substantial cost, estimated at some $2 billion.

3. Incremental economic gains

The City proposes to pay for the #7 subway, and other infrastructure, by capitalizing on the access gains provided by the #7 subway extension. The DEIS does not adequately demonstrate that the new office space developed in the Hudson Yards area would not have been constructed at other far more accessible sites in central Midtown. The diversion of these tax revenues to finance the #7 extension means they will be lost to the city. Furthermore, this City action results in the dispersal of activity in the core, lessening its unique global competitiveness.

George Haikalis, President, IRUM, October 4, 2004

10/2/04

Robert Dobruskin
City Planning Commission
22 Reade Street, 4E
New York, NY 10007

DEPT OF CITY PLANNING
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2004 OCT -4 PM 5:
ENVIRONMENTAL REVIEW

Dear Mr. Dobruskin,

I hereby submit the following comments on the Draft Generic Environmental Impact Statement (DGEIS) for the Hudson Yards Rezoning and Development Program and the No. 7 Subway Extension submitted by the Dept. of City Planning and the Metropolitan Transportation Authority.

I live in the Hudson Yards area and am deeply concerned about the environmental effects of this proposal. According to the DGEIS, the congestion will be so bad that I will be unable to travel freely in my own neighborhood. The noise pollution will be so bad that I will be unable to open my windows. The amount of sewage generated will be so bad that more and more untreated human waste will overflow into our cherished Hudson River. Perhaps worst of all, the air pollution will be so bad that my neighbors with respiratory illnesses will be endangered by every breath they take. And all of this is based on incomplete studies and overly optimistic predictions. I believe that an adequate EIS would show pedestrian, traffic, and transit congestion and air, water and noise pollution to be even worse.

I am also concerned about the ways that this action will harm the character of my neighborhood. Hulking buildings will block my access to the waterfront and skyscrapers will block my views of the Empire State Building. My neighbors stand to lose 17,000 jobs - many in the theater and garment industries. New apartments in this working class neighborhood will have luxury price tags and the new development will encourage landlords to raise rents and squeeze people out of the neighborhood. The DGEIS dismisses all of these concerns as of no account. It says my neighborhood is an ugly slum that is already gentrifying anyway, and it says that anyone in a rent stabilized apartment doesn't have to worry about displacement. This is just wrong. An adequate EIS must give a true assessment of the value of the neighborhood as it is and the number and type of people that live here, and must seriously consider how the loss of jobs and the development of luxury housing will endanger existing residents and change neighborhood character. It must also acknowledge that loss of waterfront access and views is not cancelled out by putting hulking new buildings in our neighborhood.

The DGEIS mentions many new facilities that will have to be built in our neighborhood. It speaks of: a new elementary school; a new fire house; two new electrical substations; a new transmission substation; new water and sewer mains; changes to our streets, sidewalks, and crosswalks; pedestrian overpasses; new elevators and stairways in our subway stations; a new day care center; a new bus layover facility; 130 new MTA buses; a ferry terminal capable of accommodating 8,000 Jets fans in an hour; new demand for as much electricity as is produced by a mid-sized power plant; and a program to give us all new windows and air conditioning units. On top of all that, it doesn't discuss at all how the police are going to protect a new stadium, an expanded convention center, a new hotel, two new subway stations, several new landmark skyscrapers, and tens of thousands of new commuters. Where are all of these facilities going to go and how will new infrastructure and services be paid for? What will be the environmental impact of all of these new facilities which are an integral part of this plan?

I am not an expert in traffic or air pollution or water pollution or anything else, but I know that Madison Square Garden and an array of environmental organizations (NYPIRG, Riverkeeper, the Tristate Transportation Alliance, the Straphangers' Campaign, the Regional Plan Association and others) have submitted comments on this proposal. I know that they share many of my concerns and have the technical expertise to really analyze the DGEIS. I would like to echo all of the concerns that they have raised about the adequacy of this report. I have also had the opportunity to review the comments submitted by Manhattan Community Board No. 4 and I share all of their concerns. In particular, I echo CB4's statements about affordable housing, and the inadequacy of the DGEIS in studying the potential loss of affordable housing units.

I want to protect my neighborhood's character, my health and that of my neighbors, and our environment. Any plan for the development of this neighborhood must meet that standard. I want my neighborhood to continue to exist, including a place for children and friends to live. This plan does none of that, no permanent affordable housing, no plan for traffic congestion, no plan to deal with the overflow from Javits center and the stadium on Sunday afternoons. It doesn't even adequately study the issues. I am extremely concerned that if this plan goes through, this part of the city will no longer be a place I and many others can still call home. I hope you can help preserve my community.

Sincerely,

M. Brunzema

Meta Brunzema
Director, Hell's Kitchen Neighborhood Association
459 West 35th Street, 5W
New York NY 10001

Jack Lettiere
Board Chairman

George D. Warrington
Executive Director

DEPT OF CITY PLANNING
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2004 OCT -4 PM 5:18
ENVIRONMENTAL REVIEW DIV.

October 1, 2004

Mr. Robert Dobruskin, AICP
City Planning Commission
22 Reade Street, 4E
New York, New York 10007

Dear Mr. Dobruskin,

NJ TRANSIT (NJT) is preparing a Draft Environmental Impact Statement for a series of commuter rail improvements in the vicinity of Penn Station New York called Access to the Region's Core (ARC). Construction of these improvements are scheduled to occur between 2006 and 2014. The improvements include smaller early action improvements within Penn Station, plus larger projects that will take longer to build. These improvements are needed to address current congestion on NJT's rail services into Penn Station. They will provide a one-seat ride for the large number of travelers from Bergen County in northern New Jersey and Orange and Rockland counties in New York State. They will also provide capacity for further growth in the future, including the proposed development in Hudson Yards. Transportation links across the Hudson River are mostly at capacity today. Substantial trans-Hudson travel growth is expected over the next 20 years as population west of the Hudson River grows by over 1 million people and Manhattan adds an additional 200,000 jobs. The ARC project will also help this region meet the increasingly important air quality standards set in the Clean Air Act.

The ARC project includes track improvements in New Jersey, a new two-track tunnel under the Hudson River, and a new 6 to 8 track station under 34th Street between 6th and 8th Avenues. When funded, ARC's early action improvements would allow longer trains in Penn Station, speedier access and egress to and from the station for passengers, and speedier movement of trains into and out of the station. These early action improvements will expand the station's capacity by about 4 trains during the peak hour by 2010. They will also enhance access between Penn Station and the proposed Moynihan station for NJ TRANSIT riders thus fortifying the role of the Moynihan Station. The other proposed improvements, including the new tunnel and station deep under 34th Street, will allow us to handle twice the 23 trains being accommodated today which we believe is sufficient to handle the projected doubling of daily rail travelers to about 200,000.

Construction of the ARC improvements is scheduled to take place between 2006 and 2014, with the early action improvements advancing first. Coordination with the Hudson Yards project is essential to minimize conflicts, minimize impacts, to plan the redevelopment of this very complicated area, and to coordinate construction. Coordination has been underway since the DEIS began in 2003. Meetings have been held continuously in New Jersey and New York with elected officials, public agencies, transportation agencies, business groups, and the public. I am strongly committed to making sure that this integrated planning continues.

Sincerely,

Richard T. Roberts
Chief Planner

CC: T. Schulze
L. Venech, PANYNJ

File Name: C: Roberts/HudsonYardsDGEIS100104.doc

NYPIRG
Straphangers Campaign
a project of the New York Public Interest Research Group Fund
9 Murray Street, 3rd floor - New York, NY 10007-2272 - FAX 212-349-1366 - www.straphangers.org

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ENVIRONMENTAL REVIEW DIV

September 29, 2004

Robert Dobruskin
New York City Planning Commission
22 Reade Street, 4E
New York, New York 10007

Emil F. Dul, P.E.
Metropolitan Transportation Authority
2 Broadway
New York, New York 10017

Re: Comments on DGEIS for Hudson Yards Project

Dear Mssrs. Dobruskin and Dul:

This letter constitutes the written comments of the NYPIRG Straphangers Campaign on the Draft Generic Environmental Impact Statement for the Hudson River Yards Proposal.

In broad overview, the Straphangers Campaign opposes a key element of the Proposal: a controversial football stadium on the West Side of Manhattan. We are also concerned that the proposed extension of the 7 Flushing subway line might reduce available funding for more important priorities in the Metropolitan Transportation Authority's proposed 2005-2009 capital plan.

 # 7 Line Extension

The 7 line extension and the overall Proposal may drain scarce transit capital resources from more the more important priority of continued investment in the city's existing transit system.

In July 2004, the Metropolitan Transportation Authority has proposed a new five-year rebuilding plan. The MTA proposes to spend $17.4 billion on core programs to maintain and improve the existing subway, bus and commuter rail systems for the five years between January 2005 to December 2009. The money would buy a safer, more reliable, and less crowded system. Highlights include:

- buying 959 new state-of-the-art subway cars, 1,323 low-emission buses and more than 200 commuter rail cars for the LIRR and Metro-North;
- the first phase of a bus rapid transit program to speed service;
- rehabilitating 55 stations on the subways and making 16 more stations accessible;
- expanding parking for both suburban lines and improving Penn Station, Hunterspoint Avenue and Atlantic Terminal on the LIRR, and Grand Central Terminal and Hudson and New Haven line stations on Metro-North; and
- replacing scores of miles of aging track, signals, tunnel lighting and fans, employee facilities and rail yards and depots.

The bus and subway and rail car purchases would expand the fleets to allow for less crowded and more reliable service. Refurbished stations would mean better lighting, fewer bottlenecks and a safer environment. Modern signals would make it possible to provide riders with real-time information on delays and arrivals. The infrastructure repairs would make transit safer and more secure. The five-year program also calls for $495 million to enhance subway security in challenging times.

Why is the MTA's five-year program so important? The answer starts in 1981. Nearly twenty-five years ago, the metropolitan-area,s transit system was close to collapse. The subways were notoriously unreliable, covered with graffiti, and plagued with spiraling crime, fires and derailments.

By 1981, subway ridership fell to its lowest level since 1917 and bus ridership also plummeted. Metro-North was widely viewed as the worst commuter rail service in the nation, with the Long Island Rail Road not far behind.

While transit is far from perfect today, there's been tremendous progress: Subway cars are nearly twenty times more reliable. New rail coaches turned around commuter service. Subway ridership bounced back to levels not seen since the 1950,s, increasing an astonishing 41% on buses in the last eight years. Graffiti on subway cars has been largely eliminated and transit crime, fires and derailments have all been dramatically reduced. Fare collection was automated, making it possible to offer free subway-bus transfers and unlimited-ride MetroCards.

None of this happened by accident. Since 1981, more than $30 billion (that's billion with a B) has been invested in city subways and buses and another $15 billion in our two commuter rail lines.

The money was used to replace or rehabilitate every subway car and bus. The subway fleet was expanded by 400 cars and the buses by 800 to meet growing service demands. Many miles of eroding track and ancient signals were replaced, one-third of subway stations were rehabed and $750 million was spent to automate turnstiles to make fare discounts possible.

Where will the money come from to invest in transit? The MTA says it only has about $6 billion in place for the five-year, $17.4 billion core rebuilding program, leaving it with more than an $11 billion funding gap.

How can transit's vital rebuilding needs be met? It will take the leadership of Governor Pataki, Mayor Bloomberg and the state's legislative leaders. Since 1981, their predecessors faced similar challenges and managed to find more than $45 billion to turn around metropolitan transit.

The governor and mayor will need to do better than they have in the past. New York State under Governor George Pataki has contributed no new funding in the last decade to rebuild the transit system. As a result, the MTA has been forced to borrow or refinance $22 billion in bonds and now faces a huge and growing bill. Its yearly interest payments for debt service will double between 2003 and 2007, going from $800 million to $1.6 billion, placing huge pressure to raise fares and cut service.

At the same time, Mayor Bloomberg has cut $90 million from the MTA's current five-year rebuilding plan. And he wants to use the MTA's valuable property on the West Side of Manhattan to build a stadium for the New York Jets and underwrite other aspects of the Proposal through sale of the development rights from the MTA's rail yards.

In the view of the NYPIRG Straphangers Campaign, anything short of full market value for the site will shortchange the city's existing transit system and riders.

At the time these comments are being submitted, both the MTA and the City have hired appraisers to determine the value of the full market value of the MTA yards. We call on both the City and MTA to clearly explain the assumptions that go into determining the market value of the property.

West Side Stadium

The Straphangers Campaign believes that the arguments against a stadium are strong. They reflect our group's longstanding concerns about scarce government resources and the environment:

• **There are serious environmental concerns:** Dense Manhattan is the wrong place for a stadium; it will generate a great deal of traffic and attendant negative environmental impacts. The City says that upwards of 70% of the new stadium's patrons will get there by public transportation, compared to the 4% who now take transit to the Meadowlands stadium. But that's hard to credit. Madison Square Garden — which is actively opposing the stadium plan — says that only between 40% and 50% of attendees of garden events come by transit. And the Garden is far better served by transit (subways, LIRR and New Jersey Transit) than would be the Jets stadium.

The range of environmental problems are detailed in the following excerpt from the Citizen's Guide to the Hudson Yards Project, which was recently released by the Straphangers Campaign, along with the Regional Plan Association, Citizens Union and the Natural Resources Defense Council:

> "In addition to daily traffic conditions caused by the growth of the Far West Side, unusually severe traffic congestion can be expected on days when the football stadium hosts major events. While most football games are held on Sunday afternoons, when traffic is generally somewhat lighter, other events are expected to be held on week nights, potentially overlapping with normal rush hour traffic. Absent ubiquitous mitigation measures, massive traffic delays can be expected throughout the area before and after stadium events. Week night events will adversely impact 26 intersections, while a Sunday event will mean significant delays at 35 intersections."
>
> "In some cases, delays are considered too long to accurately measure, lasting more than five minutes at key intersections. Stadium events are expected to use the great majority of parking spaces on the West Side of Midtown. The DEIS predicts that 91 percent of the off-street parking spaces will be filled in an area that stretches as far south as 21st Street, as far north as 51st Street and as far east as 6th Avenue."
>
> "Manhattan 's central business district is able to hold so much office and residential space because of the extensive mass transit network that supports it. A major expansion will put significant strain on the existing system, impacting travel throughout the city. The new district will have to rely not only on the subway system, but also on commuter rail to bring large numbers of people to the area. The DEIS revealed several major impacts of the new development: The redevelopment will add thousands of daily riders to the transit system, straining the system at up to 38 different points."

"The DEIS concludes that the proposed redevelopment would create a deficient level of pedestrian movement (a 'D' or worse on a scale of A to F) at 38 points in the subway system in the morning peak hour and 27 points in the evening. Of these, 21 in the morning and14 in the evening were considered significant adverse impacts leading to a deficient level of service for subway riders. The #7 will create crowding at the line's existing stops in Manhattan as an increased number of people transfer en route to the Far West Side. While not stated explicitly in the DEIS, this condition would be dramatically worse at the Grand Central stop without construction of the Second Avenue Subway."

"The DEIS fails to acknowledged that NJ Transit capacity into Penn Station is projected to be full by 2009. The DEIS assumes that nearly a quarter of workers on the Far West Side will come from New Jersey, and that thousands of them will come into Penn Station via NJ TRANSIT. This assumption is in direct conflict with NJ TRANSIT's own projections that assume capacity will run out in 2009 and call for construction of a new rail tunnel under the Hudson River.

"The DEIS fails to show a small change in its assumptions will impact its conclusions. For example, the DEIS assumes an unprecedented level of transit usage for events at the new football stadium, but doesn't reveal the level of traffic that would result if these assumptions prove to be off by even a few percentage points. The DEIS looked only at intersections individually; it did not consider the compound effect that occurs when one clogged intersection creates traffic jams behind it, sometimes for many blocks."

• **Stadia have a poor track record generating revenue:** Many studies show that stadia subsidized in other cities have not lived up to promises. An initial review by the New York City Independent Budget Office concluded: "Research on stadiums consistently finds that there is no basis for forecasting an economic development impact beyond that generated by the local expenditures of the team and its fans. In particular, none of the studies suggest any economic rational for assuming that building any new stadium would itself spur construction of office towers and hotels."

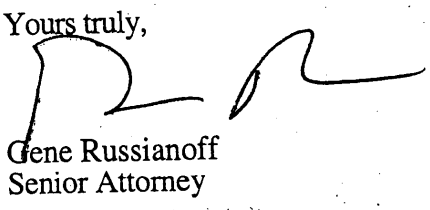
A July 2004 evaluation by the IBO found that while under an "optimistic scenario… tax revenue would still be sufficient to cover the roughly $21 million in annual debt service for the city's $300 million investment in the project, the margin would be somewhat narrower than projected by the Bloomberg Administration." The IBO also concluded that the "narrower margin is hardly risk free. More than two-thirds of the project's economic and fiscal impacts are expected to come from using the facility in ways beyond a traditional stadium. If the convention business projections prove too optimistic, the city could be left with insufficient revenue to cover its entire investment."

In August 2004, the IBO issued another analysis finding that the proposed financing mechanism [for the Proposal] will cost $1.3 billion (in 2003 inflation adjusted dollars) more than if the city simply borrowed the funds through its regular capital plan."

• **A stadium would likely be an impediment to development**: As Newsday editorialized: "A stadium will cost a fortune and will make the neighborhood less attractive to apartment buyers." The City argues that its proposal is not just a stadium. They argue it can be turned into a venue for conventions and concerts, active on many days of the year. Its "edges," they say, will have attractions, like a flea market and restaurants; on the west side there would be a green deck over West Street and a connection. But in the end, the building would be a huge bulky box between the city and the river — much like the existing convention center to the north.

Lastly, we would note that the DGEIS fails to look at any alternatives for the stadium site within the context of the existing plan. One of the most obvious alternatives has been overlooked entirely in the DGEIS – constructing the existing plan with a different use on the stadium site. That alternative should be fully explored in the Final EIS.

Yours truly,



Gene Russianoff
Senior Attorney

Cc: Katherine Lapp
Amanda Burden

Patrick M. Centolanzi, PE
P. O. Box 1803
Grand Central Station
New York, NY 10163

September 19, 2004

Mr. Robert Dobruskin, Director
Environmental Assessment and Review
City of New York City Planning Commission
22 Reade Street, 4E
New York, NY 10007-1216

Dear Mr. Dobruskin:

Please include this message in the NYC City Planning Commission Public Hearing on Hudson Yards held September 23, 2004. I am unable to attend the hearing and want to leave my comments.

I compliment and applaud the NYC/DCP and the MTA/NYC Transit on the wonderful and complete job on the EIS for the Hudson Yards redevelopment.

I am in complete support of the entire Hudson Yard redevelopment, including the Flushing Subway extension, the Javits Center expansion, and the New York Sports and Convention Center (NYSCC).

I am in favor of connecting the Hudson River Park to the NYSCC by covering over the West Side Highway. I am in favor of the underground moving walkway to connect Penn Station to the West Side. I am also in favor of extending the Highline along 31st Street to MSG as an open, elevated promenade (rather than an enclosed walkway ending on the West Side of 8th Avenue as described in the EIS).

I also support the NYC Olympic Bid, and as such, I support the NYSCC to be built. The NYSCC, along with an expanded Javits Center, will allow New York City to take its rightful place as a leader in the global convention and tourism industry. The jobs and tax revenue generated by this development will benefit all New Yorkers.

The Environmental Impact Statement has addressed every impact of the entire West Side development. It will allow planners to take steps to make sure the implementation of the West Side development benefits all and has very few negative affects.

I thank you very much for your support of the entire Hudson Yards/West Side development (and the NYSCC and NYC2012 bid) for the benefit of all in our region.

Sincerely,

Patrick M. Centolanzi, PE

RIVERKEEPER.

October 4, 2004

VIA FACSIMILE (212-720-3219) AND FEDERAL EXPRESS

New York City Planning Commission
Attention: Robert Dobruskin, AICP
22 Reade Street, 4E
New York, NY 10007

Re: **Draft Generic Environmental Impact Statement (DGEIS) for the HUDSON YARDS REZONING AND DEVELOPMENT PROGRAM CEQR No. 03DCP031M**

Dear Commissioners:

Below please find comments submitted by Riverkeeper, Inc. on the Draft Generic Environmental Impact Statement (DGEIS) for the Hudson Yards Rezoning and Development Program ("Hudson Yards Project" or "the project"). These comments focus on three issues: (1) the project's significant adverse impacts on surface water quality resulting from combined sewer overflows (CSOs); (2) significant adverse impacts on public waterfront land uses and Hudson River Park caused by the proposed stadium; and (3) significant adverse cumulative impacts caused by the proposals to expand ferry transportation to the stadium.

Riverkeeper is an independent, member-supported, not-for-profit environmental organization. Our mission is to protect ecological, recreational and commercial integrity of the Hudson River and its tributaries, and to safeguard the drinking water supply for New York City and Westchester County.

The Hudson Yards Project for redeveloping the far west side of midtown Manhattan is an undertaking of enormous magnitude, encompassing nearly 50 city blocks and including proposals to facilitate 28 million square feet of new commercial development, 12,600 new residential units, a new boulevard, subway line extension, expansion of the Javits Center, and a new football stadium on a platform to be constructed over MTA rail yards. As such, there is the potential for causing extremely significant adverse impacts to a variety of important environmental resources.

The DGEIS states that the project's environmental objectives include "protection of significant ... park, and open space resources" and "sustainable design and development." (p. ES-8). Unfortunately, as currently proposed, the Hudson Yards

25 Wing & Wing • Garrison, NY 10524-9910 • 845 424.4149 • fax: 845 424.4150 • www.riverkeeper.org

Project fails to match this laudable ambition with respect to its impacts on water quality and waterfront uses. Indeed, the Hudson Yards Project does far too little to protect the river for which it is named from the specific harms that it would cause. Fortunately, there are existing technological solutions to some of the project's impacts that the City can and should put into place to ensure that it meets the stated goal of environmental sustainability. We look forward to working with all stakeholders to ensure that this project meets its environmental objectives.

THE HUDSON YARDS PROJECT WILL INCREASE THE DISCHARGE OF UNTREATED SANITARY SEWAGE AND POLLUTED STORMWATER INTO THE HUDSON RIVER, WHICH WILL SIGNIFICANTLY AND ADVERSELY AFFECT AQUATIC LIFE AND RECREATIONAL USES

The Hudson Yards Project will add approximately 7.5 million gallons per day to the City's combined sewage system, a system which is already so overburdened that it discharges raw sewage to the Hudson River and other local waterways during wet weather approximately once per week. The additional sewage generation from this project will increase the volume (and perhaps the frequency) of these polluting – and illegal – discharges, resulting in additional pathogens and oxygen demand in the Hudson River to the detriment of its aquatic life and recreational uses. The DGEIS's conclusion that such impacts are insignificant is erroneous and unsupported. By requiring and implementing available "green development" practices in the project area, the City could and should mitigate or entirely eliminate this impact.

New York City's Combined Sewer System Suffers from a Long-Standing and Systemic Lack of Wet Weather Capacity, Which Results in Frequent Sewage Overflows that Impair Local Water Quality.

As the DGEIS acknowledges, at full build-out, the Proposed Project will increase sanitary sewage flows by approximately 7.5 million gallons per day (mgd) from 1.1 mgd under current conditions to 8.6 million (mgd). Under the current proposal, this sewage will not be collected or treated on-site, but will be conveyed along with stormwater falling on the project area to the City's combined sewer system. Significantly, the Citywide lack of adequate wet weather storage and treatment capacity causes up to 70 combined sewer overflow (CSO) events per year (i.e., an average of more than one per week), discharging approximately 27 billion gallons of combined untreated raw sewage and polluted stormwater runoff to local waterways in an average rainfall year.

New York City's sewage system includes approximately 460 combined sewer overflow pipes, or outfalls, all around the five boroughs. Although the City's system captures both sanitary sewage and stormwater runoff, its fourteen sewage treatment plants have only enough treatment capacity to meet demand during dry weather or very

light rains. In about half of the City's rainfall events, sewage and polluted stormwater is discharged untreated as combined sewer overflow from some or all of the 460 outfalls. In some areas of the City, a rain event as small as 0.10 inches per hour can initiate overflow conditions, causing untreated sewage to overflow into the estuary. CSOs send bacteria, toxins, excess nutrients and trash into New York City's waters, impairing the human use and ecological function of the waters. See New York/New Jersey Harbor Estuary Program, *Combined Sewer Overflows in the New York/New Jersey Harbor Estuary*.[1] In its recent *Health of the Harbor 2004* report, the Hudson River Foundation identified CSOs as the largest single contributor of pollutants to problems such as pathogen levels, oxygen demand, and floatables (i.e., trash) in the Harbor. For example, the pathogen section of the report summary stated that "The greatest ongoing threat comes from sewer overflows when it rains."[2] Similarly, the NY/NJ Harbor Estuary Program reports:

> In the Estuary, combined sewer overflows (CSOs) are the main source of ["disease-causing organisms, including bacteria and viruses, ... called pathogens"] as measured by coliform bacteria levels which are used to indicate harmful pathogens. Though usually funneled through sewage treatment plants, human waste is often discharged into the Estuary through CSOs without treatment during rainstorms. In addition, animal waste left on streets and roads washes into waterways when it rains. Because of suspected pathogen contamination, the Estuary's beaches are sometimes closed after heavy rains to protect swimmers from elevated bacteria levels.[3]

These CSO discharges exact enormous costs – health costs, financial costs, quality-of-life costs – on the City and its residents, tourists and other visitors. CSOs are an enormous environmental problem and a serious threat to human health. In its August 2003 report to Congress, *Impacts and Control of CSOs and SSOs*, the U.S. Environmental Protection Agency Explained that "because CSOs contain untreated wastewater and storm water, they contribute microbial pathogens and other pollutants to surface waters ... [and] can impact the environment and human health. Specifically, CSOs can cause or contribute to water quality impairments, beach closures, shellfish bed closures, contamination of drinking water supplies, and other environmental and human health problems."[4] For comprehensive information on the environmental, social and

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[1] Fact Sheet available at http://www.hudsonriver.org/hep/pdf/hep_cso.pdf.

[2] Report available at http://www.hudsonriver.org.

[3] Fact Sheet available at http://www.hudsonriver.org/hep/pdf/hep_toxics.pdf.

[4] Report available on-line at http://cfpub.epa.gov/npdes/cso/cpolicy_report2004.cfm.

human health costs of sewer overflows, see a February 2004 report entitled *Swimming in Sewage* prepared by the Natural Resources Defense Council and the Environmental Integrity Project.[5]

The City's sewage troubles are not new; in fact, its sewage system has never been in compliance with federal and state law. Until the North River plant began primary treatment (i.e., removal of suspended solids) in 1986, raw sewage from most of Manhattan's West Side flowed untreated to the Hudson. Secondary treatment (i.e., biological purification) did not begin at North River until 1991, fourteen years after the federal Clean Water Act's 1977 deadline. The City's 1988 sewage discharge permits "were inadequate under federal and state law"[6] and are only now being updated. Since 1992, the City has been subject to an administrative consent order from the state Department of Environmental Conservation (DEC) for violations regarding discharges from its CSOs. However, the City has missed almost every mandatory deadline in the order's 14-year schedule for abating CSOs and has failed to fund water quality programs totaling $250,000, as was required. As a result of this non-compliance, DEC initiated a new enforcement action against the City in December 2003.[7] In fact, the City lacks a Long Term Control Plan for CSOs, which is required by EPA's 1994 CSO control policy[8] and the federal Clean Water Act.[9]

In September 2004, the New York State Department of Environmental Conservation ("DEC") and the New York City Department of Environmental Protection ("DEP") released for public comment a proposed new administrative consent order ("ACO") which would settle the December 2003 enforcement action and replace the 1992 consent order. But the proposed 2004 ACO, even if approved and diligently implemented, will not fully control CSOs or prevent them from causing violations of local water quality standards. Instead, the proposed 2004 ACO envisions an 18-year program under which only very modest reductions in polluted CSO discharges will result.

Perhaps most importantly, DEP's own CSO modeling demonstrates that in 2022, upon completion of the CSO abatement program set forth in the 2004 ACO, City-wide discharges of untreated combined sewage will remain at 27 billion gallons in an average rain year. Thus, the average annual polluted discharge volume to NY Harbor predicted

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[5] Report available at http://www.nrdc.org/water/pollution/sewage/contents.asp.

[6] NYS DEC, Supplemental Rulings of Administrative Law Judge Andrew S. Pearlstein, DEC Case No. 0026131, Jan. 27, 1993.

[7] December 3, 2003 Notice of Violation issued by DEC to NYC DEP.

[8] 59 Fed. Reg. 18,688 (April 19, 1994).

[9] CWA section 402(q), 33 U.S.C. § 1342(q), enacted in the Wet Weather Water Quality Act of 2000.

for 2022 is exactly the same as the average annual polluted discharge volume currently occurring in 2004. This seeming anomaly is explained by the fact that there is, at present, additional dry weather treatment capacity at NYC sewage plants of approximately 600 million gallons per day. Thus, this excess dry weather capacity is being used – on a temporary basis – to treat some of the wet weather combined sewage. But as that excess capacity is used to accommodate increases in sanitary sewage generated by development projects, CSOs will increase. In other words, because of the City-wide lack of wet weather sewage treatment capacity, every gallon of increased sewage generation caused by development directly increases the volume of raw sewage discharging in CSOs events.

The Project's 7.5 Million Gallons of Increased Sewage Generation Will Exacerbate Polluted Discharges in the Hudson River and in Hudson River Park's Estuarine Sanctuary.

At full build-out in 2025, the Hudson Yards Project will generate approximately 8.6 million gallons of raw sewage per day which, during dry weather, will be treated before being discharged into the Hudson River at the North River Water Pollution Control Plant (WPCP). During wet weather, however, this additional sewage poses significant problems. Today, with only 1.1 million gallons per day generated from the Hudson Yards Project area, the North River WPCP already frequently reaches full capacity during storm events, resulting in polluted stormwater mixed with raw sewage bypassing the plant and discharging into the Hudson without treatment. In addition, rainfall causes sewer pipes to back up, and, to relieve pressure in the pipes from bottlenecks, untreated combined sewage flows from some or all of the many CSO outfalls in the Hudson River that are between the Hudson Yards Project site and the plant. In sum, because the City currently lacks wet weather sewage capacity in the relevant area – a situation that will persist for the foreseeable future – the 7.5 million gallons of additional raw sewage generated at the Hudson Yards site and all of its polluted stormwater runoff (which the DGEIS fails to quantify) will add to the volume discharged in CSOs to the Hudson River.

While the impacts from CSOs on water quality in the Hudson River is not as bad as in other, more confined, waterbodies like Newtown Creek and the Gowanus Canal, the Hudson River is nevertheless impaired by CSOs. The Hudson is classified by the State of New York for swimming uses (Class SB) only north of the tip of Manhattan at Spuytun Duyvil; largely because of pathogens in CSOs, the classification for the Hudson off Manhattan (Class I) does not include a swimming designation. Even worse, CSOs are causing the Hudson to violate some of the applicable water quality standards (dissolved oxygen levels and pathogens) for its designated classes. As explained by NYC DEP's consultant, Hydroqual, on its Hudson River CSO webpage:

> Dissolved oxygen levels are in non-compliance. Total coliform levels are in compliance in I and SB waters. Fecal coliform in compliance in I waters; in non-compliance in SB waters (Inner Harbor CSO Facility plan, 1993). Settleable solids and floatables are discharged by CSO's.[10]

Consequently, the Hudson River, which is already adversely affected by CSOs, will be polluted even more by Hudson Yards Project's additional sewage generation. The statement in the DGEIS that under existing conditions CSO discharges do not appear to result in impairment of water quality in the vicinity of the proposed action (p. 13-5) appears therefore to be incorrect and must be revised.

Moreover, much of the increased CSO discharge will occur within the Estuarine Sanctuary designated by the New York State Legislature to encompass the water area of the Hudson River Park. As the Hudson River Park Trust explains:

> The Hudson River within Hudson River Park is a vital portion of the Hudson-Raritan Estuary with a thriving benthic (river bottom) ecosystem, an extensive fishery, and abundant waterfowl and seabirds. ... [T]he Hudson River Park Estuarine Sanctuary encompasses all of the inter-pier and under-pier marine environments of the Hudson River located from Battery Park City to Pier 99 at West 59th Street and from the onshore bulkhead of the Park to the offshore pier-head line. The 425-acre Sanctuary ... was established by the Hudson River Park Act in 1998 as part of the Hudson River Park.[11]

The CSO outfalls are located within the sanctuary and will no doubt affect recreational uses and aquatic life in the sanctuary. In fact, the CSO discharges exacerbated by the project will be most severe in the inter-pier and under-pier area covered by the sanctuary. By increasing discharges of untreated sewage into the Estuarine Sanctuary, the Hudson Yards Project contradicts the resource protection objective of the Estuarine Sanctuary Management Plan which provides: "Respect the importance of the Hudson River's ecological health by preserving, and, where possible, enhancing the marine habitats of the Sanctuary."[12]

The DGEIS admits that "the increased sewage volume of sewage discharged to the combined sewer system would have the potential to result in an increase in the concentration of sewage and associated pollutants (e.g., TSS, fecal coliforms) discharged

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[10] See Hydroqual's website, Use Standads and Attainment Project, Hudson River page at http://www.hydroqual.com/projects/usa/projectAreaFrameset.html.

[11] See http://www.hudsonriverpark.org/policies/sanctuary.html.

[12] See http://www.hudsonriverpark.org/pdf/policies/sanctuary.pdf at p. ES-4.

to the Hudson River during CSO events." (p. 13-22.) The DGEIS then attempts to justify why this would not cause a significant impact to water quality in the Hudson. But the DGEIS's misplaced discussion of discharges of treated effluent from the North River WPCP at 145th Street is not relevant to the untreated discharges from CSOs in the project area and fails to acknowledge either (1) that the City's consultant Hydroqual has determined that the Hudson is not currently meeting water quality standards; or (2) that the impacts of additional CSOs will be felt most severely in the inter-pier and under-pier area on Hudson River Park's Estuarine Sanctuary.

With regard to capturing stormwater runoff – which, like raw sewage, adds to polluted CSO discharges, the DGEIS states that the majority of the properties that could be affected by the proposed action within the project area currently consist of paved or other impervious areas. (p. 13-5.) It then states that because impervious surfaces are not expected to increase with the project, that stormwater flows to the combined sewer are not expected to increase. But the DGEIS entirely fails to quantify the actual pre- and post-project volumes of stormwater discharged to the combined sewer system.

While the DGEIS mentions that the stadium would be designed to capture and reuse rainwater that could supplement flushing water needed for restroom facilities, there is no quantification of how much stormwater would be captured. By contrast, the FGEIS and findings statement for the World Trade Center redevelopment project stated that its greywater system will result in an 85%annual average reduction in stormwater discharges to the combined sewer.

Moreover, it appears that the baseline conditions with regard to stormwater collection have been inaccurately set forth in the DGEIS. On page 16-7, the DGEIS states that stormwater runoff from the east and west Caemmerer Yards is currently collected and conveyed to a collection sewer at 30th Street and 12th Avenue. But this appears to be factually incorrect. The MTA has recently discovered that all of the stormwater falling on these 20-acre parcels is currently being discharged directly to the Hudson River. While this direct discharge raises environmental issues of its own, it is also a critical piece of information for establishing the proper baseline for the evaluation of CSO impacts. If all of the stormwater falling on the 20-acre railyards is not presently being added to the combined system, then the DGEIS must quantify this volume, and the project will have to develop greywater systems to capture an equivalent amount of stormwater, i.e., 20-acres's worth, either at the railyards or elsewhere in order to keep stormwater flows from exacerbating CSOs beyond current conditions.

By redeveloping a 50-block area in the heart of New York City, the Hudson Yards Project presents an unprecedented opportunity to not only significantly reduce CSOs and their impacts but to set an example for sustainable development. Every gallon of untreated combined sewage that the Hudson Yards site adds to the City's centralized sewage system is a gallon that will have to be removed, stored, or treated elsewhere –

likely at greater cost – in order to resolve the systemic lack of wet weather capacity. If the course of action currently proposed is followed, the Hudson Yards site is likely to exacerbate the CSO problem by contributing more raw sewage and polluted stormwater to the City's already-overloaded combined system and to the Hudson River.

We strongly advocate a different course of action, one by which the Hudson Yards Project can be part of the solution to ongoing water quality problems around the City, rather than part of the problem. As discussed in greater detail below, at a minimum, to comply with SEQRA's requirements that an EIS set forth mitigation measures for all significant adverse environmental impacts, the City should adopt a "no CSO increase" standard for this project, and demonstrate how this will be achieved. As also described below, standard technology used in other locations in NYC and around the world can achieve this goal at modest cost.

The Hudson Yards Project Can and Should Set a Goal of "No Combined Sewage Increases" and Incorporate Readily-Available Green Development Technologies To Meet It.

The redevelopment of the far west side of Midtown Manhattan is a prime opportunity to embrace progressive efforts to reduce water pollution while pioneering to achieve new levels of environmental stewardship. The project should adopt the goal of eliminating net increases in sewage overflows from the Project Site to the sewage system serving the North River Water Pollution Control Plant. The Hudson Yards Project should endeavor to eliminate Hudson River CSO events in the wastewater service area of the project site, significantly reduce CSOs to the Hudson triggered by stormwater flows from neighboring properties, and reduce system-wide CSO events triggered by downstream bottlenecks.

Several "off–the-shelf" technologies currently exist that should be directly incorporated into the project. For example, the Solaire development in Battery Park City, the Durst Organization's Four Times Square, Durst's nearly completed 38 floor residential development, and the planned Hearst Tower project all incorporate innovative design features that exemplify the viability and success of green development features in large New York City development projects. These projects incorporate a host of methods that collectively accomplish decentralized wastewater treatment, reducing new wastewater flows into the city's combined system. They range from green roofs to a black water purification plant serving Durst's 38-floor, 600-unit rental residential property.

Decentralized wastewater and stormwater plants are being considered for urban areas subject to CSOs in New York City and beyond. Depending on the technology applied, the scaled-down plants can collect, pre-treat, treat, discharge, recycle, and even

re-use the building's wastewater. These facilities can discharge their treated wastes outside the large, centrally located system that receives inputs from all the buildings and impermeable surfaces in the area. In this way, decentralized systems can remove large volumes of wastewater from the system, and when incorporated into any new development, can ensure no net volume or a limited volume of untreated sewage is added into an already overloaded system.

According to the EPA, adequately managed decentralized wastewater systems are a cost-effective and long-term option for meeting public health and water quality goals. The EPA defines decentralized wastewater treatment systems as onsite or clustered wastewater systems that are used to treat and dispose of relatively small volumes of wastewater, generally from dwellings and businesses that are located relatively close together.

In Hunters Point, San Francisco, engineers and officials favored a decentralized system as the outcome of a year-long feasibility study linking new development to the city's CSO problem. After technical review, the San Francisco Hunters Point project settled on membrane bioreactors (MBR) as the most effective system. MBR combines multiple treatment processes into one step where grit and nitrogen are removed from the wastewater and then microorganisms are screened out via submerged synthetic membranes or layers. The MBR scored higher than the other methods in terms of footprint, water reuse potential, highest quality effluent, capital and operational costs, and public benefits such as health, safety, and odors.[13]

We recommend that the City, as part of a revised or supplemental DGEIS, examine the potential use of MBR and similar technologies for the purpose of designing a system that treats all wastewater flows from the Hudson Yards Project, including providing treated water to meet reuse demand, discharging excess treated wastewater to the neighboring Hudson River, and returning all solids to the combined sewer system. As an alternative to a decentralized system treating sewage, the DGEIS should also consider detention of excess stormwater flows from the project area, with testing and treatment, before release to the Hudson.

BUILDING A MASSIVE STADIUM ADJACENT TO THE CITY'S HUDSON RIVER WATERFRONT AND HUDSON RIVER PARK IS POOR LAND USE PLANNING AND WILL SIGNIFICANTLY DETRACT FROM THE PUBLIC'S USE AND ENJOYMENT OF THE WATERFRONT.

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[13] San Francisco Public Utilities Commission, Hunters Point Shipyard Decentralized Wastewater Treatment Study, www.sfwater.org.

If built, the proposed stadium (or multi-use facility) will be an enormous structure constructed immediately adjacent to the Hudson River waterfront and Hudson River Park and will significantly interfere with the public's use and enjoyment of those public trust resources. If the stadium is used only a dozen or so days a year (for Sunday football games and a handful of other events) as is most likely, then the waterfront area around the stadium will be deserted most of the time, and the behemoth stadium structure will be an empty hulking presence on the waterfront. If, on the other hand, the stadium is regularly used for convention activities, concerts and other public events year round (as its proponents claim), then the waterfront area will be overcrowded with traffic and pedestrians attending the 75,000 seat facility. Either way, the type of development proposed is simply wrong for the waterfront. Significantly, the only alternative proposed in the DGEIS for the western rail yard is to leave it undeveloped. However, developing that area on a smaller scale, with land uses more appropriate to the waterfront would be a far better course of action for that site and could be compatible with Hudson River Park.

Most troubling of all is that the main driving force for building the stadium is to lure the 2012 Olympic Games, the effects of which are not considered in the DGEIS. Thus, the largest single component of the Hudson Yards Project, as well as the project's approval process and schedule is being driven by an extraneous event, the outcome of which remains speculative and the overall impacts of which remain unexamined. Other aspects of the stadium's impact on Hudson River Park also require further analysis, including those raised by Friends of Hudson River Park, of which Riverkeeper is an organizational member.

THE PROJECT'S INCREASED FERRY OPERATIONS WILL EXACERBATE LOCAL AIR POLLUTION, DAMAGING WAKES, AND NAVIGATIONAL CONFLICTS IN NY HARBOR, THEREBY CAUSING UNMITIGATED – AND UNANALYZED – SIGNIFICANT ADVERSE IMPACTS.

The DGEIS states that the project is expected to increase ferry utilization in 2010 and significantly increase ferry utilization in 2025, requiring the addition of ferries on three of six routes. (See p. ES-43 to ES-44 and further discussion in Chapter 17, Transit and Pedestrians.) While ferry transportation advocates often claim that ferry service "reduces" or "displaces" on-road travel, such claims ignore empirical data demonstrating that expanding the transportation system in crowded urban areas (such as building additional highway lanes or providing alternatives to driving) results in more overall commuting, not a re-arrangement of existing commute patterns. This effect is known as 'latent demand' or 'induced demand' and has been consistently observed in practice. Reliable evidence puts the short-term (less than three years) latent demand effect at 10% to 50% and long-term effects at higher values (nearly 100%), meaning that very little or no lasting congestion relief occurs. *See* Corbett, J.J., Farrell, A.E., Redman, D.H. and Winebrake, J.J., *Air Pollution from Passenger Ferries in New York Harbor*, Bluewater

Network, 2003 (hereinafter cited as "2003 Bluewater Report") at p. 12-13, citing ten empirical studies.[14] Moreover, even if the use of ferries for transportation to serve the stadium and other features of the project would take some vehicles off the road, the increased ferries themselves cause significant adverse impacts on air, water, and waterfront resources.

Passenger Ferries in New York Harbor Emit More Air Pollution per Passenger Mile than Trains, Buses or Cars.

Contrary to popular assumptions, travel by passenger ferry in New York Harbor (and likewise in the rest of the country) pollutes the air more per person-mile than do landside alternatives such as car, bus, and train. As the 2003 Bluewater Report, submitted as Exhibit A to these comments, shows, emissions of particulate matter (PM) from ferries can be over 100 times greater than from vehicles (per-person-mile) and emissions of nitrogen oxides (NO_X, a major contributor to ozone) can be more than 1,000 times greater.[15] Ozone and particulate matter pose serious health risks to people living in the

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14 Noland, R.B., *Relationships between highway capacity and induced vehicle travel.* Transportation Research A - Policy and Practice, 2001. 35(1): p. 47-72; Goodwin, P.B., *Empirical evidence on induced traffic - A review and synthesis.* Transportation, 1996. 23(1): p. 35-54; Goulias, K.G., *Longitudinal analysis of activity and travel pattern dynamics using generalized mixed Markov latent class models.* Transportation Research Part B-Methodological, 1999. 33(8): p. 535-557; Englin, J. and J.S. Shonkwiler, *Modeling Recreation Demand in the Presence of Unobservable Travel Costs - toward a Travel Price Model.* Journal of Environmental Economics and Management, 1995. 29(3): p. 368-377; Vanwissen, L. and T.F. Golob, *A Dynamic-Model of Car Fuel-Type Choice and Mobility.* Transportation Research Part B-Methodological, 1992. 26(1): p. 77-96; Henk, R.H., *Quantification of Latent Travel Demand on New Urban Facilities in the State of Texas.* Ite Journal-Institute of Transportation Engineers, 1989. 59(12): p. 24-28; Noland, R.B. and L.L. Lem, *A review of the evidence for induced travel and changes in transportation and environmental policy in the US and the UK.* Transportation Research Part D-Transport and Environment, 2002. 7(1): p. 1-26; Hansen, M. and Y.L. Huang, *Road supply and traffic in California urban areas.* Transportation Research Part A-Policy and Practice, 1997. 31(3): p. 205-218; Johnston, R.A. and R. Ceerla, *The effects of new high-occupancy vehicle lanes on travel and emissions.* Transportation Research Part A-Policy and Practice, 1996. 30(1): p. 35-50; and Fulton, L.M., et al., *A Statistical Analysis of Induced Travel Effects in the U.S. Mid-Atlantic Region.* Journal of Transportation and Statistics, 2000. 3(1): p. 1-14.

15 The enclosed 2003 Bluewater Report studied emissions per person-mile for three representative ferry routes (Weehawken to Pier 78; Highlands to Pier 11; and the Staten Island Ferry) and two landside alternatives (average landside vehicles in 2007 and new vehicles in 2007). The study's results indicated that emissions from the high-speed Highlands and short-distance Weehawken ferries are much more polluting than substitute travel by auto, bus, and rail, and that a 98% or more reduction in ferry emissions of NO_X and PM is needed to achieve pollution similar to the average landside alternatives.

New York City metropolitan region, especially children, the elderly, and those with respiratory disease.

Ferries will continue to be more polluting than land-based alternatives despite new federal regulations for ferry engines scheduled to take effect in 2007 because the regulations are significantly weaker than vehicle emission regulations. While federal automobile emission controls began in 1973, standards for marine engines were first promulgated (beginning with voluntary standards) by the Environmental Protection Agency only in 2000. As a result, federal regulation of automobile emissions of NO_X will reduce allowable levels by over 99% in 2007. In contrast, mandatory NO_X emission standards for ferry engines starting in 2007 will cut emissions by less than half. *See* 2003 Bluewater Report at p. 1.

Existing technologies can significantly lower ferry emissions, but the upcoming 2007 regulations do not require them, and ferries built today will still be in use 15 to 20 years from now. Thus, because ferries emit more air pollution per passenger mile than automobiles, taking people out of cars and putting them into ferries degrades rather than improves air quality, by a factor as much as 1,000 times, depending on the pollutant.

This unfortunate fact has been specifically demonstrated in New York Harbor in the 2003 Bluewater Report and also in other regions of the U.S. Several studies have determined that ferry engines must be approximately 85 percent cleaner than will be required by federal law in 2007 (85% below EPA Tier 2 -2007) to be comparable in air emissions to other modes of transit, including the following:

1. Bluewater Network's 1999 Bay Area Transit Options Emissions Report found that fast ferries are as much as 10 times more polluting per passenger mile than single-passenger cars or buses for NO_X, PM and Nonmethane Hydrocarbons.

2. US Maritime Administration's 2000 Ferry Environmental Suitability Study (Draft Final, unpublished) found today's marine diesel engines to produce four times more NO_X and PM per passenger mile than cars, and 4 times more NO_X and 9.5 times more PM than diesel buses at rate of more than 5 grams of NO_X per passenger mile and .133 grams of PM per passenger mile.

3. California Air Resources Board (CARB) found in its March 2002 draft staff report that in a best estimate scenario, uncontrolled diesel ferries would increase NO_X plus HC emissions per passenger trip by more than 400 percent when compared to light duty vehicles. NO_X alone would increase almost 1000 percent and PM10 more than 300 percent. The

CARB recommends that ferries must be 85 percent cleaner than currently planned EPA Tier 2 – 2007 standards require.

4. CALSTART, an independent alternative fuels research group, released a report in July 2002 that also determined that unless ferries use cleaner fuels or advanced emissions controls, overall air pollution in a region will increase.

It is also noteworthy that the San Francisco Bay Area Water Transit Authority has set the CARB emissions standard for its new fleet of 30 vessels (85 percent below EPA Tier 2 – 2007) in order to prevent a significant increase in air pollution from the project. (San Francisco Bay Area Water Transit Authority Implementation and Operations Plan, December 2002, www.watertransit.org).

Based on this overwhelming research, and in particular the 2003 Bluewater Report of passenger ferries in New York Harbor, it is abundantly clear that the Hudson Yards Project (alone and in combination, i.e., cumulatively, with the other planned ferry projects in the metropolitan area) will significantly increase air pollution emissions in the New York metropolitan region. But the DGEIS fails to acknowledge or analyze this impact. A revised DGEIS should be prepared and recirculated for public comment to conduct detailed studies quantifying the project-specific and cumulative air pollution impacts from ferries in New York Harbor, and develop mitigation measures for those impacts. The revised DGEIS should contain an analysis of existing ferry emissions, ferry emissions increases, and an emissions comparison between buses and cars, both in total and per passenger mile, in order to adequately assess the site-specific and cumulative impacts of increased ferry service. Another approach might be for the City to prepare a generic EIS to comprehensively address the significant adverse effects of planned increases in ferry operations throughout the region, rather than segmenting the analysis into project-specific review documents.

In addition, mitigation measures to reduce ferry emissions should be analyzed and implemented for ferries serving the project, such as use of cleaner fuels (such as biodiesel or ultra-low sulfur fuels), air pollution controls (such as water injection, SCR, PM traps or oxidation catalysts) and new technologies such as hybrid-electric vessels that can turn off the diesel engines while maneuvering at the terminal.

Wakes from Passenger Ferry Operations in NY Harbor Cause Significant Environmental Impacts on Shorelines, Wetlands, Water Quality, and Waterfront Resources and Activities.

Despite acknowledging that the Hudson Yards Project will cause ferry operations to significantly increase, the DGEIS fails completely to discuss or analyze the significant environmental impacts caused by ferry wakes in NY Harbor. Wakes from ferries are

already causing significant environmental and economic damage in the Harbor and these impacts will greatly increase as a result of the project's additional ferry operations. Ferry wakes cause erosion of shorelines, inundation of wetland areas, increased turbidity, and destruction of wildlife habitat, as well as significant damage to sea walls, docks, moored boats, barges, and other vessels, and cleats, lines and other maritime infrastructure. While most boats cause some wake, the wakes from fast ferries are significantly greater in frequency, size and energy than virtually all other vessels in the Harbor. Mitigation measures are, however, available to reduce the impacts of ferry wakes. A revised DGEIS should be prepared to analyze the impacts of wakes and appropriate mitigation measures to address them.

Fast ferry catamarans generate wakes that are considerably different from those of conventional, slow monohull ferries due to the hull design and speed. Fast ferries, which operate at twice the speed of conventional boats (30 knots or more), tend to throw off a wake that is steeper, longer and more likely to cause erosion. The height of the fast ferry wake wave tends to increase significantly close to shore, particular in waters less than three meters deep. While catamaran fast ferry wakes may be insignificant once planing at optimum speed, the wake becomes more disruptive when these vessels slow down.

The Danish Maritime Authority was the first to evaluate the damaging impacts of fast ferry wake waves and to set wake height and boat speed limits to reduce impacts. The state of Washington required a fast ferry to slow from 35 knots to 12 knots while traveling through a narrow passage to avoid shoreline damage, following a lawsuit by property owners and a state-funded study. In British Colombia, three fast ferry catamarans were put out of service due to wake impacts that could not be prevented through operational measures. In San Francisco Bay, both catarmaran and monohull ferries are required to slow down in estuaries and sensitive areas to minimize shoreline erosion cause by wakes (Golden Gate Ferry Larkspur service and Alameda-Oakland service).

The San Francisco Bay Area Water Transit Authority has set a wake standard for its new fleet, with a 16 centimeter maximum wake wave height. Operational measures require that routes stay 1,500 meters away from sensitive shorelines. Other mitigations to prevent wake damage include use of low-wake hulls and slowing speeds. (Draft Programmatic Environmental Impact Report, August 2002).

In New York Harbor, a new Safe Wakes Committee is currently meeting in an effort to track wake damages and to seek relief from past and future damages caused by New York Waterway ferries. In addition to environmental and recreational issues, wakes can also do social damage, for example, preventing educational and scientific programs from being conducted along shorelines where wakes have become so severe as to prevent safe navigation in small vessels or on foot.

The wakes impacts of increased ferry service caused by the project needs to be evaluated and mitigated through operational requirements such as routing, reduced speed and hull design. Because the DGEIS contains no discussion whatsoever of this environmental impact, it fails to pass legal muster. A revised DGEIS must be prepared which analyzes the project-specific and cumulative impacts of increased wakes from increased ferry operations.

The Project's Increased Ferry Operations Will Cause Significant Navigational Conflicts with Other Users of the Harbor, Particularly Recreational Small Boaters.

Despite acknowledging that the Hudson Yards Project will cause ferry operations to significantly increase, the DGEIS fails completely to discuss or analyze impacts related to conflicts with other users of the Harbor, particularly recreational small boaters such as kayakers. These conflicts are already significant and will greatly increase as a result of the project's additional ferry operations.

In New York Harbor, there is a significant, active and growing community of recreational kayakers, canoeists and other small boaters who use our public waterways regularly. In addition, there are a number of commercial businesses and non-profit community organizations which train and support these boaters. Some of the groups have innovative student education programs which teach inner city youth how to build boats and navigate them in the Harbor. These organizations include the Downtown Boathouse (www.downtownboathouse.org), Floating the Apple (www.floatingtheapple.org), New York Kayak Company (www.nykayak.com), Manhattan Kayak Company (www.manhattankayak.com), East River Apprenticeshop (www.erashop.com), Gowanus Dredgers (www.waterfrontmuseum.org/dredgers), Rocking the Boat (www.rockingtheboat.org), Yonkers Rowing & Paddling Club (www.yrpc.org), and many others. These organizations and the many citizens who are involved with them are part of an important movement which is reconnecting citizens of the New York metropolitan area to their waterways and other public trust resources.

Because the Hudson Yards Project is located in the coastal zone, it is subject to the Waterfront Revitalization of Coastal Areas and Inland Waterways Act ("Waterfront Law"), Article 42 of the Executive Law, and its implementing regulations, 19 NYCRR, Part 600. The Waterfront Law was enacted pursuant the federal Coastal Zone Management Act of 1972, 16 U.S.C. §§ 1451-1464, and prohibits municipalities from approving land use development projects in the coastal zone, unless such projects are consistent with the 44 state Coastal Management Program (CMP) policies codified at 19 NYCRR § 600.5 or a state-approved LWRP, if one exists. The project directly contravenes a number of fundamental policies of the CMP, including but not limited to Policies 19, 21 and 22 which require the promotion and protection of public access and water-related recreational activities.

The DGEIS, however, fails to even analyze the significant impacts from ferries on recreational users of the harbor. Because of the frequent, large and powerful wakes from fast ferries, as discussed above, and because of the navigational conflicts which emerge from increased ferry operations, it will become vastly more difficult for small boaters to use local waterways. In particular, because ferries generally operate perpendicular to the shoreline as they arrive at or depart from the terminal, while small boaters typically transit north and south along the shoreline, frequent ferry operations can make it virtually impossible for small boaters to pass through the ferry terminal corridor. Thus, large areas of the Harbor may become off limits to small boaters. But relatively simple mitigation measures could be put in place to accommodate the common usage of public trust waterways. These issues need to be assessed and mitigated in a revised DGEIS for the Hudson Yards Project or in a generic EIS for all planned regional ferry operations to and from New York City.

THE DGEIS DOES NOT COMPLY WITH SEQRA OR CEQR

The State Environmental Quality Review Act ("SEQRA") and its local analogue, the City Environmental Quality Review law ("CEQR") require an EIS to be an informational document which will inform public agency decision-makers and the public generally of the significant effects of a project, identify possible ways to minimize those effects, and evaluate project alternatives. For the reasons discussed herein, the DGEIS is inadequate both in process and in product, with the result that decision-makers and the public are deprived of the information necessary to assess the project and its impacts fairly and accurately.

Specifically, the DGEIS for this project fails to provide adequate and unbiased information with respect to combined sewage flows and the other issues discussed above, and the impacts of these project components on the environment. Among other shortcomings, the DGEIS provides insufficient detail on the project and its adverse impacts; fails to consistently use current conditions as the baseline for determining the significance of impacts; fails to fully and properly analyze and determine whether impacts to water quality and aquatic biota will be significant; incorrectly assumes without evidence (and despite evidence to the contrary) that such impacts are insignificant; fails to analyze the cumulative impacts; fails to set forth measures sufficient to mitigate the significant adverse environmental impacts; and fails to consider reasonable project alternatives that would eliminate these impacts. As a result and as further set forth below, the DGEIS for the Hudson Yards Project fails to comply with the SEQRA, Article 8 of the Environmental Conservation Law, and its implementing regulations, 6 NYCRR part 617, and CEQR.

- **Improper Baseline.** A true and accurate assessment of current conditions is necessary to identify the project's impacts in the relevant study areas and the need, if any,

for mitigation. But, as explained above, the DGEIS does not accurately set forth exisiting conditions with respect to the discharge of stormwater at the Caemmerer rail yards.

- **Insufficient Detail.** The DGEIS fails to quantify the volume and flow rate of stormwater that will run off the project site into the City's combined sewage system if the project is built (a) as proposed, (b) under either buildout scenario, or (c) according to any of the project alternatives. In addition, the DGEIS provides no detailed information on the constraints of the combined sewer system infrastructure in the immediate vicinity of project site or anywhere else in the project's sewershed.[16]

- **Analysis of Impacts.** The project will, by 2025, contribute 7.5 million gallons per day of additional raw sewage to the City's combined sewage system that already lacks adequate capacity in wet weather. In order to assess the effects of this increased sewage load on CSOs, the DGEIS should have quantified, but did not, any reductions in stormwater runoff which might counteract the effect of increased sanitary sewage generations. There is no assessment as to whether the net result will be an increase or decrease in combined sewer flows and CSOs from the project site under foreseeable wet weather conditions.

- **Determination of Significance.** The DGEIS admits that "the increased sewage volume of sewage discharged to the combined sewer system would have the potential to result in an increase in the concentration of sewage and associated pollutants (e.g., TSS, fecal coliforms) discharged to the Hudson River during CSO events." (p. 13-22.) Any addition to these overflows must be deemed significant because CSOs are the single largest contributor of pollutants and pathogens to local waters, thereby causing violations of water quality standards and impairing both human use and ecological function. The DGEIS wrongly states that the Hudson is meeting all water quality standards. In the absence of evidence or analysis to the contrary, the DGEIS should have concluded, but did not, that combined sewage from the project will cause significant impacts.

- **Cumulative Impacts Analysis.** The DGEIS is inadequate because it fails to provide a cumulative impact analysis of the significant adverse impacts caused by the project's increased ferry operations in New York Harbor. Cumulative impacts analyses are critically important because the incremental effects of many projects that overlap in time and space aggregate to collectively affect the same resources.

- **Mitigation Measures.** The DGEIS fails to set forth and analyze measures sufficient to mitigate the project's significant impacts to surface water quality. With respect to CSOs, while there are some proposed project features that might reduce

[16] The DGEIS admits that sewer system collection capacity will have to be increased to accommodate the project.

impacts, such as stormwater retention, it is unclear to what extent the former will be mandated as project requirements (rather than suggestions or goals) and there has been no quantification or analysis of the effect of the latter. The DGEIS should set forth green building practices, decentralized greywater and blackwater treatment and detention systems sufficient to meet a modest goal of "no net CSO increases" and a superior standard of no untreated sanitary sewage or stormwater contributions to City sewers.

- **Project Alternatives.** The DGEIS fails to consider reasonable project alternatives that would drastically reduce or eliminate the significant impacts discussed above. Significantly, the DGEIS fails to consider any other use for the west Cammerer yard other than the stadium proposal.

Conclusion

As explained above, the Hudson Yards Project should be modified to incorporate measures such as those described herein to minimize water pollution and other negative impacts on New York's City's marine environment and waterfront to the greatest extent feasible. The City Planning Commission and other decision makers have a once-in-a-generation opportunity to transform a large section of Manhattan in an environmentally sustainable fashion. But, for the reasons discussed herein, the proposed project has not yet achieved that goal. We hope to have the opportunity to work with all involved in this important undertaking to resolve the shortcomings of the current project and its environmental documentation, in furtherance of our shared goals.

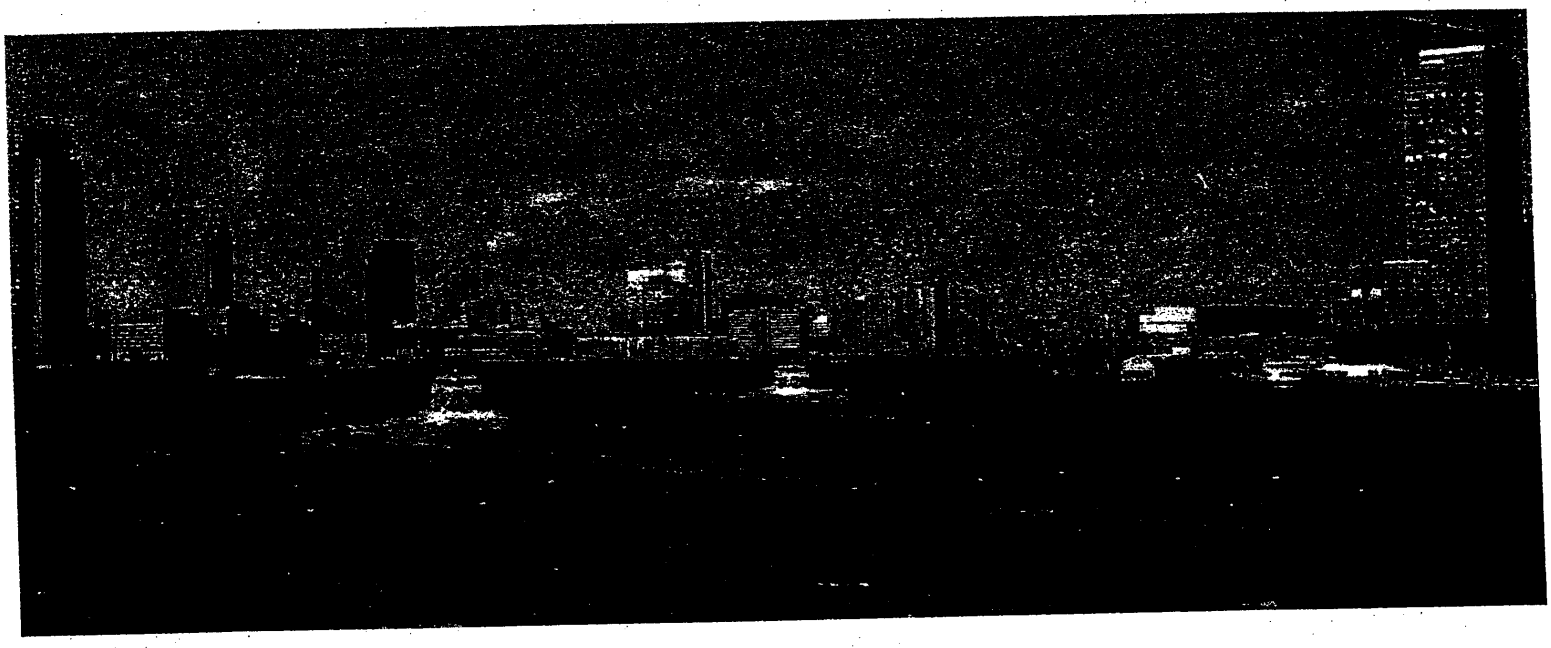
We thank you for the opportunity to comment on the DGEIS.

Sincerely,

Reed Super
Senior Attorney

Air Pollution From Passenger Ferries In New York Harbor

July 2003



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This report was produced by a team of top researchers who are experts in the fields of transportation, air emissions and marine engines. We were privileged to have been able to call on their combined expertise to conduct this important new research on our behalf.

Before commissioning this study, we were familiar with the internationally recognized and widely published work on ship and ferry emissions by Professor James Corbett of the University of Delaware and Professor Alex Farrell of the University of California, Berkeley. We are pleased to have been introduced to Deborah Redman of Redman Consulting and Professor James Winebrake of the Rochester Institute of Technology, who bring expertise in landside transportation and emission control technologies, respectively. Together this team has used new data and improved on methodologies used in peer-reviewed publications to develop a state-of-the-art analysis of air pollution from passenger ferries in New York Harbor, and we thank them for their efforts.

In addition, we would like to thank the many individuals in local, regional, state and federal agencies, as well as representatives from the ferry industry in the New York City metropolitan area for providing data and background information to the authors of this report.

We also thank our environmental colleagues in the New York-New Jersey area for encouraging us to go forward with this endeavor, particularly Reed Super of Riverkeeper, Inc. Thanks are also due Bobby Winston, publisher of *Bay Crossings* ferry magazine, who helped us lay the foundation work for this report during a trip to ride the ferries of New York.

Most importantly, this study would not have been possible without the generous support of the Richard and Rhoda Goldman Fund.

We hope that this groundbreaking research will be the catalyst for policymakers, regulators and industry to ensure that only the cleanest possible ferries operate on New York Harbor.

Russell Long
Executive Director

Teri Shore
Clean Vessels Campaign Director

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The cover shows six ferries in New York Harbor during the middle of the workday.

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CONTENTS

Executive Summary iv
Introduction 1
Air Quality and Public Health 3
Background 4
Methods 8
Landside Analysis 8
Waterside Analysis 10
The Reality of Latent Demand 12
Results 13
References 17

TABLES AND FIGURES

Table ES-1: Commute Emissions in New York Harbor iii
Figure ES-1: Commute Emissions in New York Harbor iv
Figure 1: Change in Emission Requirements For NO_X 1
Table 1: Commute Emissions in New York Harbor 2
Figure 2: Commute Emissions in New York Harbor 2
Figure 3: Ferry Service in New York Harbor 7
Table 2: Landside Alternatives to Ferry Commutes 9
Table 3: Vessel and Route Characteristics 11
Table 4: Emission Factors 11
Table 5: ISO Standard Duty Cycles 12
Table 6: Emissions 14
Figures 4a, 4b, 4c: Emissions per person-trip 15
Figures 5a, 5b, 5c: Emissions per person-mile 16

EXECUTIVE SUMMARY

Passenger ferries in the New York City metropolitan area are a significant and growing transportation option, used by commuters and tourists alike. Recent increases in ferry service have been justified as a means of increasing access to Manhattan and other water-accessible locations (such as the New Jersey waterfront) in order to increase mobility and to encourage economic growth. However, travel by passenger ferry in New York harbor pollutes the air more per person-mile than do landside alternatives such as car, bus, and train. This will remain true despite new federal regulations that take effect in 2007 because these are relatively weak. To make matters worse, ferries built in the next three years will be held to even lower standards. Since they will last 15-20 years, these vessels will increase air pollution in the region for years to come. This comes at a time when ozone and particulate matter (PM) pose serious health risks to people living in the New York City metropolitan region, especially children, the elderly, and those with respiratory disease. Existing technologies can significantly lower ferry emissions, but the upcoming regulations do not require them.

The figures shown below illustrate the problem for 2007. They show emissions per person-mile for three representative ferry routes and two landside alternatives, average landside vehicles in 2007 and new vehicles in 2007. The comparison is stark. In some cases emissions of PM from ferries can be over 100 times greater than from vehicles (per-person-mile), while nitrogen oxides (NO_X, a major contributor to ozone) can be more than 1,000 times greater. Passenger ferries have a long way to go before they can provide access and mobility while protecting the environment.

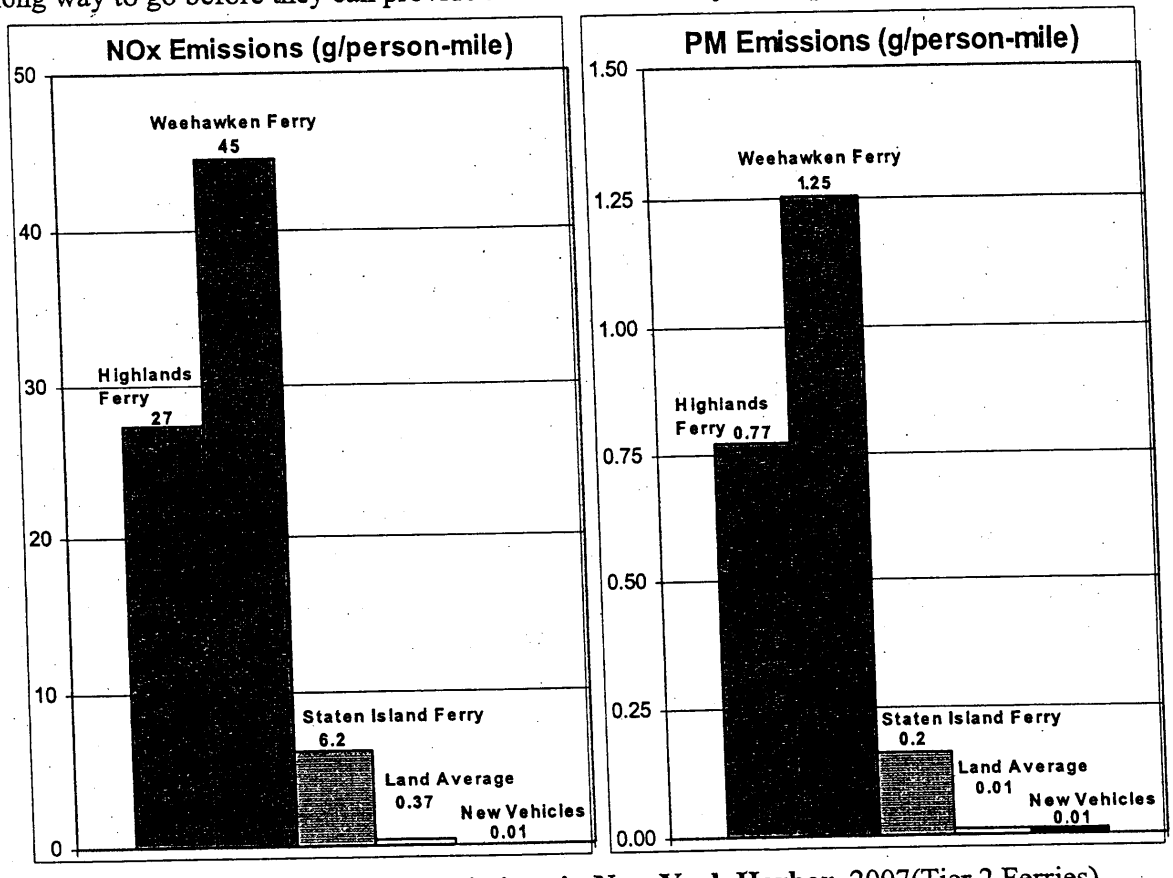


Figure ES-1: Commute Emissions in New York Harbor, 2007(Tier 2 Ferries)

This study evaluated the emissions from three passenger ferry routes to Manhattan (Weehawken-W38th St.; Highlands, NJ to Pier 11; and the Staten Island Ferry) and compared them to emissions from equivalent commutes on land, covering for five travel options. Details of the analysis and results are contained in the body of the report, while Table ES-1 and Figure ES-1 illustrate the basic findings. They compare emissions of the two most important pollutants, NO_X and PM from ferries in each of the three routes using Tier 2 engines (required on new vessels in 2007) with the average emissions landside travel options. The two landside travel options are, first, the typical mix of vehicles used in 2007 for all land modes (automobile, bus, etc.), second, new vehicles in 2007, both averaged over all three routes. The table also shows the percent reduction needed to make each ferry's emissions (per person-mile) equivalent to those from the 2007 landside travel average ('parity').

Table ES-1: Commute Emissions in New York Harbor, 2007 (Tier 2 Ferries)

		Emissions (g/person-mile)				
Commute Option / **Pollutant**		Highlands Ferry	Weehawken Ferry	Staten Island Ferry	2007 Land Average	2007 New Vehicles
NO_X		27	45	6.2	0.37	0.011
PM		0.77	1.25	0.2	0.010	0.010
Reduction Needed for Parity with 2007 Land Average	**NO_X**	98%	99%	94%		
	PM	98%	99%	95%		

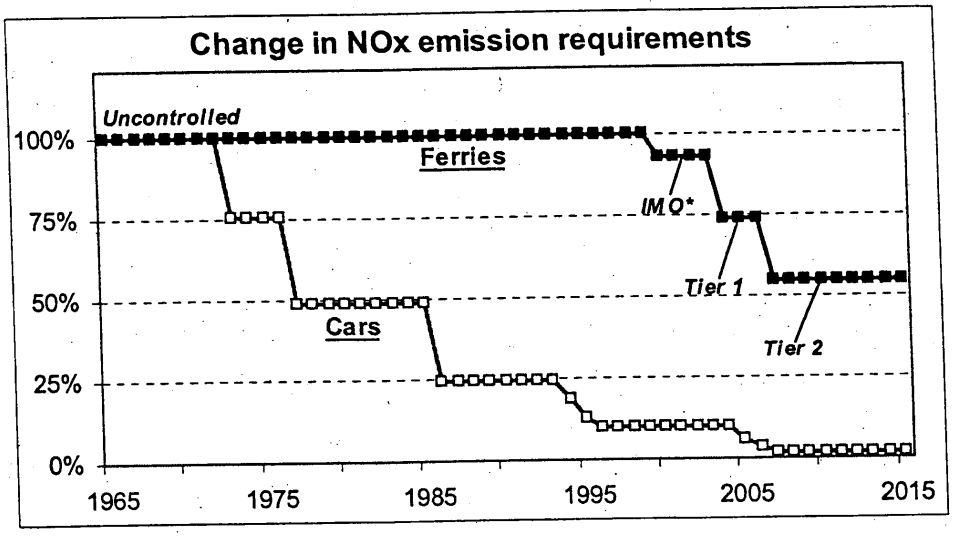
Table ES- 1 shows that significant emission reductions would be needed to make ferry and landside commutes equivalent in terms of air pollution. On average, NO_X and PM emissions need to be reduced by over 95% (relative to current levels) for ferries to achieve the emission rates per passenger-mile of the landside travel options. The results of this study are similar to the findings from previous research and go a step further by including emissions from auxiliary engines, which provide the electricity onboard. This improved methodology shows that reduction in ferry emissions needed to achieve emission reductions similar to the average landside commute modes are greater than estimated earlier.

This study highlights the dilemma of modern ferry expansion nationwide. The service demands by passengers that are energizing the growth in the industry don't lend themselves to large, moderate-speed ferries or operational changes (i.e. fewer departures) that can limit emissions. The only way to make the modern expansion of passenger ferry service environmentally responsible is to use cleaner fuels and emission control technologies.

INTRODUCTION

Evidence has mounted that passenger ferries and other marine vessels are significant sources of air pollution, and steps are being taken to control their emissions [1-6]. At the same time, urban passenger ferry service is expanding rapidly in many coastal regions as a means to add capacity to crowded transportation systems [7-9]. This trend has been accelerated by the introduction of high-speed (>30 knot) craft that can cut commute times and provide acceptable commute trips [10-12]. These trends combine to present a significant environmental problem for local air pollution managers [13-15]. Where passenger ferries have become a visible and fast-growing segment of the transportation system, emissions have become an important environmental issue.

Air pollution from marine sources has been regulated only recently. While federal automobile emission controls were first phased in for the 1973 model year, standards for marine engines were first regulated (beginning with voluntary standards) by the Environmental Protection Agency (EPA) only in 2000 [16]. Figure 1 illustrates this disparity by comparing emission requirements for one pollutant, nitrogen oxides (NO_X). Federal regulations of automobile emissions of NO_X have caused advances in technology and significant reductions in pollution. By 2007, when the last planned standards are in place, automobile emissions will be reduced by over 99%. In contrast, mandatory emission standards for ferry engines will not come into force until 2004, and even when more stringent standards apply starting in 2007, ferry emissions will fall by less than half. Other pollutants have similar profiles. Importantly, engines that are installed onboard ferries over the next three years while less stringent Tier 1 standards apply will remain in service for 15-20 years, creating a window of opportunity for dirtier (and cheaper) engines to gain a place in New York for years to come.



* IMO standards are voluntary but have been followed by ferry engine manufacturers.

Figure 1: Change in emission requirements for NO_X

This study evaluates emissions from three passenger ferry routes to Manhattan (Weehawken-W38th St., Highlands; NJ to Pier 11; and the Staten Island Ferry) and compares them to emissions from equivalent commutes on land. The study employs a model designed to calculate emissions on a per passenger trip basis for the following pollutants: NO_X, hydrocarbons

(HC), carbon monoxide (CO), sulfur dioxide (SO_2), and carbon dioxide (CO_2). (All trips in this study are one-way, so that they have the same meaning as terms common in the ferry industry, like 'boardings'.) The model employs detailed data on ferry and landside travel and technology options for the three routes studied.

Table 1 and Figure 2 summarize emissions of the two most important pollutants, NO_X and PM from ferries in each of the three routes using Tier 2 engines (required on new vessels in 2007) with the average emissions landside travel options. The two landside travel options are, first, the typical mix of vehicles used in 2007 for all land modes (automobile, bus, etc.), second, new vehicles in 2007, both averaged over all three routes. The comparison is stark; emissions of PM from ferries can be over 100 times greater than from vehicles on a per-person-mile basis, while emissions of NO_X (a major contributor to smog) can be more than 1,000 times greater. Clearly passenger ferries have a long way to go before they can provide access and mobility while also protecting the environment.

Table 1. Commute Emissions in New York Harbor (Tier 2 Ferries)

	Emissions (g/person-mile)				
Commute Option	Highlands Ferry	Weehawken Ferry	Staten Island Ferry	2007 Land Average	2007 New Vehicles
NO_X	27	45	6.2	0.37	0.011
PM	0.77	1.25	0.2	0.010	0.010

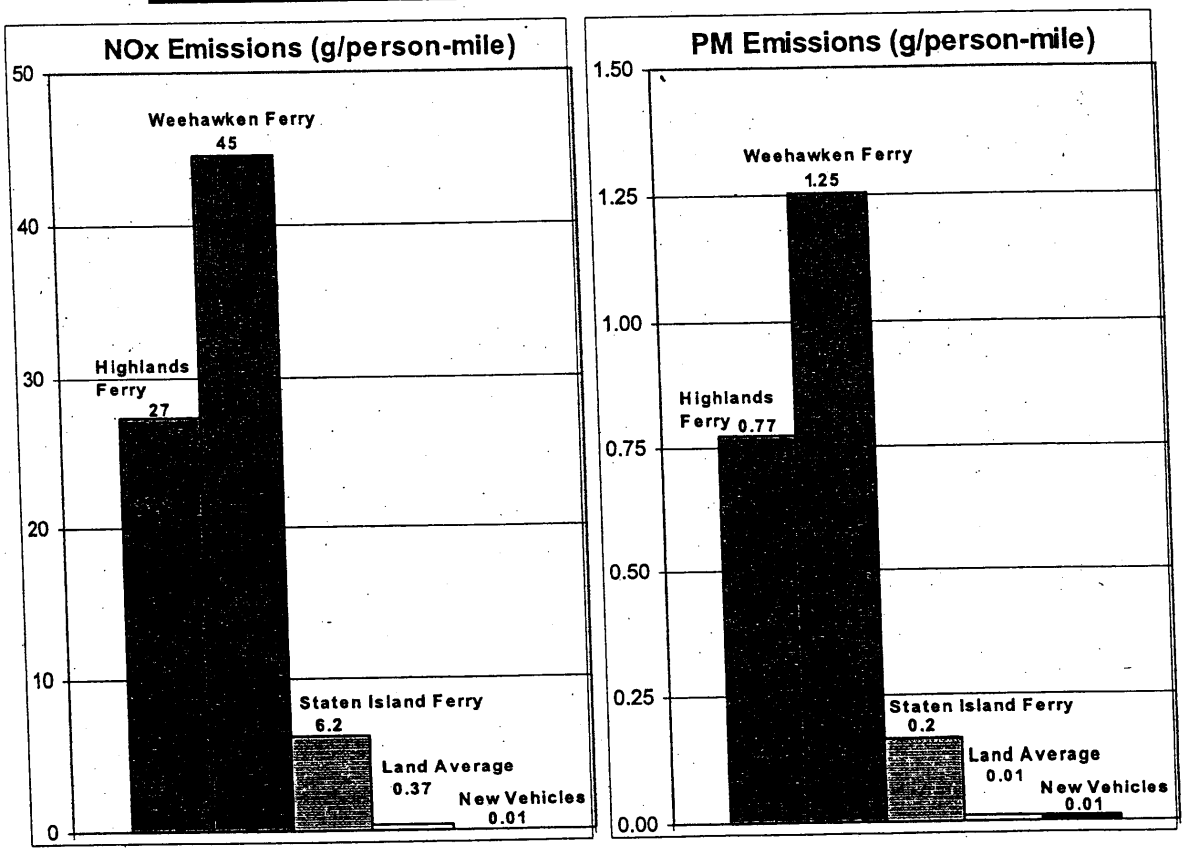


Figure 2: Commute Emissions in New York Harbor, 2007(Tier 2 Ferries)

Cost-effective technologies exist to reduce emissions from ferries, and several vessels in Europe already use such technologies [17-19]. However, for the cases we studied, very significant emission reductions would be needed to make ferry and landside commutes equal in air pollution. On average, emissions from ferries would need to decrease by more than 95% from current levels in order for ferries to achieve landside commute values. Looking further ahead, ferry commuting generally requires more energy than on-road commuting on a per person-mile basis, especially in high-speed vessels. This will result in higher CO_2 emissions.

Air Quality and Public Health

Air pollution in New York is a serious concern. Two key pollutants are ozone and fine particles. When ground-level ozone concentrations are high, people suffer major health effects, including chest pain, congestion, acute respiratory problems, aggravated asthma, and inflammation of lung tissue. These symptoms especially affect children, the elderly, and those with lung conditions, but even healthy people can feel the effects of ozone. There is even evidence to suggest that high ozone levels can increase the risk of children developing asthma and that long-term ozone exposure slows the growth of lungs. On high ozone days, hospital admissions, emergency room visits, and mortality related to ozone all increase. In 2002, New York City exceeded the EPA's health standard for ozone on 19 days.

Particulate matter (PM) less than 2.5 microns in diameter is referred to as "fine" particles. (In comparison, a human hair is about 70 microns in diameter.) Fine particles result from many different sources and can be formed when combustion gases are chemically transformed into particles. Individually, these particles and droplets are invisible to the naked eye. Collectively, however, they can appear as clouds or a fog-like haze. PM larger than 2.5 microns in diameter is referred to as coarse particles. Both coarse and fine particles are of health concern because they can penetrate into the sensitive regions of the respiratory tract. Fine particles are of greatest concern because they are linked to the most serious effects. Several recently published community health studies indicate that significant respiratory and cardiovascular-related problems are associated with exposure to particle levels well below the existing PM standards. These negative effects include premature death, hospital admissions from respiratory causes, and increased respiratory symptoms. Long-term exposure to PM matter may increase the rate of respiratory and cardiovascular illness and reduce life span. Children, the elderly, and individuals with cardiovascular disease or lung diseases such as emphysema and asthma are especially vulnerable. New York City does not meet the new fine particle standards.

While the city and state are working hard to improve air quality in the transportation and off-road sector through use of cleaner fuels and technologies, new fast ferries continue to operate on uncontrolled diesel engines. Two components of marine diesel exhaust are especially problematic, NO_X and PM, which can sometimes be seen as smoke. Diesel PM is important because of the reasons given above and because there is evidence that diesel PM is more harmful than most. The state of California has listed diesel PM as a possible carcinogen. NO_X is important because in urban areas like New York City, it is a major contributor to the formation of both ozone and fine particles. Any new transportation options, such as new ferries, should not worsen these conditions.

The next section of the report contains background information on the transportation system studied here. This background section is followed by a section on the methodology and finally a section containing the results.

BACKGROUND

The New York metropolitan area (including New Jersey) has been a significant part of a modern revival of passenger ferries [9, 20-31]. The island of Manhattan – the region's commercial, cultural, and geographic heart – is surrounded by over nine million residents and visited by some thirty million tourists each year. The New York City area will have to rely on multiple river crossings to remain an integrated and vibrant place to live, work, and play.

Ferry service in the New York metropolitan area dates from 1700, when sailboats began service between Weehawken, NJ and Manhattan.[1] In 1810, 16-year old Cornelius Vanderbilt (later one of the richest men in America) introduced Staten Island-to-Manhattan ferry service. Steamship ferries from Hoboken were introduced in 1823 and greatly improved speed and reliability. Ferry lines in the New York metropolitan area began to multiply and they remained the only means of getting to Manhattan until the invention of the steel wire suspension bridge by John Roebling, and its debut in Brooklyn in 1883. Thereafter, rail bridges, roadway bridges, and subway tunnels began to supplant ferry service across the East River to Brooklyn and the Bronx. Ferries in the New York City area were all private ferry lines, with one major exception. In 1905, the City of New York took over the Staten Island Ferry service and this publicly-operated ferry service has been the largest single ferry line since then, and at one point the only one in New York Harbor.

The Hudson River was not spanned until 1927, when Clifford Holland's eponymous tunnel was built. Within a decade, the George Washington Bridge and Lincoln Tunnel also opened. Widespread adoption of the automobile after the World War II and subsequent suburbanization accelerated the decline of ferry service in the New York area, which peaked in 1927 with about 27 million passengers per year traveling between New Jersey and Manhattan, and perhaps half that many again traveling from Staten Island. By 1967, all but the Staten Island Ferry ceased operations and the elegant 1907 Beaux Arts ferry terminal in Hoboken, NJ was closed.

However, as with other cities the limits of automobile-oriented travel and urban design began to appear in New York in the last quarter of the 20th century. By the mid-1980s capacity limits on bridges and tunnels into Manhattan were being reached. Regional rail lines were also reaching capacity, and increasing cross-Hudson rail service was politically infeasible. Local transportation planners thus turned again to the rivers as a transportation route.

The modern revival of passenger ferries in metropolitan New York began when the Port Authority of New York and New Jersey (the Port Authority) issued a request for proposals (RFP) for operating ferries to cross the Hudson River from New Jersey to Manhattan. However, expansion of auto access or cross-Hudson rail service was either physically impossible or financially unsustainable. Thus, the Port Authority added passenger ferries to the options available to meet growing demand for transportation into Manhattan.

The sole response to the RFP came from a developer that eventually became New York Waterway (NYWW), now the largest private ferry operator in the country. In return for a 20-year contract (with a 10-year option for extension) for preferential access to Port Authority-provided terminals, NYWW agreed to provide minimum levels of service on specified routes. This approach suited the Port Authority since it was already expert in the development of

[1] For more information, see www.worldshipny.com/nyferries.htm, www.hudsonriver.com/ferry.htm, www.nycroads.com/crossings/, plus the Web sites of the Port Authority of New York and New Jersey and of the Metropolitan Transportation Authority.

transportation infrastructure (e.g. airports, bridges) used by private organizations and individuals. It also suited the owners of NYWW, who possessed considerable real estate next to one of the key terminal locations, Weehawken, NJ. Travel from this location, which has spectacular views of the New York City skyline, to Manhattan was inconvenient. Rapid waterborne access to the city would greatly enhance the desirability and value of these real estate holdings, which are currently planned to host 6,000 housing units and 1.4 million square feet of commercial space.

This "public terminals and private vessels" approach also had the advantage that private ferry operators like NYWW can set fares high enough to cover both costs and profits, ensuring the financial viability of the service. In contrast, public operators might not be allowed by political leaders to raise fares high enough to even cover costs and might therefore require constant subsidies from tax revenue (or other government sources of funds). Subsidies are required for public river crossings today in the New York City Metropolitan area, such as the Staten Island Ferry, which operates as part of the City's Department of Transportation and currently charges no fare at all, and cross-Hudson PATH trains, which is operated by the Port Authority.

The public terminals and private vessels approach seems to have been successful. Within two years of its startup, the NYWW ferry operation served over 5,000 riders daily and made a profit (although the subsidized Staten Island Ferry serves over ten times that number). By the year 2000, ferry service in New York had grown to about 100,000 commuters, two-thirds of which took the Staten Island Ferry. NYWW accounted for most of the rest, serving about 32,000 riders each workday. Other companies entered the ferry market, notably New York Fast Ferries and Seastreak.

The terrorist attack on September 11, 2001 was a transformative event for passenger ferry service in the metropolitan New York area. The collapse of the World Trade Center destroyed a key station for cross-Hudson PATH rail service and caused the temporary closure of all tunnels and bridges out of Manhattan to motorized travel. For many, the only way off the island was to take the ferry. NYWW evacuated more than 160,000 people that day, taking passengers from a terminal at West 38th Street as well as improvised landings, operating until late into the night.

Since then, private ferry service in the New York metropolitan area has continued to grow rapidly. Currently, there are over 40 passenger ferries (public and private) in New York Harbor, operating on over 50 routes with more than 1,000 departures daily, serving over 125,000 commuters on an average workday [32]. Half of this ridership is on the Staten Island Ferry, with almost all of the remainder on the NYWW system. In addition, new ferry operators have entered the market with different business strategies, such as New York Water Taxi. Moreover these vessels are used on weekends for sightseeing, sporting events (e.g. trips to baseball games at Shea and Yankee Stadiums, both of which have ferry access), Broadway shows, the circus, and private charters. Ferries are also being tried out on the East River between East 90th, 75th, 62nd and 34th Streets and stops serving the financial district in Lower Manhattan, providing a substitute for the overcrowded east side subway lines.

Part of this growth has been due to ferry trips substituting for cross-Hudson PATH rail service, which is due to resume next year. Some ferry routes will be reduced or eliminated when this happens, but this is unlikely to slow the growth of ferry commuting in New York significantly. There are essentially no other immediate options for improving access to Manhattan.

The scope of ferry terminal improvements in New York and New Jersey is expansive and the pace is very rapid. Some ferry terminals in use today are salvaged or temporary barges with fabric shelters; others are almost completely open to the elements. By next year, this will change dramatically, with the planned completion of more than $300 million worth of projects, including: an extensively renovated terminal on Staten Island, a completely reconstructed terminal at Battery Park, a new floating terminal at the World Financial Center, and two entirely new terminals at West 39th Street and Weehawken, NJ, respectively. Smaller landings are also being developed, and the historic ferry terminal in Hoboken, NJ is being restored.

Investments of public funds in ferry terminals will make it ever easier for private operators to commercialize new routes and services. Figure 3 gives a sense of the number of ferry routes in service today. As with the initial impetus for the modern revival of ferry service in metropolitan New York, transportation system expansion and economic development are at the center of current efforts to improve New York's ferry terminals. With publicly-funded terminal improvements it is expected that privately-financed ferry service will arrive shortly thereafter, with the operative theory being "if we build the infrastructure, the ferry service will come."[2] Increasing ferry service in the New York City area serves many agendas. Public officials appreciate the fact that ferry terminals can be improved fairly quickly, "We don't, in the short term, have a lot of options for getting people to Lower Manhattan faster than we can with ferries."[3] In the medium-term both public officials and private businesses hope that ferries may be able to move athletes and spectators to remote locations as part the city's bid for the 2012 Olympics. Over the long term, new ferry terminals are now being promoted by private developers as "central features of transit-village model[s] of development similar to the old railroad suburbs."[4] Similarly, improved ferry service should help with the long-term revitalization of the Hudson County (NJ) waterfront and complement the planned north-south light rail system in northeastern New Jersey.

Importantly, the public terminals and private vessels approach is essentially a means of expanding transportation system capacity and as a mechanism for development. Since ferry expansion in New York harbor is seen as a way to provide more transportation to more places, emissions due to this expansion should be viewed in this light.

The advantages of passenger ferries – feasibility of expansion to provide direct service to points of interest, lack of traffic crowding (for now), speed of implementation, and suitability of the use of public infrastructure and private operating capital– mean they will continue to grow in number in metropolitan New York. The environmental impacts of ferry service have also grown, including noise, wake, and air pollution. Now is a crucial time for the air pollution issue; several ferries will soon be replaced or repowered (i.e. have their engines replaced), locking in propulsion technologies for the life of these vessels, which is often 20 years or more. This includes new Staten Island Ferries as well as smaller, faster ferries that are used by NYWW and larger ferries that travel to more distant locations in New Jersey. At the same time, new federal regulations controlling marine engines are not fully in force yet, giving ferry operators a short window to introduce new vessels with older, cheaper, and more highly polluting technologies.

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[2] Iris Weinshall, Commissioner of the New York City Department of Transportation, quoted in [9].
[3] Daniel L. Doctoroff, Deputy Mayor of New York for economic development and rebuilding, quoted in [9].
[4] Arthur E. Imperatore Jr., President of NYWW, quoted in [9].

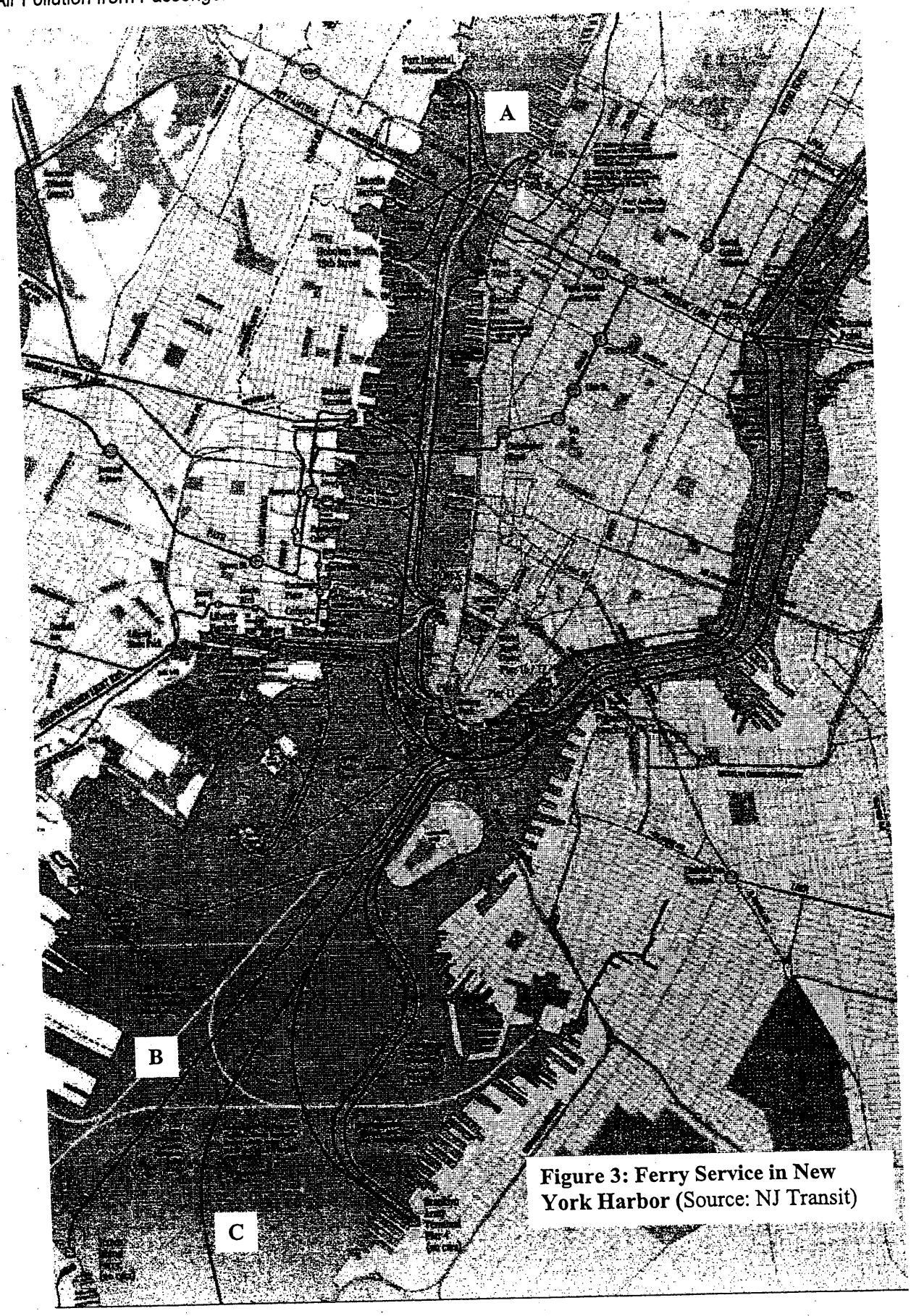


Figure 3: Ferry Service in New York Harbor (Source: NJ Transit)

METHODS

"Activity-based" methods for estimating emissions from mobile sources are the most widely recommended approaches and are employed here [33]. Emissions of six compounds are reported: NO_X, Volatile Organic Compounds (VOC), PM, carbon monoxide (CO), sulfur dioxide (SO_2), and carbon dioxide (CO_2). Only tailpipe emissions are reported since these are the relevant emissions for local regulators and because the key decisions concern the use of emission control devices, which change only tailpipe emissions. Emissions from ferries are compared to emissions from landside vehicles for a total of five travel and technology options for the year 2007:

(1) Landside commuting assuming an average mix of modes (car, SUV, bus, rail etc.) and emission factors for 2007 (called "Land Average");

(2) Landside commuting in new personal vehicles (cars and SUVs) available in 2007, when new emission regulations will be in force (called "New Vehicles");

(3) Ferry commuting on vessels with the current engines (called "Current Ferry");

(4) Ferry commuting on vessels with engines that meet the 2007 federal standards (called "Tier 2 Ferry");

(5) Ferry commuting with vessels that have Tier 2 engines plus two emission control technologies that are already in commercial use in Europe, selective catalytic reduction and catalytic filters (called "SCR+CF Ferry").

The year 2007 is selected based on the advice of air quality planners in the New York metropolitan area. Importantly, this year makes the full achievement of Tier 2 onroad emission standards, defining the landside emission profile that will exist for the majority of the lives of the passenger ferries being built today. "Landside" emissions are estimated for the two emission profiles based on route-specific, mode-split data and mode-specific emissions factors provided by the New York Metropolitan Transportation Council.

Three specific ferry runs shown in Figure 3 were evaluated: the 1 nautical mile (nm) trip from Weehawken to West 38th St (A, at the top of the figure), the 4 nm trip from Whitehall in Manhattan to St. George on Staten Island (B, near the bottom left of the figure) and the 18 nm high-speed trip from the Highlands in New Jersey to Pier 11 near Wall Street (C, near the bottom center of the figure). Ferry emission estimates are based on current ferry service (i.e. number, length, and speed profiles of existing commute trips).

Landside Analysis

Regional Transportation Context

The New York-New Jersey area offers travelers one of the nation's most well integrated multi-modal network of transportation options, notwithstanding the temporary service interruptions due to the September 11, 2001 attack on the World Trade Center. The landside routes chosen for this analysis represent alternatives to the waterside routes identified earlier: Weehawken to Pier 79, Atlantic Highlands to Pier 11 and the Staten Island Ferry to lower Manhattan. Reasonable assumptions for the three landside routes were developed from available documents and data, and are shown in Table 1.

As the Tri-State region continues its upward trend in population and job growth, expanding access to Manhattan and other water-accessible locations (including in New Jersey) will be needed. A number of constraints on landside travel expansion present potential problems,

including financial constraints for roadway improvements and transit options, various capacity constraints on river crossings and mode transfer points (e.g. New York-Penn Station), and so forth. These constraints place a great emphasis on the need to ensure ferry system expansion is possible while still meeting important social goals such as environmental protection.

Landside alternatives to Manhattan-bound ferry transportation

For this analysis, we compared per passenger ferry emissions (waterside commute) with per passenger emissions for an alternative landside commute route. To conduct the landside analysis, we identified a range of travel options available to landside commuters and acquired data that allowed us to characterize each landside route by vehicle-miles traveled (VMT), mode split (passenger vehicle, bus, and rail), road type, and passenger vehicle type (auto, small SUV, and large SUV). The three case studies selected for this analysis provide a range of travel options and associated traveler profiles, mode choice, trip length and road type. Data sources included:

- New Jersey Transportation Planning Authority 2002 Regional Transportation Plan
- 1997-1998 Regional Travel-Household Interview Survey (New Jersey Transportation Planning Authority, NJTPA, and New York Metropolitan Transportation Commission, NYMTC)
- Environmental Assessment Statement Negative Declaration and supporting documents for West Midtown Intermodal Ferry Terminal (Office of the Deputy Mayor for Economic Development and Finance, November 16, 2001)

Based on these sources and an assessment of likely variations from regional averages in view of case-specific factors, a set of assumptions necessary for the analysis was developed. In addition, regional agency staff at NJTPA and NYMTC made several prepublication data sources available for purposes of corroborating the assumptions made here. Table 2 summarizes the landside transportation assumptions that were used as inputs to the landside emissions analysis.

Table 2: Landside Alternatives to Ferry Commutes

Ferry Route	Landside Route	Distances	Mode Split*	Passenger Vehicle Type
Weehawken to Pier 79 (38th St.)	I-495 (Lincoln Tunnel) from Weehawken to Route 9a in Manhattan	**Land - 2 Mi.** 2 mi. Interstate **Water - 1 Nm.**	50% passenger vehicle (AVO 1.4) 40% bus transit 10% rail transit	60% automobile 30% small SUV (<6,000 lb) 10% large SUV (6-8,500 lb)
Highlands/ Atlantic Highlands to Manhattan (Pier 11 and E. 34th St.)	Garden State Parkway to I-95 to Holland Tunnel	**Land - 38 Mi.** 23 mi. Interstate 15 mi. Freeway **Water - 18 Nm**	50% passenger vehicle (AVO 1.4) 45% bus transit 5% rail transit	60% automobile 30% small SUV (<6,000 lb) 10% large SUV (6-8,500 lb))
Staten Island	Staten Island I-278 Toll Booth to Lower Manhattan Bridge crossing	**Land - 10 Miles** 8 miles Interstate 2 miles Freeway **Water - 4 Nm**	70% passenger vehicle (AVO 1.46) 30% bus transit 0% rail transit	60% automobile 30% small SUV (<6,000 lb) 10% large SUV (6-8,500 lb)

*Assumes 40 passengers per transit bus (one heavy duty diesel vehicle trip); rail passengers result in no vehicle trips; AVO = Average Vehicle Occupancy; SUV = Sport Utility Vehicle. Note that ferry route lengths are approximately one-half the landside trip lengths. Mi. are statute miles, Nm. are nautical miles.

Regional planning documents indicate that transit trends before 9/11 show increases in both rail and bus ridership. Note that though the NJTPA 2002 Regional Transportation Plan (RTP) and the 1997-98 Regional Travel-Household Interview Survey predate disruption to PATH commuter rail, PATH is projected to be returned to service by December 2003, and so should be considered in the mix of available travel options.

Emission Factors

The final step in calculating landside emissions requires selecting and multiplying the vehicle type and vehicle miles traveled (VMT) categories by appropriate emission factors. A spreadsheet model was developed to best capture the comparative emissions profiles between waterside and landside travel options for the three cases analyzed. New York State Department of Environmental Conservation (NYSDEC), EPA MOBILE5b, and EPA MOBILE6 emission factors for New York County were selected for use in this application.

Emission factors for HC (summer run), CO (winter run) and NO_X (summer run) were taken from MOBILE5b, currently in use in the region. PM10 (tailpipe emissions only), SO_X and CO_2 factors derive from MOBILE6. Note that, although MOBILE6 is in the final adoption stages for use by EPA and the New York Metropolitan Transportation Council (NYMTC is the Metropolitan Planning Organization for the region that includes New York City), it was used because, unlike MOBILE5b, MOBILE6 produces emission factor outputs for tailpipe PM10, SO_X and CO_2. MOBILE6 produced 2007 fleet average outputs for SO_X and CO_2 which were assumed to be equivalent for the "new 2007 vehicles only" analysis, because these factors are largely dependent on fuel consumption, which does not change significantly between the two models.

Both models provide factors in grams/mile of pollutants, differentiated by vehicle type (passenger car fleet, lighter and heavier duty sport utility vehicles (under and over 6,000 lbs. gross vehicle weight, respectively) and heavy duty diesel vehicles, which includes transit buses). Factors are further specified for road type. For this analysis, only Interstate (RT 07) and Freeway/Expressway (RT 08) were necessary.

Finally, emission factors are provided for morning (5 am to 9 am, morning peak), daytime (9 am to 3 pm), evening (3 pm to 6 pm, afternoon peak), and nighttime (6 pm to 5 am) periods, incorporating typical traffic conditions on each respective road type. This analysis uses an average of daytime, mid-day and evening periods, chosen to capture most accurately the profile of the travel population that could or would substitute ferries for their landside trips.

Waterside Analysis

For the waterside analysis, emissions are modeled using load duration curves constructed for the three vessels based on actual level of service data from published and private sources. Detailed route and vessel data are shown in Table 3. Note that occupancy rates are given as average values for all departures, they are not the occupancy rates experienced by commuters during rush hour. During peak commute periods, all mass transit (including ferries) tends to be most full in the commute direction and nearly empty in the reverse direction (for an average occupancy rate during these times of almost 50%). During non-peak travel periods (mid-day and evening) ferries are often nearly empty, resulting in low average occupancy rates. Ferry operators often find that passengers value the convenience of frequent departures and the ability to rely on service when it's convenient for them, not just during rush hour. Thus, to attract commuters they often must provide service during relatively slow periods, driving down average occupancy.

Emission factors for the engines were developed from testing and published performance data, and are shown in Table 4. Emission factors for NO_X and HC, which are regulated as a total, are assumed to have the same ratio (98:2) that current diesel engines exhibit. The emission factors were applied to the load duration curves to determine overall emissions for each of the technology alternatives. Daily emissions were estimated for each pollutant in each vessel/route scenario and are shown in the Results section.

Table 3. Vessel and Route Characteristics

Highlands	*Route Length (nm)*	*Average Speed (knots)*	*Passenger Capacity*	*Average Occupancy Rate*	
	18	29	399	28%	
Vessel Name	*Engine type*		*Engine size (kW)*	*Number*	*Total Power (kW)*
Seastreak New York	*Main:* Cummins KTA5OM2		1,454	4	5,816
	Aux: Cummins ONAN Admiral		95	2	190
Weehawken	*Route Length (nm)*	*Average Speed (knots)*	*Passenger Capacity*	*Average Occupancy Rate*	
	1	10	399	14%	
Vessel Name	*Engine type*		*Engine size (kW)*	*Number*	*Total Power (kW)*
Robert Fulton	*Main:* Caterpillar 3412		500	2	1000
	Aux: Detroit GM generator		35	2	70
Staten Island	*Route Length (nm)*	*Average Speed (knots)*	*Passenger Capacity*	*Average Occupancy Rate*	
	4	14	6,000	23%	
Vessel Name	*Engine type*		*Engine size (kW)*	*Number*	*Total Power (kW)*
"Kennedy" class	*Main:* EMD ME16G7B		2,865	2	5,730
	Aux: Caterpillar 3408C TA		399	2	798

Table 4. Emission Factors

	Emission Factors (g/kWh)			**Emission Factors (kg/tonne fuel)**	
Engine Type	NO_X + HC*	PM	CO	SO_X	CO_2
Current	13	0.30	2.5	0.30	3,190
Tier 2	7.2	0.20	5.0	0.30	3,190
SCR+CF	1.4	0.021	0.094	0.30	3,190

* NO_X and HC emissions are assumed to have a ratio of 98:2 as in current engines.

Three values in Table 3 are key determinants of the results presented later: Average Speed, Passenger Capacity, and Occupancy Rate. Per-passenger emissions from ferries tend to rise when speed goes up, or when either of these other two key factors goes down. This will be discussed further in the Results section.

Load duration curves are constructed for each vessel-route pair to match reported speed and time characteristics. To do this, every route is divided into seven segments (maneuvering at

departure, precautionary speed, slow cruise speed, full cruise speed, then slow cruise speed, precautionary speed, and maneuvering at arrival). The speed for each route segment is then calculated using the ISO duty cycles (E3 or E5, see Table 5 below) or a user-defined duty cycle [34]. This approach is an advance over previous emission estimates and provides a more accurate understanding of ferry engine emissions [15].

Table 5. ISO Standard Duty Cycles

Type of Operation	Full Cruise	Slow Cruise	Precautionary	Maneuvering	Idle
CYCLE E3					
Speed (% of max)	100%	91%	80%	63%	Not applicable
Power (% of max)	100%	75%	50%	25%	Idle power (12%)
Weighting Factor	0.20	0.50	0.15	0.15	None
CYCLE E5					
Speed (% of max)	100%	91%	80%	63%	Not applicable
Power (% of max)	100%	75%	50%	25%	Idle power (12%)
Weighting Factor	0.08	0.13	0.17	0.32	0.30

In addition to main engine emissions, the auxiliary engines onboard vessels are accounted for here, apparently for the first time in this sort of analysis. Ferries typically carry two diesel generators for lighting, refrigeration, electronics, and other hotel loads, and usually operate one at any given time. For this analysis it is assumed that one auxiliary engine is operated at 75% load, based on discussions with ferry operators and on standard maritime procedures. Technically, the effort and cost to include emissions controls for auxiliary engines is non-trivial, because the exhaust from auxiliaries is typically separate from main engine exhaust. Previous studies have not mentioned whether auxiliary engines would be included in ferry emission mitigation. Here it is assumed they are.

The magnitude of auxiliary engine emissions depends on many factors, especially the characteristics of the route and main engines. For longer, faster routes and current (uncontrolled) main engines, emissions from the auxiliaries may be only a few percent of those from the main engines. However, the auxiliary engines on the Staten Island Ferry vessels may be more than a quarter of the emissions of the main engines. These percentages increase if only the main engines are controlled. If high-speed vessels have SCR and CF controls on their main engines and their auxiliaries have no controls, the auxiliaries may have emissions of up to 25% of the mains. For vessels like the Staten Island Ferry, uncontrolled auxiliary engine emissions may be as large as (or possibly greater than) emissions from highly controlled (SCR+CF) main engines.

The Reality of Latent Demand

As indicated above, modern private ferry service in metropolitan New York has been implemented as a means of increasing transportation system capacity and spurring development while public ferries have long been considered an essential part of the existing transportation system. Thus, emissions from these vessels are simply part of or additions to the inventory of transportation-related emissions. The ferry industry and associated organizations sometimes claim (incorrectly) that ferry service "reduces" or "displaces" onroad travel. Besides ignoring the rationales given for reviving and expanding ferry service made by both public officials and private investors, these claims overlook empirical data on transportation system expansion in crowded urban areas, which show that providing more travel options results in more commuting,

not a re-arrangement of existing commute patterns [35-44]. Transportation professionals use the term 'latent demand' or 'induced demand' for this effect, which has been consistently observed in the real world. The similarity of this concept to traditional ideas of supply and demand leads some to call it 'demand elasticity'. Whatever the preferred label, reliable evidence puts the short-term (less than three years) effect at 10% to 50% and long-term effects at higher values (nearly 100%). That means that an increase of transportation system capacity leads almost immediately to an increase in travel of up to half that capacity and the congestion relief of only half of the added capacity. And over the long term, very little or no congestion relief occurs.

Nonetheless, it is useful to compare waterside and landside commute travel over substitute routes to give a sense of the relative air pollution impacts of each mode. In addition, as ferry travel continues to grow in metropolitan New York (and elsewhere), air quality planners will need to accurately model associated emissions to develop effective air quality management plans that will deliver clean air to the city's residents.

RESULTS

Table 6 presents the results of the analysis, which are also shown in Figures 4 and 5. The table contains the emissions per person-trip and per person-mile for each of the three runs for the five travel and technology options (see page 8). The reductions required of emissions from existing ferries (both main and auxiliary engines) in order to reach parity with emissions from landside travel are shown. Finally, emission rates per person-mile are shown. The table gives absolute values while the figures show emissions normalized (i.e. the highest value is set equal to one and the others are scaled proportionally, preserving the relationship between them) to the existing ferries in order to allow all the pollutants to be compared.

Relative to their landside alternatives, emissions from the high-speed Highlands and short-distance Weehawken-W. 38th St. routes show a pattern similar to other such comparisons [15]. These ferry commutes with existing engines are much more polluting than substitute travel by auto, bus, and rail. The improved methodology shows that reduction in ferry emissions needed to achieve pollution similar to the average landside commute modes are greater than estimated earlier, from about 50% (for CO and SO_X) to 98% or more (NO_X and PM).

The Staten Island Ferry results are different. This very large, moderate-speed vessel has greater emissions than the average landside commute modes on a per passenger-trip basis for NO_X and PM, but lower emissions for HC, CO, SO_X and CO_2. This is unlike other ferry-landside comparisons, and is largely due to the fact that although the Staten Island Ferry holds 15 times as many people as most contemporary passenger ferries, it does not have engines 15 times as large. It appears that large ferries may have less of a pollution problem as long as they are heavily used, as the Staten Island Ferry is. Nonetheless, focusing on the pollutants with the largest health consequences, NO_X and PM, even the Staten Island Ferry requires emission reductions of 90% or more to achieve emissions similar to competing landside travel options. This figure applies to both main and auxiliary engines. If auxiliary engines are not controlled, it may not be possible to reduce emissions from the Staten Island Ferry to levels comparable to landside travel options.

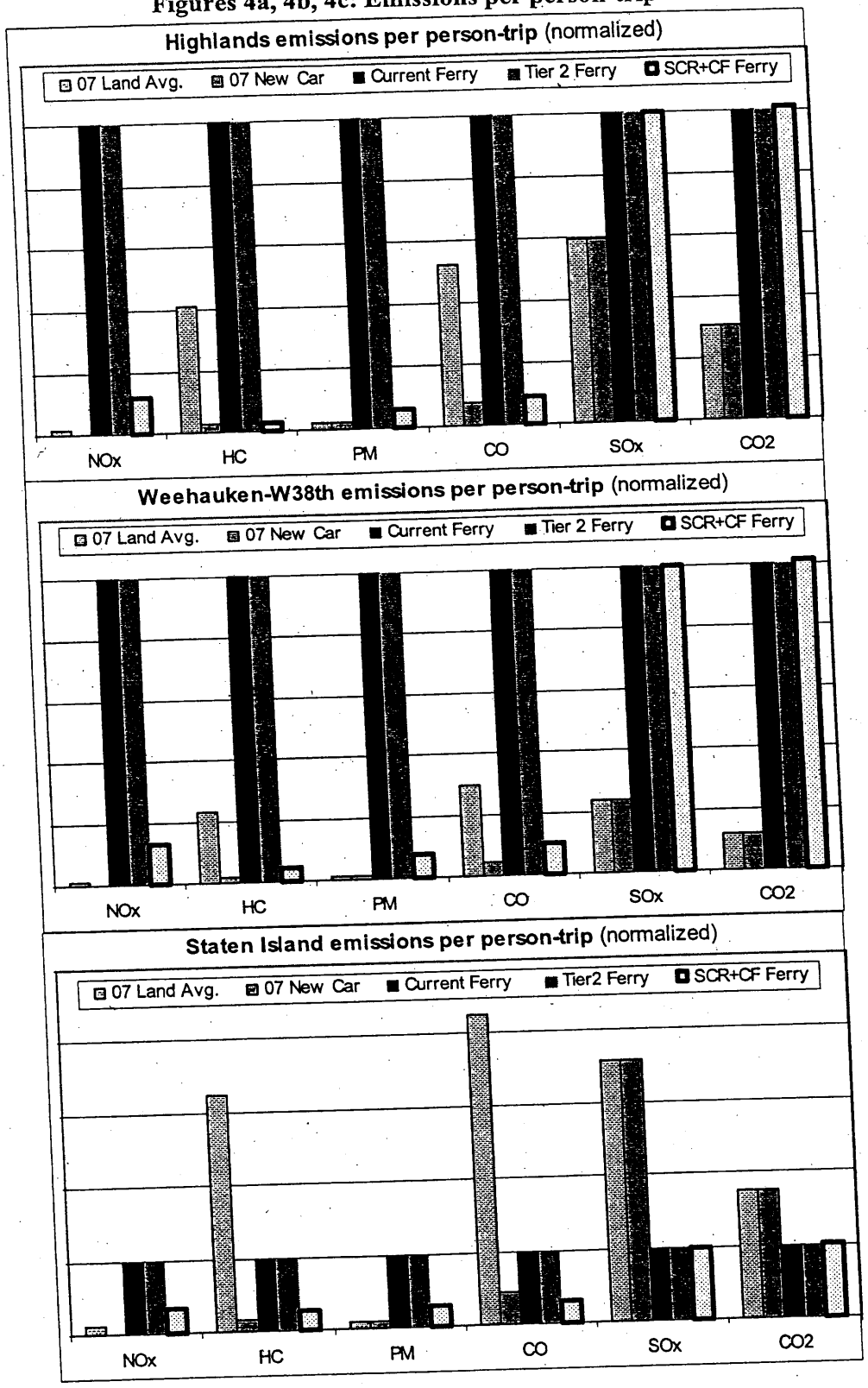
These observations highlight the dilemma of modern ferry expansion nationwide, the service demands by passengers that are energizing the growth in the industry don't lend themselves to large, moderate-speed ferries or operational changes (i.e. fewer departures) that can limit emissions. The only way to make the modern expansion of passenger ferry service environmentally responsible is to use cleaner fuels and emission control technologies.

Table 6: Emissions

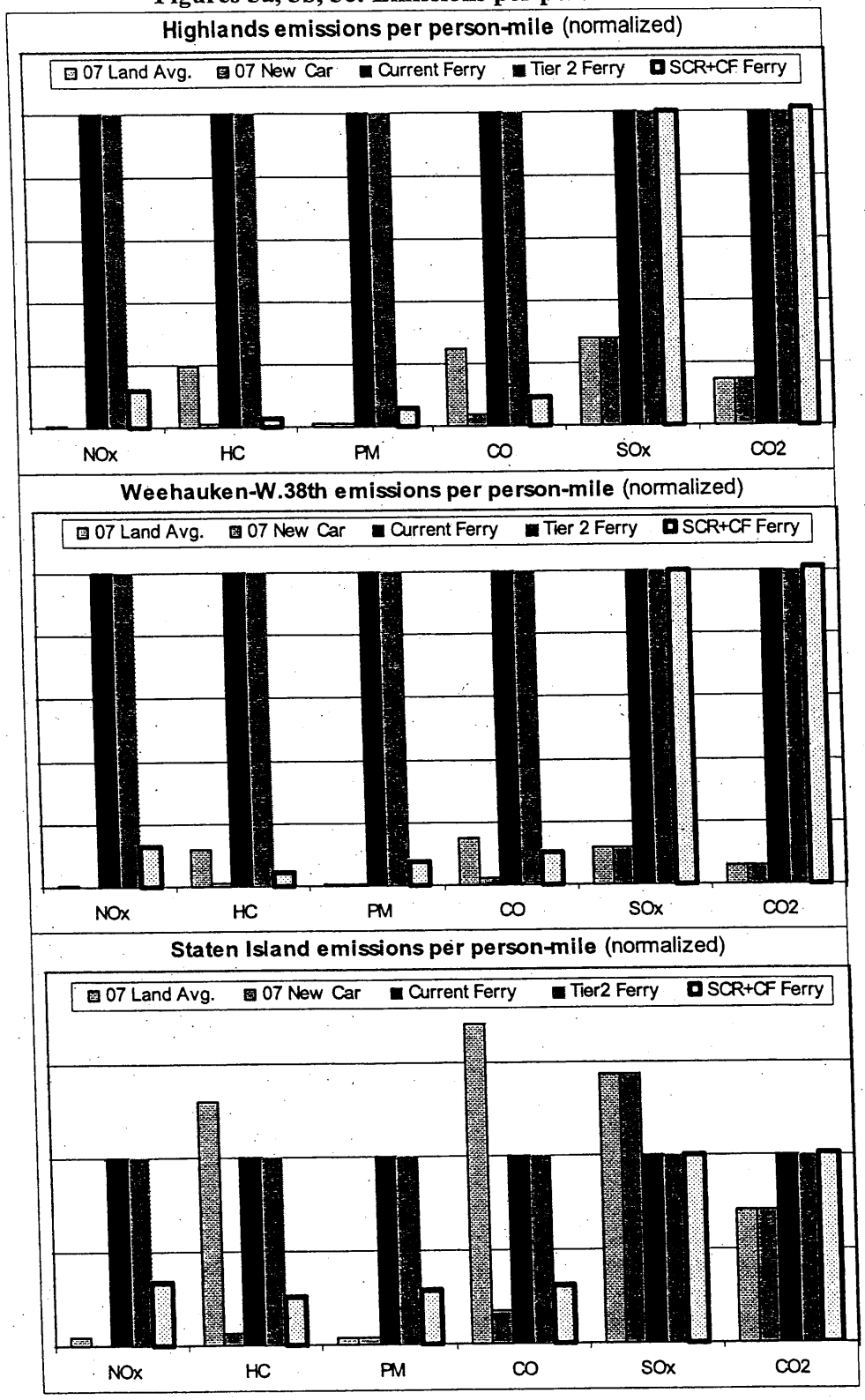
Highlands - Manhattan		NO_x	HC	PM	CO	SO_x	CO_2
07 Land Average	g/person-trip	13	7.6	0.42	90	0.12	6,600
07 New Vehicle	g/person-trip	0.43	0.5	0.42	13	0.12	6,600
Current Ferry	g/person-trip	900	19	21	170	0.20	22,000
Tier 2 Ferry	g/person-trip	490	11	14	340	0.20	22,000
SCR+CF Ferry	g/person-trip	110	0.5	1.3	15	0.20	22,000
Reduction for parity (ex/avg)		99%	59%	98%	48%	40%	69%
Reduction for parity (ex/new)		99%	97%	98%	92%	40%	69%
07 Land Average	g/person-mile	0.35	0.20	0.011	2.4	0.0032	180
07 New Vehicle	g/person-mile	0.011	0.014	0.011	0.3	0.0032	180
Current Ferry	g/person-mile	50	1.03	1.2	9.6	0.011	1,200
Tier 2 Ferry	g/person-mile	27	0.63	0.77	19	0.011	1,200
SCR+CF Ferry	g/person-mile	5.9	0.029	0.071	0.86	0.011	1,200
Weehawken - W. 38th St.		NO_x	HC	PM	CO	SO_x	CO_2
07 Land Average	g/person-trip	0.68	0.39	0.020	4.63	0.0063	340
07 New Vehicle	g/person-trip	0.023	0.027	0.020	0.69	0.006	340
Current Ferry	g/person-trip	80	1.7	1.9	15	0.026	2,800
Tier 2 Ferry	g/person-trip	45	1.0	1.3	30	0.026	2,800
SCR+CF Ferry	g/person-trip	10.5	0.068	0.14	1.6	0.026	2,800
Reduction for parity (ex/avg)		99%	77%	99%	70%	76%	88%
Reduction for parity (ex/new)		99%	98%	99%	96%	76%	88%
07 Land Average	g/person-mile	0.34	0.19	0.010	2.3	0.0032	170
07 New Vehicle	g/person-mile	0.011	0.014	0.010	0.3	0.0032	172
Current Ferry	g/person-mile	80	1.7	1.9	15.4	0.026	2,800
Tier 2 Ferry	g/person-mile	45	1.0	1.3	30	.026	2,800
SCR+CF Ferry	g/person-mile	10.5	0.068	0.140	1.58	0.026	2,800
Staten Island		NO_x	HC	PM	CO	SO_x	CO_2
07 Land Average	g/person-trip	4.2	2.5	0.084	31	0.041	2,200
07 New Vehicle	g/person-trip	0.11	0.13	0.084	3.3	0.041	2,200
Existing Ferry	g/person-trip	38	0.78	0.87	7.2	0.0115	1,200
Tier 2 Ferry	g/person-trip	25	0.55	0.65	13	0.12	1,200
SCR+CF Ferry	g/person-trip	12	0.20	0.25	2.2	0.012	1,200
Reduction for parity (ex/avg)		89%	-220%	90%	-330%	-260%	-77%
Reduction for parity (ex/new)		99%	83%	90%	54%	-260%	-77%
07 Land Average	g/person-mile	0.42	0.25	0.0084	3.1	0.0041	220
07 New Vehicle	g/person-mile	0.011	0.013	0.0084	0.3	0.0041	220
Current Ferry	g/person-mile	9.4	0.20	0.22	1.8	0.0029	310
Tier 2 Ferry	g/person-mile	6.2	0.14	0.16	3.2	0.0029	310
SCR+CF Ferry	g/person-mile	3.1	0.051	0.062	0.55	0.0029	310

Notes: "Reductions for parity ex/avg" are the percentage reductions needed for existing vessels (both main and auxiliary engine emissions) to have emissions equivalent to those from 2007 average landside vehicles, while "ex/new" refers to emissions equivalent to those from new vehicles in 2007. Emissions of SO_X and CO_2 are based on fuel content, marine engine efficiencies, and automobile fuel economy regulations.

Figures 4a, 4b, 4c: Emissions per person-trip



Figures 5a, 5b, 5c: Emissions per person-mile



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470 WEST 24TH STREET NEW YORK NY 10011
SEWARD@TKK.ATT.NE.JP

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2004 SEP 28 PM 1:23
ENVIRONMENTAL REVIEW DIV.

September 27, 2004

City of New York Planning Commission
22 Reade Street, 4E
New York, New York 10007
Attention: Robert Dobruskin, AICP

Subject: proposed Hudson Yards Rezoning and Development Program

Dear Mr. Dobruskin:

I am writing in opposition to the proposed Hudson Yards Plan, which was the subject of the public hearing on 23 September 2004. I was present and have attended other meetings on the matter.

While the idea of integrating this west side of Manhattan into the traffic pattern of Manhattan is commendable, the problem is a stadium (the mayor's ultimate goal) and the congestion it brings. The goal is not all that transparent—a stadium for professional sports and the Olympics.

As a public policy matter these things don't pay. This is a bait (transportation) and switch (stadium and Olympic) trick that cannot be justified on environmental, quality of living or financial terms.

Citizens in the area are organized in opposition.

After having lived through the mayor's party for the Republicans, I just don't want to have to go through that all over again on a regular basis. The result is disruptive and the benefits just don't accrue—no matter how many paid organized labor supporters shout and intimidate those opposed to the Hudson Yards Plan.

Cost weighed against benefits? The numbers don't add.

As for the proposed stadium, the quality of life in our adjacent neighborhoods will be severely impacted. Dumping 60,000 to 75,000 people every other weekend for a Jets game is

unimaginable. Has the planning department ever taken a look at the congestion on 10th Avenue as it is? The Lincoln Tunnel and adjacent traffic tie-ups, the noise, the glaring lights, the trash, the added security necessary for crowd control, impacts on parking—at a premium now, infrastructure requirements, the impact on neighborhood and community life—all of these do not favor this project. Social costs are great and social benefits are minimal. Manhattan is simply not the place for such an activity.

The Jets will have a tax break. And what about us New York tax payers. I am against subsidizing sports teams. The benefits are just not there for us New Yorkers. I imagine, as well, that my property values will decline.

I am not particularly a sports fan, but being a devotee of sports is beside the point. I do know economics and I understand about urban environments: Transportation is just a ruse to get a stadium that does not belong on the west side of Manhattan. No to the Hudson Yards Plan.

Sincerely,

Robert Seward
212-621-7277

cc:

Thomas K. Duane, Senator
Richard Gottfried, Assemblyman
Christine Quinn, Councilwoman

September 23, 2004

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ENVIRONMENTAL REVIEW DIV.

Mr. Robert Dobruskin
City of New York Planning Commission
22 Reade Street, 4E
New York, NY 10007

Dear Mr. Dobruskin,

I am writing to you on behalf of more than 25,000 members of the New York Division of the Screen Actors Guild.

We support Community Board No. 4's argument that the NYC Department of City Planning/Hudson Yards Proposal lacks a concrete plan to create affordable housing in the rezoned area. Further, SAG supports their recommendation that no less than 30% of the housing units constructed in the rezoned area be permanently made affordable with 20% of that available to low income households (up to 80% of Area Median Income), 50% to moderate income households (up to 125% Area Median Income) and 30% to middle income households (up to 165% Area Median Income). There must be an emphasis on maintaining the economic diversity of the area and we call upon the City to modify existing affordable housing programs to create accessibility to a wide range of incomes.

SAG recognizes the critical need of our membership to have access to affordable housing. The Hudson Yards rezoning area is located in the heart of NYC's cultural and entertainment center. However, most of our members have been priced out of the neighborhood in which they work. For those in entertainment, who often work until 11pm in the theaters or start work at 5am for film and television shoots, close proximity to the worksite is a vital necessity.

Additionally, because of the episodic nature of work in entertainment, most performers have difficulty qualifying for traditional affordable housing programs. Programs like the 80/20's often disqualify performers because their income is rarely attached to single employers and they have difficulty documenting future income. The issue of qualification should also be taken into consideration if the City wishes to support the performers who help to sustain New York's entertainment industry.

SAG wishes to work closely with the City of New York Planning Commission to address the creation of permanently affordable housing for an economically diverse population as outlined in Community Board 4's proposal.

Sincerely,

Eileen Henry
President, New York Division
2nd National Vice-President

SCREEN ACTORS GUILD
360 MADISON AVENUE, 12th FLOOR, NEW YORK, NEW YORK 10017 ★ Tel. 212.944.1030 Fax 212.944.6774 ★ www.sag.org
Branch of Associated Actors and Artistes of America / AFL-CIO • Affiliate of International Federation of Actors

October 2, 2004

Sheila Klee and Jerry Goodbody
170 W. 74th St #214C
New York, NY 10023

2004 OCT -5 PM 3:25

Robert Dobruskin
City of New York Planning Commission
22 Reade Street, 4E
New York, NY 10007

Dear Mr. Dobruskin,

As longtime residents of the west side of Manhattan, we are strongly opposed to the construction of the proposed stadium. It will bring yet more pollution and overcrowding to the area. We urge you to develop the area in an environmentally positive and sensitive way — without a stadium.

Respectfully,

Sheila Klee and

Jerry Goodbody

THE SOCIETY FOR THE ARCHITECTURE OF THE CITY

2004 OCT -4 PM 5:19
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Comments on the No. 7 Subway Extension Hudson Yards Rezoning and Development Program DGEIS CEQR No. 03DCP031M

October 3, 2004

Comments on the evaluation of Historic Resources.

1. The DGEIS has identified many historic resources in certain categories, predominantly, early 20th century commercial and institutional buildings and industrial structures, and this is commendable.

However, from the correspondence in Appendix J, it appears that the consultants submitted a list of potentially eligible structures which did not include surviving examples of 19th century townhouses and enclaves of such buildings. The DGEIS seems to stress the prevalence of tenements without admitting to the existence of townhouses, thus skewing the perceived social and economic history of the area, which in fact included both building types. What was the rationale for not including distinct enclaves of 19th century townhouses that survive, as for instance, in the former Lamartine Place district (West 29th and 30th Streets between Eighth and Ninth Avenues around the former French Hospital, # 13 in the inventory)? These and other townhouses north of 34th Street—"old brownstones" (legendary in New York fiction, for instance, as home to Nero Wolfe)—are still there and are endangered. They should be examined as historic resources.

2. An area rich in historic resources which is part of the Fur District and contains admirable art deco office and loft buildings needs further consideration. It is located south of Madison Square Garden between Seventh and Eighth Avenues, and is described as Subdistrict E3 on "Proposed Subdistricts/Subareas, Figure 2-3" and as "E3" on page ES-11. It is included in the Special Hudson Yards District and is also slated for a significant up-zoning. A somewhat vague and general assertion (ES-31) that zoning incentives may not lead to extensive change—"it is unlikely that more than a few of the potential sites, if any, would be developed"—is untested in the EIS. The FAR of existing historic resources identified in area E3 should be calculated and contrasted to the FAR available with the new M1-6 zoning plus Special Hudson Yards District Improvement Bonus (DIB).

3. Similarly, in the portion of the Special Garment Center District between West 35th and 39th Streets which is to be rezoned C6-4M, the impact of the new zoning on the redevelopment potential of lots where historic resources are now located should be calculated. What is the existing built FAR as contrasted to the new potential?

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Ronald Kopnicki, President • Matt McGhee, Treasurer • Christabel Gough, Secretary
The Society for the Architecture of the City, Inc. publishes the review, *Village Views*

4. Sub-area E3, the above mentioned portion of the Special Garment Center District, and the APE around them, have been found to be extremely rich in historic resources. The negative impacts on historic resources could be significantly reduced if these areas were removed from a rezoning and development program that is already of an unusual magnitude. There should be a concrete appraisal of what would be lost if these relatively small areas were removed from the plan. Could the plan in fact go forward without them? Perhaps these historic resources do not have to be sacrificed.

5. There is an assumption (for instance, on page 9-63 in the discussion of St. Raphael's RC Church and Rectory) that historic religious properties are "anticipated to remain" despite an increase in available FAR for new development. What possible factual basis can there be for such an assumption at a time when so many historic churches are being closed for demolition and redevelopment? Has anyone noticed the St. Thomas the Apostle controversy as repeatedly reported in the *New York Times,* or the stated policy of consolidating parishes announced by the Diocese? Based on current performance, it is virtually certain that historic churches will be at the forefront of redevelopment with the new incentives, as a matter of policy. Statements that destruction of these historic religious properties is "not anticipated" should be substantiated with facts or else deleted and the unavoidable negative impacts listed.

LAW OFFICE OF

SLATER & BECKERMAN, LLP

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CAROLE S. SLATER
STUART J. BECKERMAN

DEPT OF CITY PLANNING
2004 OCT -4 PM 12:04
ENVIRONMENTAL REVIEW DIV.

Delivery by hand

October 4, 2004

City Planning Commission
22 Reade Street, 4E
New York, NY 10007
Attention: Robert Dobruskin, AICP

Re: ULURP Applications C040499 ZMM and N040500 ZRM
CEQR No. 03DCP031M
Premises: 568-570 and 574-580 Ninth Avenue, and 355 West 41st Street
Tax Block 1032, Lots 4, 61, 63, 101, 103 and 162

Dear Mr. Dobruskin:

This firm is counsel to the owner of the above-referenced premises (the "Premises"). This letter is submitted as written comments on the Draft General Environmental Impact Statement ("DGEIS") and in furtherance of our letter to you dated August 24, 2004. In that letter, we requested that the Department of City Planning, as the applicant for the above-referenced ULURP applications, revise the applications to exclude the Premises from properties subject to the proposed hazardous materials (E) designation.

The DGEIS proposes the mapping of an (E) designation on Development Site 35, which includes the Premises. The DGEIS indicates potential contamination arising from prior uses, including an electrical substation, a dry cleaning establishment and a trucking terminal.

We oppose the hazardous materials (E) designation on the ground that there are no unused development rights on the Premises and the proposed rezoning will not create new development rights for the Premises. Accordingly, the Premises do not meet the criteria of either a Projected Development Site or a Potential Development Site, as defined by the DGEIS. Furthermore, the City has presented no evidence for singling out the Premises as a separate development site for the purpose of mapping a hazardous materials (E) designation.

In determining which sites covered by the proposed ULURP actions would be mapped with hazardous materials (E) designations, the DGEIS identified specific sites that are most likely to be developed over time -- Projected Development Sites and Potential Development Sites, based on a set of criteria:

> "The criteria for identifying specific development sites include the size of the site, its current utilization and land use, and the opportunity for assemblages and transfer of development rights from adjacent properties."

DGEIS, page 3-10.

The Premises are part of Projected Development Site 35, which should be removed from the list of Projected Development Sites because it no longer satisfies most of the criteria for a Projected Development Site as set forth in the DGEIS, page 2-19. The former parking lot on Tax Lot 58 has been excavated and is being developed utilizing the air rights from Tax Lots 4, 54, 57, 58, 61, 63, 101, 103 and 162. As a consequence of the zoning lot merger, the remaining lots on Projected Development Site 35 -- Tax Lots 1, 5, 7 and 64 -- are split into three non-contiguous parcels, further supporting the removal of Projected Development Site 35 from the list of such sites.

Since the Premises contain no unused development rights and the proposed ULURP actions generate no additional development rights for the Premises, the Premises should not be re-classified as a Potential Development Site.

The City has presented no evidence for singling out the Premises as a separate development site for the purpose of mapping a hazardous materials (E) designation. The DGEIS analyzed the Premises as part of Projected Development Site 35, not as a separate development site.

In conclusion, no hazardous materials (E) designation should be mapped over the Premises. The Premises do not meet the criteria for either a Projected Development Site or a Potential Development Site. Nor has the City presented any evidence for mapping an (E) designation on the Premises independently of the remainder of Projected Development Site 35.

Your favorable consideration of this letter is greatly appreciated.

Very truly yours,

Stuart Beckerman

cc: Emil F. Dul, MTA
Martin Sanders
James Merani, DCP

2004-71/ltr 10-4-04 CPC re DGEIS

THOM CLAY

DEPT OF CITY PLANNING
RECEIVED
2004 OCT -1 PM 1:22
ENVIRONMENTAL REVIEW DIV.

September 29, 2004

City of New York
City Planning Commission
22 Reade Street, 4E
New York, NY 10007
ATTN: Robert Dobruskin, AICP

RE: DGEIS for the #7 Subway / Hudson Yards Rezoning

Dear Mr. Dobruskin,

I attended the Public Hearing held by the City Planning Commission on September 23, 2004 and would like the following written comments to be included in the next version of the Impact Study.

I have lived on 36th Street between 9th and 10th Avenues for over five years now. I have witnessed this evolving neighborhood grow from a place to be avoided to a wonderful area that represents all that is great about New York. Great ethnic restaurants operate side by side family owned shops. Everything a person needs can be found within a few blocks. Having received my Master's Degree from Columbia University and been following this issue closely, I feel I can speak as an informed citizen who does not want to see my neighborhood destroyed and my neighbors displaced. I support reasonable growth and development but cannot support the efforts to change zoning that would permit the construction of the proposed Jets Stadium. The DGEIS calls for allowing higher density in this neighborhood than is practical.

A stadium on the proposed site would greatly impact the quality of life for me and the other residents of the Westside. The side streets are narrow and trucks and vans are constantly double and triple parked. I am certain that businesses could not afford to be closed each time an event is held at the stadium so this would continue. At most times during the day, the avenues running north and south are choked with traffic attempting to get into or out of one of the tunnels. Rush hour lasts from approximately 10AM to 8PM each weekday. There is entirely too much congestion in the area now that with the addition of 100,000 people attempting to reach the proposed stadium, the world's largest gridlock would be created. Even with public transportation near the site, my neighborhood cannot handle the volume of people attempting to reach a stadium on the proposed site.

410 WEST 36TH STREET #5FW ♦ NEW YORK, NY 10018
TEL – 212-290-9069 ♦ FAX – 212-290-2017

I urge you to re-consider sweeping changes in zoning that allow for high density projects and the wasting of the MTA Rail Yards. My neighbors and I envision the transformation of the Hudson Yards in to the next Battery Park City, not a desolate Yankee Stadium. I think given a choice people would rather live near Lincoln Center over living next to Yankee Stadium. There are hundreds of elderly people and Hispanic immigrants in my neighborhood who I feel have no idea that such a massive project could end up in their backyard so I also must speak out on their behalf.

At the hearing, numerous business people, including Christyne Nicholas of NYC and Company argued in favor of all points of the draft. They had their own business interests in mind and no regard for the current business (such as Fed Ex) nor the residents of the neighborhood. All of this leads me to believe that those people, including Ms. Nicholas, do not live anywhere in or near Hells Kitchen. I wonder how they would feel if massive zoning changes were planned for their backyard.

Please revise the Draft to include the removed text regarding density in the area. As it has for four hundred years, New York will grow and its neighborhood will evolve organically. That's what makes New York different than planned communities like Scottsdale, Arizona. We need careful development guided by community support and input. People must be considered before profits.

Thank you for your consideration.

Sincerely,

Thom Clay

Thom Clay
A concerned HK resident

410 West 36th Street #5FW ♦ New York, NY 10018
Tel – 212-290-9069 ♦ Fax – 212-290-2017

220 West 24th Street, #3-B
New York, NY 10011-1732

October 4, 2004

Mr. Emil F. Dul, P.E.
Metropolitan Transportation Authority –
New York City Transit
2 Broadway, 2nd Floor
New York, NY 10004 and

Mr. Robert Dobruskin, AICP
City of New York City Planning Commission
22 Read Street, #4-E
New York, NY 10007

Gentlemen:

My name is Toni Adler. I have been a New Yorker for 35 years and a Chelsea resident in the same apartment for 28 years. I love this city and I love my neighborhood.

I've spoken at a couple of public forums against the proposed West Side stadium. I'm not anti-Jets or anti-sports – far from it. But I am anti-lies, greed and stupidity. My main focus in those forums had been the bottom line, i.e. money. But today, I'd like to come at this issue from another perspective.

Several weeks ago, on August 30th, there was a little-noticed event called the Ring of Hope. Sponsored by Riverside Church and joined in by many other churches, synagogues and mosques, we attempted to encircle Manhattan to pray for moral leadership, peace and all those good things. We'll be doing it again soon.

The attached card is about that effort. On one side is the purpose of the Ring of Hope; on the reverse is the Prophetic Justice Principles. I'd like to read the first one:

"Seek the common good. Does the policy represent the common good of society rather than the interest of an elite few?"

Well, a stadium does not represent the common good. So I decided to argue against the stadium on moral grounds. Allow me to read just a few more lead lines from the Principles:

"Be truthful in facts and motives."
"Promote unity and inclusion."
"Care for the poor."
"Protect the vulnerable."

The last Principle is "Provide moral leadership."

I understand that the city plans to invoke Eminent Domain in order to raze buildings that are in the way of the stadium. I didn't have time to research the doctrine of Eminent Domain thoroughly so I just looked it up in my old Webster's: a right of a government to take private property for public use by virtue of the superior dominion of the sovereign power over all lands within its jurisdiction.

I know a couple who has operated the Octagon nightclub on West 33rd Street for 17 years. They rent the space. Under the city's plan, the building would be sold right out from under them. The landlord would be compensated but the owners of the Octagon would have to kiss goodbye to 17 years of their lives. The Sunday Times of September 19th (Metro Section) recounts similar tales.

I seriously doubt that this is what the founding fathers had in mind when setting forth the doctrine of Eminent Domain. Putting people out of their homes and businesses does not pass the smell test.

It is my opinion that the stance of the pro-stadium folks is morally indefensible.

Sincerely,

Toni Adler

Toni Adler

Enclosure

cc: Governor George Pataki
Senate Majority Leader Joseph Bruno
Assembly Speaker Sheldon Silver
State Senator Thomas K. Duane
Assembly Member Richard Gottfried

STEPHEN J. CASSIDY
President ENG. 236
JAMES SLEVIN
Vice President LAD. 7
JOSEPH MICCIO
Recording Secretary ENG. 295
ROBERT STRAUB
Treasurer ENG. 45
PHILIP McARDLE
Health & Safety Officer
Sergeant-At-Arms Haz Mat 1

Uniformed Firefighters Association

OF GREATER NEW YORK
Local 94 I.A.F.F. AFL-CIO
204 EAST 23rd STREET, NEW YORK, N.Y. 10010
(212) 683-4832

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DONALD RULAND
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LESTER LAYNE
Fire Marshal Representative

2004 OCT 15 PM 04
ENVIRONMENTAL

October 4, 2004

BY HAND

New York City Planning Commission
22 Reade Street, Room 4E
New York, New York 10007

Attention: Robert Dobruskin

Re: Draft Generic Environmental Impact Statement
No. 7 Subway Extension, Hudson Yards Rezoning and Development Program
CEQR No. 03DCP031M

Dear Members of the Commission:

This letter constitutes the comments of Uniformed Firefighters Association on the above-referenced draft generic environmental impact statement.

When the Jets play a game at the proposed West Side stadium, there will be serious traffic congestion in a large area both before and after the game. This traffic could pose a serious threat to the ability of New York City firefighters to respond in a timely manner to fires and medical emergencies. As a result, this will have a detrimental impact on public safety. I am writing to ask that the environmental impact statement for the stadium take a hard look at how traffic will affect the delivery of emergency services and the safety of New Yorkers.

Thank you for taking these comments into consideration.

Sincerely,

Stephen J. Cassidy

STEPHEN J. CASSIDY
President

Fredric Sirasky
325 W. 45th Street
New York, NY 10036
(212) 245-5268

DEPT OF CITY PLANNING
RECEIVED
2004 SEP 28 PM 1:23
ENVIRONMENTAL REVIEW DIV.

September 23, 2004

Metropolitan Transportation Authority – New York City Transit
2 Broadway, 2nd Floor
New York, NY 10004
Attn: Emil F. Dul, P.E.

City of New York City Planning Commission
22 Reade Street, 4E
New York, NY 10007
Attn: Robert Dobruskin, AICP

Re: Comments on the *Draft Generic Environmental Impact Statement* in connection with the Hearing held on September 23, 2004

Members of the MTA and Planning Commission:

I have lived in the Clinton District of Manhattan since 1973. It is my neighborhood and my home.

Measured development that includes affordable housing, small businesses, expansion of the Javits Center, and reasonably sized new structures in keeping with the recreational character of Hudson River Park is fine.

THE PLANNED JETS STADIUM DOES **NOT** FIT INTO THIS KIND OF DEVELOPMENT.

I have two major concerns regarding the impact of the proposed stadium on my neighborhood.

1. A football stadium on the West Side of Manhattan will draw an enormous number of cars from the suburbs and outer boroughs, which will require a huge commitment of space devoted to parking facilities.

Once these parking facilities are constructed, they will be used 24 hours a day, 7 days a week. Our neighborhood will cease being a neighborhood. It will become the prime parking location in Manhattan. The avenues and streets on the West Side are already overcrowded. The resulting air quality is extremely unhealthy, especially when traffic to and from the Lincoln Tunnel crawls along or comes to a standstill. The parking facilities required by the proposed stadium will make this situation unbearable, not just on game days, but every day of the year. The Planning Commission should be thinking of ways to keep cars out of Manhattan, not lure them in.

2. A football stadium will be a magnet for helicopters.

Residents of the West Side who live near Times Square and the Lincoln Tunnel are already constantly besieged by hovering and circling helicopters. This is not an insignificant matter. Unless you have lived in a neighborhood whose skies are inundated by these incredibly noisy machines, you cannot imagine the uncivilizing influence the constant "pop-pop-pop-pop" sound has on the quality of life. A hovering helicopter can be several blocks away from a residence and still wake one out of a sound sleep. Residents of the East Side near the UN fought for years to eliminate this menace. We on the West Side are just beginning the battle to clear the air of noise. A West Side stadium will only make our cause more difficult.

Finally, I am a union member (AEA). I support jobs for union construction workers. But the same number of jobs could be generated by support for the measured development I mentioned above. Construction does not always have to be for glamour projects like a stadium which profit only a few and which drain tax monies from the housing and infrastructure that really need it.

Thank you for this hearing, and for your public service.

Respectfully submitted,

Fredric Sirasky

CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD No. 4
330 West 42nd Street, 26th floor New York, NY 10036
Tel: 212-736-4536 Fax: 212-947-9512
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WALTER MANKOFF
Chair

ANTHONY M. BORELLI
District Manager

October 4, 2004

Emil F. Dul, P.E.
Metropolitan Transportation Authority
New York City Transit
2 Broadway, 2nd floor
New York, NY 10004

Robert Dobruskin, AICP
City of New York City Planning Commission
22 Reade Street, 4-E
New York, NY 10007

Re: Response the No. 7 Subway Extension – Hudson Yards Rezoning and Development Program Draft Generic Environmental Impact Statement.

Dear Messrs. Dul and Dobruskin:

The following resolution was approved by the Executive Committee of Manhattan Community Board No. 4 on September 27, 2004 and is subject to ratification by the full board at its meeting on October 6, 2004:

Whereas, the Metropolitan Transportation Authority and the City of New York City Planning Commission have prepared and released for public comment a Draft Generic Environmental Impact Statement (DGEIS) for the No. 7 Subway Extension and the Hudson Yards Rezoning and Development Program (the Proposed Action); and

Whereas, the DGEIS purports to analyze the potential effects of the Proposed Action on land use, neighborhood character, open space, traffic, air quality, noise, shadows, historic and archaeological resources and other areas of socioeconomic and environmental concern; and

Whereas, the Board supports residential and commercial development in Hell's Kitchen that balances the needs of the neighborhood, the city and the region, and agrees that parts of the neighborhood now zoned for low-density industrial use should be rezoned to allow for contextual expansion of residential and commercial uses in Hell's Kitchen; and

Whereas, in its letter to the City Planning Commission dated August 23, 2004 the Board has provided its detailed comments concerning certain of the land use applications that have been filed to implement a portion of the Proposed Action; and

Whereas, the implementation of the Proposed Action will profoundly affect Hell's Kitchen and surrounding areas and adequate steps must be taken to properly assess and mitigate the anticipated impacts of the Proposed Action on this community; now, therefore be it

Resolved, that Manhattan Community Board No. 4 hereby submits the following comments and recommendations on the DGEIS.

ORGANIZATION OF THIS DOCUMENT

Manhattan Community Board No. 4's comments and recommendations on specific topics covered by the DGEIS are provided on a chapter-by-chapter basis. These comments are found after the Board's general concerns and its recommendations for expanded and/or additional analyses of areas not adequately covered by the DGEIS. Some topics covered in the DGEIS are not addressed in this document. Lack of comment on such topics should not be interpreted as an acceptance of findings; rather it should be understood that omissions are likely due to time constraints and a lack of resources needed to fully examine the complex issues presented in the 7-volume study comprising 6,000 pages of technical information.

GENERAL COMMENTS

Timetable for No. 7 Line Extension

Many, if not all, of the chapters of the DGEIS depend, in their analysis, on the assumption that the extension of the No. 7 subway line will be completed by 2010. Given the history of subway expansion projects in New York City, we question the likelihood of this accomplishment. The final EIS (FEIS) should analyze the effects on parking, traffic, transit, air quality, natural resources, construction impacts, infrastructure and hazardous materials if the No. 7 subway line is not operating by 2010. Similarly, the DGEIS assumes prompt completion of Second Avenue Subway and must take into account the inevitable delays associated with this project.

Existing Population

The population numbers used in each chapter and even within each chapter seem to vary wildly throughout the DGEIS. Exactly what number has been used as the base population in each chapter of the DGEIS? Have the residents who have moved into the five new residential towers between 2000 and 2004 been included in all of these calculations?

Using readily available Dept. of Finance data on the number of residential units in each building in the primary study area, and multiplying that number by the average household size for the census tract the units are in, we arrive at a population of 21,331. The DGEIS often uses data from the 2000 Census which places the population of the primary study area at 11,565. Why

does the DGEIS use this number instead of more accurate data from the City's Dept. of Finance? How would the analysis in each chapter change if the larger population figure were used?

Misidentification of Properties

Several properties (Block 734, Lot 13; Block 733, Lots 44 - 46) that have been notified that they will receive E designations due to hazardous materials onsite are long-occupied residential buildings that the DGEIS misidentifies as parking lots and garages. The DGEIS lists these as potential development sites. Elsewhere, Block 675 is described as being occupied by low buildings. In fact, more than half of this block is occupied by a large at-grade private bus parking facility that will be displaced by the Proposed Action. If these errors are widespread, and the false assumptions are used in other calculations, much of the analysis in the DGEIS may be flawed. For example, if this data was used to determine the amount of sewage flow or stormwater runoff currently generated by the area, or the amount of current demand for drinking water, or the likely pace of development, all of those numbers will have to be recalculated.

New Jersey Commuters

The DGEIS predicts that the Proposed Action will generate 127,000 new jobs in the Hudson Yards area. Even with out Hudson Yards, the Port Authority of New York and New Jersey (PANYNJ) and New Jersey Transit (NJT) expect significant increases in future demand by commuters from west of the Hudson for bus and train service into Manhattan. To address existing capacity problems at Penn Station and to meet projected demand, Access to the Region's Core (ARC), a project of NJT and PANYNJ, proposes an additional cross Hudson River tunnel. However, the DGEIS predicts that NJT trains will accommodate only 1,477 new riders in 2025, and NY Waterway ferries from Jersey will serve only 1,256 new riders. There is no discussion of NJT buses. These numbers seem extremely unrealistic. How many people are expected to commute to the area from New Jersey, and how are they likely to get there? Does the DGEIS rely on an underlying assumption about where all commuters to the area will be living? What is it? How was it derived?

AREAS NOT ADEQUATELY STUDIED

Mobile Source Pollution

The DGEIS contains only a Tier 1 analysis for most sites, but relies on a yet-to-be-performed Tier 2 analysis for its conclusion that mobile source emissions will not harm public health or violate air quality standards. The Tier 1 analyses result in the exact opposite conclusion. We cannot evaluate the applicant's claim without the Tier 2 analysis data.

The DGEIS contains absolutely no discussion whatsoever of the contribution of ferries to air pollution. The Proposed Action will significantly increase the number of ferry trips on weekdays and even more so to special events. In fact, the air quality analysis relies on the assumption that 8,000 people will take the ferry to a football game. How will increased ferry services affect air pollution levels?

The DGEIS contains no discussion of NJT buses. But, the PANYNJ is currently studying ways to increase the flow of buses through the Lincoln Tunnel to address existing demand by workers commuting to Manhattan by bus. Surely some of the 127,000 new workers who will commute to the Hudson Yards area each day will come from New Jersey by bus. Surely enough of them will come by bus that NJT will have to expand service. How will these additional buses affect air pollution levels? Will these buses be retrofitted to the same standards as MTA buses?

Hazardous Materials

Phase II Environmental Site Assessments and other appropriate site investigations for hazardous materials will be reported in the FEIS. We are therefore unable to comment on the contamination and its management at these sites.

Public Health

The chapter on Public Health does not address the risks caused by emissions of toxic contaminants from industrial sources. The chapter on Air Quality notes that several Potential Development Sites south of Penn Station are so close to polluting industrial sites that they will have to have inoperable windows and no outside air intakes because the air is unsafe to breathe. Nonetheless, the effects of the air on people outside are not considered, and this issue is completely omitted from the discussion of public health. We understand that much of this area has now been removed from the Proposed Action. How does this removal affect air quality and public health, if at all?

Noise and Vibration

For the purposes of determining noise impacts, the DGEIS assumes that traffic will be moving at posted speeds, despite findings to the contrary in other chapters. Even under this assumption, the DGEIS finds that noise will be so terrible that every residential and community facility in the Project Area would require mitigation. The FEIS will contain further study of potential noise impacts to determine the precise extent of the impacts and the level of sound attenuation required. When will these studies be completed so that the noise impacts may be properly assessed?

The DGEIS only considers noise impacts and mitigation techniques for indoor noise. Noise exposure guidelines are likely to be exceeded at many areas, including the new parks that are part of the Proposed Action, but the DEIS does not assess the noise levels at outdoor locations. Will the FEIS assess noise levels at outdoor locations?

The DGEIS only considers the effects of the No. 7 subway extension on vibration conditions in the Study Area. Will the FEIS assess the effects of vehicular traffic growth, as the current traffic levels are already responsible for vibration levels exceeding FTA Vibration Impact Criteria at several sites in the area?

Pedestrian Congestion

The DGEIS does not appear to consider the effect of tailgating on the sidewalks, crosswalks, corners and other public areas around the stadium despite Mayor Bloomberg's recent comments,

delivered at a Jets game, that "You can have tailgating in New York." Instead, the DGEIS relies on the assumption that Jets fans will come and go via subway, and does not consider what will happen if any of them choose to tailgate for hours at a time. Where will stadium-goers gather before entering the facility? How will the City address tailgating? How the City will accommodate large crowds attracted by stadium events? What will this mean for others trying to traverse the area, for example anyone trying to use the new open spaces that are part of the Proposed Action?

Ferry Service

The DGEIS is completely silent about how ferry service will accommodate the 8,000 Jets fans expected to take ferries from New Jersey to games. Presently, at peak of service, NY Waterway can handle barely half of this capacity. Despite this discrepancy, the Administration regularly cites ferry service to publicly explain why stadium-goers will not drive to the stadium or tailgate in Manhattan. An adequate FEIS requires an actual analysis of whether ferries and existing ferry terminals on both sides of the Hudson can accommodate all these people. Will the FEIS contain this analysis?

The promotional materials that the applicant distributes regarding the stadium frequently show a new ferry terminal that will be built to serve the stadium. This terminal is not discussed in the DGEIS, so it is unclear whether it is required to accommodate the demand generated by the stadium. We note that such a terminal would most likely require a permit from the Army Corps of Engineers and preparation of a Federal Environmental Impact Statement and possibly the reopening of the EIS prepared for the Hudson River Park.

CHAPTER 2 – DESCRIPTION OF THE PROPSOED ACTION

Rezoning - Subdistrict A, Large Scale Plan (p. 2-5)

The DGEIS describes the proposed rezoning of the eastern half of the Caemmerer Yard, but it fails to mention that the act of decking over the yard is also part of the Proposed Action. How will the decking be accomplished? Will the relocated Quill Bus Depot sit underneath the deck or above it? What uses will be located below the decking? What will be the environmental impacts of the decking? Was any of this studied?

Convention Center Expansion (pp. 2-32, 2-33 - 2-34)

The DGEIS mentions that the block bounded by Eleventh Avenue, Twelfth Avenue, 33rd Street and 34th Street would be used for truck marshalling, LIRR train storage, and "other transportation functions." What functions are those? Are their environmental affects studied anywhere in the DGEIS?

Multi-Use Facility (pp. 2-42 - 2-44)

The description of the stadium omits any mention of what the Jets call, in their promotional materials, the "Hudson Terrace." This is the open space that extends over Route 9A to the west of the stadium, and connects to the Hudson River Park. The attached depiction of the proposed

Jets stadium obtained from the Jets' Web site on September 30, 2004, is notable for the inclusion of the Hudson Terrace (aka "promenade over 12th Avenue"). This is a depiction of the normal stadium, not the stadium in its Olympic configuration.

The stadium that the Jets and the City are proposing clearly includes a "terrace" or "promenade", so this feature must be studied as part of the Proposed Action, not as a rejected alternative. The Open Space and Air Quality analyses are clearly defective without discussion of this element. Will the FEIS assess the impacts of "Hudson Terrace" on open space and air quality? Will the FEIS discuss any regulatory approvals that the Hudson Terrace would require?

Similarly, City and Jets promotional materials have often included depictions of a new pier immediately to the west of the stadium. The appendices linked to the chapter on Transit state that 8,000 people are expected to arrive at the stadium via ferry, but there is no discussion of whether they would arrive at the existing ferry terminal or at this proposed new pier. If this new pier is part of the stadium or the Proposed Action, then it must be studied in the EIS. The EIS must address the effect that this pier would have on aquatic life in the Hudson, and must detail the regulatory permits and processes that the pier would require. Will the FEIS cover this new pier?

The stadium description and environmental analysis also omits more than passing reference to a cogeneration facility that will be integrated into the building. In recent conversations with City Planning, we have been told that this facility will indeed be part of the stadium. Therefore, it must be studied as part of the Proposed Action.

PANYNJ Bus Garage (pp.0 2-45 - 2-46)

The DGEIS assumes that the PANYNJ is going to build a new bus garage on Projected Development Site 21 by 2025 (it's unclear what is assumed to be the actual date of completion). This assumption is unrealistic and should not be included in the Reasonable Worst Case Scenarios. The relocation is not part of the Port Authority's Capital Plan and there is no reason to believe that this project is actually moving forward. What impacts will the Proposed Action have on the area if the new bus garage is not constructed by 2025 or at all?

Construction Schedule (pp. 2-47 - 2-48)

The DGEIS assumes that construction of the subway running tunnels would begin during the first half of 2005, that construction of the Terminal Station would begin in April 2006, and that the No. 7 Extension would begin service in 2010. This is unrealistic. The traffic, transit, parking, hazardous materials, pedestrian, air quality, and construction analyses must be entirely redone for 2010, using a more realistic timetable for the construction and operation of the No. 7 subway line. As an example, we suggest the applicant consider the history of the Second Avenue Subway, as well as the delays and cost overruns related to the construction of the MTA headquarters at 2 Broadway. Although we admire the applicant's optimism, this timetable is entirely fantastic and cannot serve as the basis for a serious environmental assessment. What impacts will the Proposed Action have on the area if the No. 7 extension is not completed on schedule?

Why is the deck over the eastern portion of the Caemmerer Yard omitted from the discussion of the construction schedule? When do you expect its completion?

CHAPTER 5 – SOCIOECONOMIC CONDITIONS

General Concerns

The DGEIS works on the premise that the community is steadily gentrifying and that the proposed action will have little or no effect because it will only continue that trend. First, the history of the community is as a low, moderate and middle income community. The higher income households are more recent residents. Clearly, the Proposed Action would accelerate gentrification significantly and on a much grander scale that would significantly affect the character of our mixed-income community. Significantly, the people most likely to be displaced are lower income households and would constitute a significant loss to the area's mix of households. A mixed-income model that includes housing that is affordable to low, moderate and middle-income households is necessary for the future vitality and health of Hell's Kitchen. The Proposed Action may not be the originator of the trend, but it must be recognized that the Proposed Action will cause an acceleration of the trend. What impacts will a 30% affordable housing model, as proposed by CB4 in its August 23, 2004 submission to the City Planning Commission regarding the Hudson Yards land use applications, have on the area?

The DGEIS does not sufficiently lay out a plan to assist businesses that are directly and indirectly displaced by the Proposed Action. Commercial displacement caused by rising rents, by condemnation or by pressures resulting from incompatibility with new uses will occur as a result of the Proposed Action. Many of these businesses cannot relocated elsewhere on the West Side because zoning is too restrictive or because there is too little space available in nearby areas where they are allowed by zoning. Will the FEIS cover the full extent of commercial displacement and a plan to address to relocation assistance?

Study Area (Figure 5-1)

The Study Area for Chapter 5 only extends as far north as 50th Street, which is an arbitrary boundary in the middle of the Special Clinton District. We believe the Proposed Action is likely to affect neighborhood character throughout the Special Clinton District. The study area must be expanded so that it reaches the northern boundary of Community District No. 4.

Methodology (pp. 5-11, 5-107 - 5-108)

In estimating the effects of the proposed stadium on development in the surrounding neighborhood, and on the larger economy, the DGEIS referred only to a study prepared by Ernst & Young on behalf of the New York Jets. We question the use of only this study, given the large number of studies of other similar facilities that have reached very different conclusions about the economic effects of stadiums, even those also used as convention centers. Will the FEIS consider studies performed by independent economists in their assessment of the economic and development impacts of the proposed stadium?

In particular we question whether stadiums encourage or discourage development in the surrounding area and whether or not a stadium would attract the type of high-end development called for by the City's plan on development sites across the street from the stadium site and throughout the project area. We also ask for detailed information about the kind of jobs likely to be created by the stadium, in terms of wages, benefits, hours, and seasonality, as compared to existing jobs likely to be displaced by the proposed action.

Existing Conditions: Population (pp. 5-18 - 5-22)

The DGEIS states that the "primary study area has a population base of 11,565 residents" but then recognizes that residential development completed since 2000 probably houses an additional 3,579 residents. The FEIS analysis therefore requires, at the least, that 15,144 be used as the population base number throughout analyses. Furthermore, we believe based on our own analysis that even this number severely undercounts the actual population, which we believe is 21,331. How would use of Department of Finance Real Property Assessment Data, rather than Census data, affect the analysis?

Residential Displacement: Assessment of Indirect Displacement (pp. 5-28 - 5-30, 5-33)

The DGEIS assumes that all residential buildings constructed prior to 1974 with six or more units are subject to rent stabilization and that tenants of those buildings are not vulnerable to indirect displacement. The DGEIS also takes account of Mitchell-Lama buildings and those that have entered rent stabilization through tax abatement and exemption programs. The DGEIS does not take note of vacancy decontrol, luxury decontrol, the expiration of limitations imposed via tax abatement and exemption programs, and the ability to opt out of Mitchell-Lama, Section 8, and other housing programs. According to a June, 2003 study prepared by the Rent Guidelines Board (RGB), 105,421 units lost rent regulation between 1994 and 2002. Given the massive hemorrhaging of apartments from rent regulation, it is unrealistic to assume that all of the rent regulated units in the Hell's Kitchen area will remain regulated for the next 20 years. It is also unlikely that all pre-1974 apartment buildings are still in rent regulation. Will a more realistic analysis of indirect displacement, with these factors taken into account, be included in the FEIS?

The DGEIS assumes that rent regulated tenants are safe from displacement. This rosy prediction ignores the reality that landlords in gentrifying areas, motivated by the promise of massive rent hikes, often harass their tenants into leaving. The RGB study notes the Manhattan-centric phenomenon of High Rent/Vacancy Decontrol, wherein a landlord will significantly improve an apartment after a tenant has moved out, in order to raise the rent above $2,000 and thereby deregulate the apartment. Though the departure of the tenant may be innocent, often it is a result of either active harassment or deliberate disinvestment on the part of the landlord. Will this sad but undeniably real consequence of gentrification be considered in the FEIS?

It must also be recognized that even law-abiding landlords may, under certain circumstances, demolish rent-regulated buildings and replace them with new construction. Will the FEIS analysis take this practice into account?

The study fails to mention that many currently rent-regulated tenants in lower-priced neighborhoods pay less than the on-book value of the apartment. As these neighborhoods

gentrify, landlords will likely stop providing these discounts to tenants, some of whom will be displaced as a result. Will the FEIS take this phenomenon into account?

The study must consider the loss of affordable housing units to luxury and vacancy decontrol, to the extent that loss is accelerated by the Proposed Action, to be a form of indirect displacement. Will the FEIS consider luxury and vacancy decontrol as a result of the Proposed Action by taken into account?

Will the FEIS identify mitigations for all of the above? Will the FEIS include statutory protections against building demolition and tenant harassment? Will the FEIS reflect a real commitment by the City to construct affordable housing as proposed in CB4's August 23, 2004 submission regarding the Hudson Yards land use applications?

Direct Business and Institutional Displacement (pp. 5-4, 5-16, 5-42 - 5-52, 5-64 - 5-65)

The DGEIS states at first that the businesses likely to be directly displaced by the Proposed Action do not "define neighborhood character," but then goes on to admit that these 225 businesses "are characteristic of the larger neighborhood," but argues this is unimportant because the intent of the action "is to transform the existing community." We note that the loss of hundreds of businesses and thousands of jobs will substantially change the character of our neighborhood, and demand that this transformation be taken seriously. We consider the loss of these businesses to be a significant adverse impact, and believe these businesses do define the character of the neighborhood.

It has recently been reported that a contractor has been hired to provide relocation assistance to businesses and residents that will be directly displaced by the Proposed Action. What form will that assistance take?

The suggestion that displaced industrial firms could relocate elsewhere in Clinton/Hell's Kitchen, or even on the West Side, is unrealistic. This overlooks the fact that only 15 blocks of Clinton remain zoned for manufacturing use outside of the Clinton Urban Renewal Area and pressure for conversion to commercial zoning is intense. Will the FEIS must reflect this situation?

Adverse Effects on Specific Industries (pp. 5-4 - 5-5; 5-17 - 5-18; 5-74 - 5-95)

According to the DGEIS, the proposed action will result in loss of jobs in the Garment Industry and in displacement of businesses that support the Theater Industry. We are concerned that the loss of these important blue-collar jobs threatens the socio-economic diversity of our community. We request a more thorough examination of the jobs likely to be lost and the characteristics of those job-holders, including their average salaries, their places of residence, and their ethnicity.

The DEI S notes that the Proposed Action will result in additional traffic and parking demand in areas adjacent to the Theater District, but concludes without further study that this will not have a significant adverse impact on the theater industry. A more detailed analysis of the effects of project-related traffic congestion and parking demand on the theater industry, both under normal

conditions and at periods of peak demand, is necessary for proper evaluation of the Proposed Action. Will such an analysis be included in the FEIS?

Indirect Business and Institutional Displacement, Primary Study Area (p. 5-67)

We disagree with the DGEIS conclusion that the 17,000 jobs that stand to be lost in our neighborhood are insignificant. The replacement of thousands of manufacturing, transportation and communications jobs with office jobs would result in a serious and significant change to neighborhood character. There are significant differences between the blue collar workers who will be displaced and the white collar workers who will be brought in. We expect the new mix of employees to be less diverse than the present mix. We expect more workers to commute from outside our community. This significant impact cannot be dismissed by saying that some manufacturing jobs would be lost anyway, because the loss will be much more severe in the future with the Proposed Action. Will the FEIS compare the average wages, ethnicity, and place of residence of the existing and expected workers?

Indirect Business and Institutional Displacement, Secondary Study Area (pp. 5-67, 5-73)

The DGEIS notes that the No. 7 extension will make the project area more accessible, thereby contributing to an increase in rents. The study does not mention that the increased accessibility will also make the area more crowded. Will the FEIS consider changes in community character due to the influx of large crowds into our neighborhood?

The DGEIS predicts that the construction of new office and retail space in the Hudson Yards area will "reduce the upward pressure of rents" in the secondary study area. This statement is conclusive and unsupported by any evidence. The New York City experience suggests the exact opposite - as neighborhoods become more desirable and rents go up, upward pressure on rents is also felt in neighboring areas. We are therefore concerned that the project will cause significant indirect business displacement in the secondary study area.

Projected Socioeconomic Benefits of the Proposed Action, Introduction (5-95)

The DGEIS states that the goal of the project is to accommodate residential and commercial development. We note that the commercial white collar jobs that will be attracted by this kind of development differ significantly from those presently available in our community, and could well undermine our racial and economic diversity. Will the FEIS assess the impact of thousands of new white collar jobs in the project area on neighborhood character?

CHAPTER 6 – COMMUNITY FACILITIES AND SERVICES

General Concerns

Throughout this chapter there is discussion of need for community facilities. Will the FEIS discuss where such facilities will be sited or how they will be paid for?

Outpatient and Emergency Health Care Facilities (pp. 6-2 6-23)

The DGEIS considers the additional need for emergency and outpatient health care and determines that no new health care facilities will be needed to serve the new residents or workers of the Hudson Yards area. However, the study does not include a detailed analysis of the available capacity at existing facilities. To properly evaluate the impacts of the Proposed Action, more information about the capacity of the emergency and primary care facilities closest to the neighborhood, and the effect the additional population will have on those facilities is needed. Will the FEIS take these concerns into account?

Fire Protection and Emergency Services (pp. 6-4 - 6-6)

The DGEIS states that the Proposed Action will require the construction of a new firehouse. Given the City's projected budget deficits in coming years and the recent closing of several firehouses due to economic constraints, how likely is it that the City will be able to afford construction of a new firehouse in the area? Where is the firehouse likely to be located? Have any sites been considered? What would be the cost of constructing and operating a new firehouse? What is the projected date for a new firehouse to come online? What will be the average emergency response time in the area if a new firehouse is not completed by 2010 or by 2025?

The DGEIS says that Emergency Medical Service (EMS) is included in the Fire Department analysis, but beyond that statement there is no discussion of EMS services. All discussion is limited to the provision of fire protection services and the need for a new firehouse. We would like more information about the affect of the Proposed Action on non-fire emergency response. Will there be an increase in emergency response time? Will a new emergency battalion or station be required? The DGEIS also specifically excludes any discussion of private emergency medical response units. Do any of these units currently serve the area? Will the Proposed Action likely lead to an increase in the use of private units in the area? What are the projected capital and expense costs of providing additional non-fire emergency services in the area?

Discussion of fire and non-fire emergency response must reflect the increase in population in the area, and the predicted traffic conditions during the reasonable worst case scenarios. What will emergency response times be like during regular rush hour traffic? What will they be like during a special event?

Public Schools (General) (pp. 6-2, 6-6 - 6-16)

The DGEIS predicts that 1,680 new public school students will be introduced into the project area because of the Proposed Action, including 1,097 elementary school students. The study considers the need for new public schools generated by these students, but does not examine the need for new after-school programs. More information is needed about the demand for after-school programs generated by the increase in school-age population, about the predicted capital and expense needs of these programs, and about plans to fund these programs. Will the FEIS provide this information?

Elementary and Intermediate Schools (pp. 6-6 - 6-16; 6-27; Appendix S-1)

The DGEIS predicts severe overcrowding of area's public elementary and intermediate schools and district-wide overcrowding of intermediate schools as a result of the Proposed Action. It predicts that this will require a change in the school District boundaries and/or construction of a new school, construction of additional capacity at existing schools, or leasing of additional school space. We note that this need for more school capacity comes at a time when more than 50% of the City's public school students attend overcrowded schools. According to the Dept. of Education's 5 Year Capital Plan, the City is already planning to spend billions of dollars to increase school capacity and repair and upgrade existing schools. However, the Independent Budget Office has expressed concern that the funding for this already ambitious plan is in question, depending on how the State allocates money to the City in response to the Campaign for Fiscal Equity lawsuit.

Given the existing uncertainty about the Dept. of Education's capital plan, we question whether new capacity in the Project Area will be provided quickly enough to meet the projected demand. More information is needed on which mitigation option is most likely to be chosen, where physical capacity can be added to the system, which sites are under consideration, and how much mitigation measures will cost. Will the FEIS provide this information? How school construction projects will be prioritized if funding is not sufficient for all of them?

Despite the uncertainty expressed in Chapter 6, the DGEIS predicts in Appendix S-1 that a new 56,800 square foot elementary school, accommodating 500 children and 60 staff members, will be built as a result of the Proposed Action. Is this indeed the plan? Why is this not discussed further in Chapter 6? Was a location for the school assumed for purposes of the traffic analysis? If so, where?

Day Care Centers (Publicly Funded) (pp. 6-23 - 6-28)

The DGEIS notes that the Proposed Action will increase the demand for publicly funded daycare within the Project Area to nearly double the number of available slots. As mitigation, it suggests increasing the number of publicly funded day care vouchers, building a new day care facility, or adding capacity to existing facilities. Will the FEIS provide more information about the projected cost of these mitigation options, and the potential location of additional capacity?

We also note that the DGEIS is largely dismissive of the need for the mitigation, suggesting that parents will bring their children to facilities outside of the project area, near their workplaces. This argument seems strange given the thousands of new jobs inside the project area that the Proposed Action is meant to create. What proportion of the low- and middle-income families expected to live in the project area are expected to work outside the area? The DGEIS also assumes that that additional slots in home-based daycare will exist to meet the additional demand. How will these slots be created and at what cost? What is the expected cost of training new providers? Is there a significant difference in level of care provided at facility-based versus home-based day care?

Police Protection (pp. 6-2 - 6-4)

The DGEIS states that the new worker, residential and visitor populations, as well as the No. 7 extension, would lead to increased demand for police protection services. However, it gives no figures at all on the expected need. The DGEIS instead states that the NYPD only "adjusts its allocation of personnel as the need arises." The fact that the NYPD does not plan its staffing levels in advance does not excuse City Planning and the MTA from considering the effect of the new development on police services. Will these considerations be covered in the FEIS?

In this time of heightened terror alerts, the proposed siting of a 75,000 person sports venue, a major expansion of the convention center, a convention center hotel, a new subway station, and multiple new skyscrapers (some likely to be landmark buildings given the proposed FAR) requires a **much** fuller discussion of policing needs. Aside from terrorism concerns, surely some estimate can be made of the day-to-day policing needs of a much-changed neighborhood, home to tens of thousands of new residents and workers. Finally, we note that the pedestrian, auto, and transit rider congestion predicted in Chapters 19 and 20 will surely give rise to the need for more officers to direct traffic and enforce regulations. Will the FEIS estimate the extent of these needs?

CHAPTER 7 – OPEN SPACE AND RECREATIONAL FACILITIES

General Concerns

The DGEIS concludes that there will be no significant adverse impacts on open space and recreational facilities because the ratio of open space to population will improve. This may be true, but only because the area already suffers from an extreme open space deficit. The Proposed Action will not provide enough open space to meet the needs of the thousands of new residents and workers that it will bring to the area, and it should be judged by its failure to meet the City's open space goals. – Sandra ?

The DGEIS assumes that all the parks proposed will be constructed and constructed well. However, financing for the parks depends upon the willingness of developers to pay for height and bulk bonuses. We are concerned that the predicted development will not materialize, and that the proposed open space network will suffer as a result. Will the FEIS consider the effect on open space ratios if development occurs, but not at the maximum level?

The DGEIS does not address the cost of maintaining and operating the additional open spaces and recreational facilities. Will the FEIS estimate of the annual cost of maintenance, operation, and programming of the new spaces? How will annual expenses be funded?

Adequacy of Open Space (p. 7-16)

The DGEIS notes that "several private recreational facilities… would augment the amount of active and passive open space available to residents and non-residents." We agree with the decision not to include these spaces in the open space ratios, as they are in fact barely accessible to the population. The "34th Street Community Garden" is actually worked only by a single

resident and has little to no access for residents. The "plaza at 345-347 West 48th Street" is a sterile courtyard with planters but no benches. The "private gated playground at 349 West 50th Street" serves only the children who live in the building.

Study Area Open Spaces, 2010 (pp. 7-21 - 7-22)

We are concerned that the full-block open space between 33rd and 34th Streets and Eleventh and Twelfth Avenues would act primarily as a holding area for visitors to stadium events, and would be desolate at other times. Without seeing the design for this space, we are not able to determine whether it will attract residents or be as empty as the existing Javits plaza. We wonder whether any design can accommodate both large crowds coming and going from a special event and regular neighborhood use. If any, what design plans for this space will the FEIS study?

We are also concerned that the "green space" on convention center roof will not be attractive to neighborhood residents as it is above grade and likely to be in an area that is underused and, frankly, scary, when a special event is not being held. Again, without more information about the design, we are hamstrung in our ability to analyze the effect of this proposed space. If any, what design plans for this space will the FEIS study?

The FEIS should study the effects of wind sheer and shadows on the new open spaces. We are concerned that shadows and high winds may discourage any use at all of these spaces, as was the case at the World Trade Center. Will the FEIS cover these concerns?

Study Area Open Spaces, 2025 (p. 7-29, Figures 7-3 and 7-4)

The open space provided by the proposed Mid-Block Boulevard will contribute little to the passive or active recreational enjoyment of residents and visitors. If it is no more than a planted median akin to the Park Avenue Malls, it will hardly be recreational space. Even if it is more like Sara D. Roosevelt Park, it will be narrower than that park and will be shaded by surrounding very tall buildings. Without yet having a plan for this space, Figures 7-3 and 7-4 offer an unrealistic picture of the width, sunshine, and likely amenities to be available in this space. Figure 7-3 does not even show the automotive use of the boulevard. Will the FEIS provide more information about the width of the boulevard and how space will be allocated for streets, sidewalks, and open space? Will the FEIS provide more information about pedestrian access to the open space portion and whether any pedestrian barriers are planned?

CHAPTER 8 - SHADOWS

General Comments

The analysis shows that the full-block open space between 33rd and 34th Streets and Eleventh and Twelfth Avenues, as well as the open space on the convention center roof will be in shadow all day during much of the year. This further undermines the attractiveness of these open spaces.

Potentially Affected Open Spaces (Table 8-1)

The list of open space resources likely to be affected by shadows created by the Proposed Action omits the outdoor plaza in the Eastern Rail Yard Subarea and the proposed Mid-Block Boulevard. The Shadow Analysis figures clearly show that these areas will be affected by new shadows. Will the FEIS include shadow analysis for both of these resources? – No, The EIS doesn't analyze project – or project impact

CHAPTER 9 – ARCHITECTURAL HISTORIC RESOURCES

General Comments

Our recommendations concerning preservation of certain of architectural historic resources is set forth in detail below and in our letter dated August 23, 2004 to the City Planning Commission. We have not here included the attachments that were part of that letter, but they are hereby incorporated by reference.

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The DGEIS includes a thorough and careful analysis of the area's architectural historic resources. The information in the DGEIS highlights the extent to which the physical fabric of the Clinton/Hell's Kitchen and Chelsea community represents a unique opportunity to preserve elements of the neighborhood's immigrant history. This history is embodied in the rich mixture of buildings that have served immigrants as places to live, work and worship in the late 19th and early 20th centuries. The lack of major development on some of the blocks has frozen in time significant examples of tenements (pre- and post-Civil War), immigrant churches, garment and printing trade architecture, and other examples of early 20th century commerce and industry.

Future development offers an opportunity for major improvement and restoration of these structures, the context of which will be improved by new construction to come. The area has a unique juxtaposition of buildings that retains their historic integrity while being adjacent to development sites. Preservation of such historic buildings while adjacent parking lots or garages are developed will enable balanced development to proceed. Development rights from landmarks and historic areas will easily transfer to new development sites, thereby allowing the preservation of neighborhood fabric and architectural integrity.

We therefore urge consideration of the landmark designation of the following list of architectural resources (each item is followed by the DGEIS ID number). The list is preliminary, and further study will be required by the Landmarks Commission before landmarking can be recommended.

Hell's Kitchen Tenements

- 523-539 Ninth Avenue – State/National Register (S/NR)-eligible; (DGEIS ID No.: 65)
- 500-506 West 42nd Street[1] – NY City Landmark (NYCL)-eligible and S/NR-eligible (72)

Tenements are not usually landmarked. However, the historical nature of tenements in Hell's Kitchen makes them a vital architectural connection to the past. As noted in the DGEIS, the

[1] Development rights for this building already have been transferred.

tenements listed below represent an important architectural connection to the history of immigrants in Hell's Kitchen. They also represent two ends of the spectrum of tenement history: one representing pre-old law tenements, and other of the first examples of the model tenement movement. 523-539 Ninth Avenue represent a rare, fully extant row of pre-old law tenements dating from 1885. 500-502 and 506 West 42nd Street are examples of the architect, Ernest Flagg's model tenement housing. A high society architect, best known for the Corcoran Gallery in Washington, D.C. and the Singer Building on lower Broadway in New York City, Ernest Flagg designed a group of eleven model fireproof tenements with courtyards providing adequate light and air. These are the last four surviving buildings of the eleven building complex.

Hell's Kitchen Immigrant Churches

- Holy Cross Roman Catholic Church, Rectory and School, 329-333 West 42nd Street, 330 West 43rd Street[2] – NYCL-eligible and S/NR-eligible; (9)
- St. Raphael Roman Catholic Church and Rectory, 502-504 West 41st Street – NYCL-eligible and S/NR-eligible; (82)[3]
- Glad Tidings Tabernacle, 325-39 West 33rd Street – NYCL-eligible and S/NR-eligible; (86)

These churches represent the main focal points of the immigrant community and have retained their role as centers of community life well into the 1970's and the present. Glad Tidings was built in the mid-19th century and is a last remnant of that era of brownstones giving way to tenements. The Holy Cross complex served Irish immigrants and includes the church, a school and a rectory. Holy Cross Church is the oldest building on 42nd Street from river to river. St. Raphael Church served a thriving Italian immigrant area that diminished following the demolition of hundreds of tenements to make way for the construction of the Lincoln Tunnel. The architecture of the church is significant, as contains many Gothic elements including rose windows within arches and a gabled façade.

10th Avenue Industrial Row

- Hill Building, 469-475 Tenth Avenue – S/NR-eligible; (56)[4]
- 500 West 37th Street – S/NR-eligible; (93)
- Former Pinehill Crystal Spring Water Company, 500-504 West 36th St. – S/NR-eligible; (94)

These building along Tenth Avenue between 36th and 37th Street represent the architectural character of a commercial and industrial past that thrived on Tenth Avenue during the late 19th and early 20th century. It is significant that this grouping of three industrial buildings has remained intact. They are survivors of area demolition for the Lincoln Tunnel and the West Side improvement. The Hill is a predecessor to the McGraw Hill Building at 42nd Street. Within the context of the Pinehill and 500 West 37th Street it is more than fortunate that all three remain and are available for adaptive reuse and transfer of development rights. Their retention would not

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[2] Parts of the development rights for this building already have been transferred.

[3] Adjacent development site, ability to transfer development rights.

[4] Adjacent development site, ability to transfer development rights.

compromise the proposed rezoning and would complement a successful commercial or residential future for the area.

Christ Church Memorial Row

- Former Barbour Dormitory, 330 West 36th Street – S/NR-eligible; (75)
- 346 West 36th Street – S/NR-eligible; (76)
- Christ Church Memorial, 334-344 West 36th Street – S/NR-eligible; (NA)

Designed as a memorial to the Reverend Doctor Maltbie D. Babcock, pastor of Brick Presbyterian Church on 5th Avenue and 37th Street, Christ Church Memorial and the two adjacent properties located on 36th Street form a link to the immigrant community once predominant in Hell's Kitchen. The dirt on the façade hides the beauty of the Tudor style church. Along with the dormitory, which once served as settlement house, the rectory and the tenement building, form a remarkably intact example of immigrant religious and working class life. Among high-rise garment center loft buildings, the extant low-rise grouping represents the historic layering of the area.

Garment Center Buildings

- 300 West 38th Street – NYCL-eligible; (11)
- The Harding Building, 440-448 Ninth Avenue – S/NR-eligible; (37) [5]

These two highly significant garment center buildings to the west of Eighth Avenue were built in the early 20th Century. The unique setbacks of the Harding Building are a result of the 1916 zoning resolution. Located at the corner of Ninth Avenue, the building provides a rare view of the terra cotta ornamented setbacks from both the side street and the avenue. The building also exceeds existing zoning limitations. 300 West 38th Street is a unique 3-story gem and a rare example in the city of art nouveau architecture.

Printing Industry Buildings [6]

- 344-348 West 38th Street – S/NR-eligible; (61)
- Underhill Building, 438-448 West 37th Street – S/NR-eligible; (62)
- 424 West 33rd Street – S/NR-eligible; (63)
- 406-426 West 31st Street – S/NR-eligible; (64)

These four buildings are prime examples of printing industry buildings typology. Each has façades that rise straight from the street without setbacks – a design that reflects the printing industry's need for wide floor plates. The buildings are characterized by a base, a shaft and upper floors are ornamented with extensive terra cotta intended to lighten the appearance of the sheer facades. At the top of each are shallow cornices. Three are clad in yellow brick. 344-48 West 38th Street and the Underhill building have been converted to residential condo ownership. 406-26 West 31st Street is undergoing conversion to an FIT dorm. 424 West 33rd Street serves as an office building. All of these buildings are overbuilt as per existing and proposed zoning.

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[5] Current bulk exceeds current and proposed zoning..

[6] All buildings are adjacent development sites, and have ability to transfer development rights.

State Bank and Trust Company

- State Bank and Trust Company, 681-685 Eighth Avenue[7] – NYCL-eligible; (15)

The bank is a three-story building with art-deco elements. It is currently used as a theater. Adjacent to Eighth Avenue development sites, it represents another opportunity in which preservation and development can be reconciled with the transfer of development rights to an adjacent site to the north.

Carnegie Library, Former 40th Street Branch

- Former NYC Public Library, 457 W. 40th Street – NYCL-eligible; S/NR-eligible; (87)[8]

One of the original Carnegie libraries, the former NYPL 40th Street Branch, this is the only branch that is not still used as a library. It was closed after Lincoln Tunnel demolition reduced the local population. The building is an important architectural and historic resource that should be preserved. It is recommended that it be returned in the future for use as a library.

Early 20th Century Corridor of Commerce and Industry Historic District: 34th Street from 8th Avenue to 10th Avenue

- Master Printer's Building, 406-416 Tenth Avenue – NYCL-eligible; (57)[9]
- William F. Sloan Memorial YMCA, 360 West 34th Street – NYCL-eligible; (79)[24]
- Webster Apartments, 419 West 34th Street – S/NR-eligible; (80)[10]
- West Side Jewish Center, 347 West 34th Street – S/NR-eligible; (84)[25]
- St. Michael's Roman Catholic Church Complex, 414-424 W. 34th St.– NYCL-eligible; (85)[25]
- Former Manhattan Opera House (interior and exterior), 311 West 34th Street – NYCL-eligible; (88)[25]
- New Yorker Hotel, 481-497 Eighth Avenue – NYCL-eligible; (108)[24]
- Former J.C. Penney Building, 330 West 34th Street – S/NR-eligible; (110)[24]

This corridor along 34th Street represents commerce and industry in the early part of the 20th century. In the 1920's, the construction of many of these buildings dramatically transformed the area's low-rise character into a formidable center of commerce and industry. The collection of its significant structures merits consideration for designation as an historic district.

Each significant building within this corridor represents an aspect of the commercial, residential, and religious aspects of life for working class residents of the 1920's. The 43-story Art Deco tower of the New Yorker Hotel stands sentinel as a point of entry into the area. Built during the Great Depression as one of two main hotels serving the demolished Penn Station, the massive

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[7] Adjacent development site, ability to transfer development rights.

[8] Adjacent development site, ability to transfer development rights.

[9] Current bulk exceeds current and proposed zoning.

[10] Adjacent development site, ability to transfer development rights.

building has 8 levels of basements and now has been returned to hotel use. In 1901, Oscar Hammerstein constructed The Manhattan Opera House, to compete with Metropolitan Opera. The New York Freemasons later altered the building for their use in 1923. The West Side Jewish Center, built by Congregation Beth Israel, served immigrants working in the Garment Center. In 1925, the J.C. Penney Company built a Renaissance palazzo at 330 West 34th Street to house its department store and company operations. Adjacent to the Penny's palazzo is the Memorial Sloan YMCA, another building built in 1929-30 during the Great Depression to serve a central housing facility for men in the Armed Services passing throughout the City, it originally housed 1600 rooms.

Crossing Ninth Avenue, the centerpiece of West 34th Street is St. Michael's Church. In 1906, the Pennsylvania Railroad, as part of the construction of Pennsylvania Station, demolished the original on West 32nd Street. As a condition of the sale of the original church, the railroad built a new church complex to serve as a religious center for the core immigrant community at the turn of the century. The new St. Michael's complex was built in a unique mixture of Gothic and Romanesque; it includes a rectory, a school, and a convent extending to the 33rd Street side of the block. Across the street, The Webster Apartments building was built as a gift from Charles B. Webster, a former senior partner of R.H. Macy & Company, as an apartment hotel for working women. Webster Apartments continues to serve as a residence for "working women with modest salaries" in accordance with the fund set by Webster. Dominating the Tenth Avenue end of 34th Street, the Master Printers Building is a monument to the printing industry on the West Side. At the time of its construction in 1927, the Master Printers Building was the tallest concrete structure ever built and was the largest printing building in the world.

The buildings within the district connect with the pre- and post-war mid-rise apartment houses that are intermingled along 34th Street. Together they create a formidable district representing the City's rich commercial and industrial past.

The New Yorker Hotel, the JC Penny building and Webster Apartments all exceed existing and proposed zoning. Others, including the Manhattan Opera House, the Westside Jewish Center and the St. Michael's Church complex, are under existing zoning limitations and are adjacent to significant development sites. This district is a singular opportunity to combine substantial new development with preservation to form a two-block gateway to the new commercial area of the Hudson Yards. The proposed district will be evidence that the city can achieve a balance between preservation and new development.

43rd/44th Street Historic District – West

- Actor's Studio, 432 West 44th Street – NYCL-eligible; (16)
- 446-448 West 44th Street – S/NR-eligible; (67)
- 454 West 44th Street – S/NR-eligible; (68)
- 417-419 and 421 West 43rd Street – S/NR-eligible; (70)
- 435 West 43rd Street – S/NR-eligible; (71)
- Former Second German Baptist Church, 407 West 43rd Street – S/NR-eligible; (81)

43rd/44th Street Historic District – East

- Film Center Building, 630 Ninth Avenue – S/NR-eligible; (14)
- 347-353 West 44th Street – S/NR-eligible; (66)

This proposed historic district is comprised of a mix of brownstones, exceptional tenements and religious institutions within Hell's Kitchen. It represents the residential past of the neighborhood and includes brownstones for wealthier residents and fine examples of historic eclectic tenement design. The Film Center building served the early film industry and continues to serve the entertainment industry. These buildings are some of the significant buildings within the proposed district. The boundaries of the district are made up on the north side of 43rd Street from 407 West 43rd Street to 435 West 43rd Street and on the south side of 44th Street from 454 West 44th Street to the (get address), New Dramatists. Also significant within the study area to the north side of 44th is the model tenement building at 437 West 44th Street.

Chelsea Waterfront Historic District
A Chelsea Waterfront Historic District including the waterfront warehouses around the designated Starrett Lehigh Building and extending eastward to Tenth Avenue close to 26th Street would preserve many of the handsome buildings associated with the industrial past of the area. This proposal will be treated fully in the Board's response to the West Chelsea Rezoning.

To mitigate the impact of the Proposed Action on these resources, the City should provide assistance in securing historic register listings for the identified historic districts and/or individual buildings. This will allow owners to use tax and other funding incentives to restore and reuse buildings. In addition, the Landmarks Preservation Commission should be required to hold expedited proceedings on buildings eligible for landmark designation.

CHAPTER 10 – ARCHAEOLOGICAL RESOURCES

Mitigation (pp. 10-13)

The DGEIS reports that Projected Development sites 11 and 41 may contain historical period archaeological resources. These sites should receive (E) Designations requiring the mitigation protocol described on Page 10-13.

CHAPTER 11 – URBAN DESIGN AND VISUAL RESOURCES

Visual Resources (pp. 11-3, 11-22 - 11-23, 11-40 - 11-41, 11-56 - 11-57)

The DGEIS maintains that the loss of views of the Hudson River and the Empire State Building caused by the Proposed Action is insignificant because the Action will create equally attractive new buildings. We strongly disagree with this opinion. No building can compare with the Hudson River. And though many important buildings have been constructed in the 74 years since the Empire State Building joined Manhattan's skyline, none has yet displaced it as New Yorkers' favorite building to look at it. No new building will have the history and cache of the ESB. Loss of these views is indeed significant.

The DGEIS also argues that views of the Hudson River that will be available from elevated open spaces can replace views currently available at street level. We also disagree with this assumption. Far more people use New York's streets and sidewalks every day than use its parks. Street level views and elevated park views are simply not equivalent.

We are particularly concerned that the super block construction planned for the convention center expansion will block three existing view corridors to and from the Hudson River, thus cutting New Yorkers off from their waterfront even more than they already are. The plan for development of the Caemmerer Yards, though it does not cut off existing view corridors, squanders an opportunity to introduce new street level river views. This is contrary to other efforts by the City and State to enhance our connection to the waterfront.

Finally, we take issue with the repeated characterization of our entire neighborhood as an "unappealing context" for what would otherwise be nice views.

Urban Design: Primary Study Area (p. 11-39)

We question whether the stadium will enhance the urban design of the waterfront area. This is a very large building that is not at human scale, does not relate to the waterfront, and is not pedestrian-friendly. The large plazas that will act as the stadium's lobby may become vast, lonely, unpopulated expanses of concrete when the stadium is not in use. It is unclear why the open space planned north of the stadium will not be as underused as the similar plaza associated with the Javits Convention Center has been and as the World Trade Center plaza was.

Urban Design: Clinton District/42nd Street Corridor (pp. 11-2; 11-13, 11-53 - 11-54)

The DGEIS states that the construction of new residential towers in this neighborhood would be contextual with existing buildings. Existing buildings have an FAR of 10 that can be increased to 12 with bonuses. Buildings taller than that would not be in context.

Urban Design: Large Scale Plan (pp. 11-8, 11-29 - 11-30, 11-44 - 11-46, 11-52)

The DGEIS notes that the streets in this area are currently "lined with buses parked during midday, waiting for use during rush hour." It argues that the area will be far more attractive in 2025 and omits any reference to buses parking on the streets in the future. We would like to know where the commuter buses that currently serve the surrounding area are going to park in 2025. We also note that commuter bus service to the area is likely to increase dramatically in the Future with the Proposed Action, and we would like to know if any provision has been made for their parking needs. The DGEIS assumes that the Port Authority will construct a bus garage on Projected Development Site 21. The Port Authority has not yet agreed to this plan and may prefer a different site. The FEIS must study the possibility that this garage will not be built. The FEIS must also account for the planned displacement of the large bus parking facility now located on block 675.

We question the decision to require ground floor retail on the Mid-Block Boulevard, Tenth Avenue, and the northern sides of each side street, while reserving the southern side of each block for building services. Pedestrians generally seek out streets that are lively on both sides,

rather than active on one side and desolate on the other. At the pedestrian level, both sides of the street matter. What are alternatives to this arrangement?

Existing Conditions: Convention Center Corridor (p. 11-15)

The DGEIS fails to note that Block 675 is now substantially occupied by private bus parking facilities operated by Greyhound and other bus carriers serving the Port Authority Bus Terminal. The land use, urban design, traffic, parking, and other impacts of displacing these facilities must be analyzed.

Existing Conditions: Primary Study Area: Clinton (p. 11-17)

The DGEIS states that Clinton's narrow east-west streets between 43rd and 49th Street "serve a local function." Although this is indeed the use for which they are intended, their actual use is more complex. These streets carry through traffic to midtown and serve as staging areas for commercial vehicles, taxis, and limousines. Local residents have to compete with these other users for limited parking spaces. The FEIS should study of the actual use of the streets in the primary study area, and an assessment of how the Proposed Action will affect those streets and the people who live on them.

2010 Future Without the Proposed Action: Clinton (p. 11-26)

It seems overly optimistic to include Studio City in the 2010 Future Without the Proposed Action, given that the project is not currently moving forward. Studio City should not be included in this analysis.

CHAPTER 12 – NEIGHBORHOOD CHARACTER

General Concerns

The DGEIS uses a dismissive tone toward our neighborhood. Our neighborhood is described as "drab" and "characterless." We disagree. Although the applicants may not appreciate the industrial character of the western end of the neighborhood, or the low-rise low- and middle-income character of Hell's Kitchen, it is dishonest to refer to these areas as "characterless." The neighborhoods do indeed have character.

Furthermore, we question the assumption that bigger is always better, and ask how specifically the increased bulk, density, traffic, and noise will enhance the existing residential communities. On Page 12-1, the EIS states that the Proposed Action would "promote new, dense, mixed-use development with substantial open space, thus creating a strong new neighborhood character." How is "strong character" defined in this context?

Methodology (pp. 12-3 - 12-4)

Noise pollution is expected to be so bad that the entire Hudson Yards area will receive an E Designation requiring mitigation for noise. Specifically, existing residential and commercial buildings will have to be retrofitted so that they won't have to open their windows for ventilation

and cooling, and new buildings must be constructed so as not to rely on open windows. Chapter 12 of the DGEIS does not consider noise because the E Designations will supposedly resolve the noise problems. We disagree with this methodology for two reasons. First, the E Designations will not ameliorate the noise pollution experienced by people outside on streets, sidewalks, and in open spaces. Second, because changing a neighborhood so that residents and workers can no longer open their windows is a significant change in character. Will the FEIS study the effect of noise on neighborhood character?

Convention Center Corridor (pp. 12-1, 12-28 - 12-31)

The DGEIS states that the area around the convention center and stadium will be "lively", "active," "vital" and "24-hour." We question this assumption. Although we appreciate that the plan includes new open space and ground floor retail, we wonder how these large facilities, which are designed to attract large masses of people to indoor special events, will create 24-hour, active, everyday communities. We note, for example, the recent New York Times article (Polgreen, Lydia, "A Carnival in Suspended Animation," August 1, 2004) on the behavior of Brooklyn Cyclone fans, who rarely spend time or money outside the stadium before and after games. There are many studies available on the effects of stadia and convention centers on their surrounding communities. The FEIS should refer to these studies in its assessment of the "vitality" that the new facilities will bring to the Project Area.

CHAPTER 13 – NATURAL RESOURCES

General Comments

We are not scientists, and therefore defer to Riverkeeper, the Natural Resources Defense Council, and other environmental organizations that have commented on this section. However, even as laypeople reading this DGEIS, we are concerned about several things. The effects of combined sewer overflows on Hudson River species have not been adequately studied. The deck over Route 9A, that is clearly an integral part of the stadium, is not adequately studied. New ferry trips and possibly new ferry terminals are not adequately studied. Shortnose sturgeon, winter flounder, loggerhead sea turtles, green sea turtles, leatherback sea turtles, Kemp's Ridley sea turtles, that are found in the Hudson River could all be affected by this action, as could bald eagles and a breeding pair of peregrine falcons that nests nearby. Furthermore, the Corona Yards area is within a waterfowl wintering area. We are concerned that the DGEIS does not adequately study the effects of this action on these species and environments.

CHAPTER 14 – HAZARDOUS MATERIALS

General Concerns

The DGEIS states that Phase II Environmental Site Assessments or other appropriate site investigations will be reported in the Final EIS. We are therefore unable to comment on the contamination and its management at these sites. Will the FEIS reveal what actions will be necessary at these sites prior to development?

Existing Conditions (pp. 14-17 - 14-27, 14-43 - 14-47)

We are concerned about the accuracy of the DGEIS's reporting of existing conditions, and by the discrepancies in the DGEIS between the uses listed for development sites on pages 14-17 - 14-27 and those listed in the charts on pages 14-43 - 14-47. For example, there are currently four residential buildings located on Block 733, Lots 43, 44, 45 and 46 (Potential Development Site Number 58). These are old law tenements, with DOB records dating back to the 1930's. Immigration records found on the Internet show residential use of 410 West 36th Street in 1876. On page 14-45, the EIS claims all four of these lots are currently used for motor vehicle parking. On page 14-23, the EIS says this site is currently occupied by vehicle parking and residential uses. On both pages, the EIS says the site was formerly occupied by a machine shop. We do not know the history of this site, but we are concerned by the lack of accuracy in reporting what is there now. We are worried that the Phase I analyses that have been done are inaccurate and will unfairly saddle clean properties with undeserved E Designations. The FEIS should include a more thorough assessment of each property be done before E Designations are assigned.

Future with the Proposed Action, Projected and Potential Development Sites (pp. 14-42 - 14-48)

The DGEIS assumes that the placement of E Designations on 99 projected and potential development sites will have no effect on the pace of development. It fails to discuss the effect that the E Designations will have on the property values of these sites and on the costs of construction. It does not consider the effect seen so often with brownfields, that contaminated sites often languish undeveloped due to the costs of clean-up. There is no discussion of whether these sites will be eligible for State brownfields programs and the financial burden they will place on those programs. There is no discussion of how much a property owner will have to spend to prove that an uncontaminated site that receives an E Designation is indeed uncontaminated. There is no discussion of how much additional funding and staff DEP will require in order to carry out the monitoring responsibilities assigned to it in this section. The FEIS should address each of these items.

CHAPTER 15 – WATERFRONT REVITALIZATION PROGRAM

General Concerns

The relocation of the NYPD Tow Pound and the Gansevoort sanitation garage are mentioned throughout this section as a "related action." We agree that it is in the interest of waterfront revitalization these projects should be a definite part of the Proposed Action. However, the possibility that the construction of these facilities will be delayed or that they will located elsewhere exists. Will the FEIS analyze these possibilities?

The extension of the Convention Center across 39th, 40th, and 41st Streets is inconsistent with the requirement that if a development blocks waterfront access, it should be sited to as to allow access later. The use of Pier 76 as a partially publicly accessible extension of the Convention

Center by a bridge or as a dedicated part of Hudson River Park should be studied as possible mitigation. .

No commitment is made in the EIS concerning the relocation of the Sanitation Trucks from Gansevoort, which would improve the Hudson River Park. Half of Pier 76 behind the Convention Center is to be part of the park; the rest is a possible development site. These issues should be addressed by requiring mitigation by DSNY relocation of the trucks from Gansevoort and linking development on Pier 76 to the Convention Center expansion by a bridge, meeting rooms, and restaurant that would improve waterfront physical and visual access or simply adding the excluded half to the Hudson River Park.

Access to Coastal Waters (pp. 15-13 - 15-15)
Protection of Scenic Resources (pp. 15-15 - 15-16)

The closure of 33rd , 39th, 40th and 41st streets reduces physical and visual access to the river. This is also in conflict with Waterfront Revitalization Principle 8.1, which requires current physical access to be maintained. Elevated views of the waterfront from the roof of the stadium, convention center, tow pound, and High Line, do not make up for closing streets and what that means for cutting people off from the waterfront. A passageway through the convention center is not an adequate substitute. The area's working and residential population makes waterfront access routes even more important to the area's future vitality and will harm the public's enjoyment of the waterfront.

Protection and Restoration of Ecological Systems (pp. 15-8 - 15-10)
Protection and Improvement of Water Quality (pp. 15-10 - 15-12)

Future Combined Sewer Overflows, even assuming they do not happen more frequently that they do today, will be worse. The DGEIS is dismissive of this problem by saying only that the number of CSOs won't increase. A serious analysis of waterfront revitalization requires that the severity of the CSOs be studied. How severe will predicted CSOs be? What effect are they likely to have on water quality and ecological systems?

It is also unclear whether the North River Wastewater Treatment Control Plant (WTCP) can accommodate the additional sewage capacity that will be generated by the Proposed Action. The official capacity numbers for North River have changed over the years, and this has never been explained to our satisfaction. Although we have been told by DEP that the volume of water treated by the North River plant has decreased in recent years, the solid content of sewerage has increased. The FEIS should explain how much sewage is treated at North River now? How much additional capacity does North River have?

We are unable to fully assess this section of the DGEIS as it relies upon completion of amendments to the Manhattan Drainage Plan. Without this information, it is impossible to know what improvements to wastewater infrastructure are planned and whether or not they will be adequate.

The effect of the Proposed Action on stormwater runoff has not been adequately studied. The argument that the green areas will reduce the runoff from the existing paved surfaces is not based

on a real analysis. It was discovered during the construction of Route 9A that there is a special drain into the river from the Caemmerer Yards. This drain is unconnected to the diversion tunnel and thus the sewer system, but there is no analysis of this, only general statements. Roofing the cuts would in general increase runoff, since the cuts/yards are not paved and therefore absorbent, and some are connected to existing sewers, although there is no study of this. The FEIS should reflect these considerations.

CHAPTER 16 - INFRASTRUCTURE

Water Supply (16-4, 16-8 - 16-9, 16-14 - 16-15)

The FEIS must consider that additional developments in the rest of New York City (particularly Lower Manhattan, Long Island City, and Downtown Brooklyn) will affect the water supply that the Hudson Yards area must also draw from. The FEIS should also consider how expected development in the Hudson Valley will affect the amount of water available to meet the demands of Hudson Yards. The amount of water available to us is not inexhaustible and development in all of these areas is drawing on the same supply of drinking water.

The DGEIS only considers water supply in an average year. The FEIS should also look at conditions in a drought year.

The opening of the lower Manhattan segment of Water Tunnel No. 3 in 2020 (Phase 2) is represented as presenting a supplemental water source to the proposed Hudson Yards area. However, it was designed to, "allow for the inspection and necessary repair of the century old Water Tunnels No. 1 & 2," which will be put off-line for considerable periods of time to make this work possible. Not mentioned in the DGEIS is the fact that while Water Tunnel No. 3, will be an extraordinary asset, it will be doing the work of three water tunnels, for a considerable amount of time during the repair process of leaky Water Tunnels No 1. & 2 – a process that can easily take years and possibly a decade, making water shortages a distinct possibility. The FEIS should take these possibilities into account.

Wastewater (pp. 16-3, 16-5 - 16-6, 16-8, 16-12, 16-14, 16-16 - 16-17)

It is entirely unclear whether the North River plant has sufficient capacity to accommodate the additional 7 million gallons of sewage per day that would be generated by the Proposed Action. The official capacity numbers at North River have changed over the years, and this phenomenon has never been adequately explained. Furthermore, the DGEIS does not take into account the effect on North River of development in other parts of Manhattan served by the plant. The FEIS should adequately explain capacity changes in the North River plant. The FEIS should assess the combined impact of the Proposed Action and other recently completed or planned developments in Manhattan on the North River plant.

CHAPTER 17 – SOLID WASTE AND SANITATION SERVICES

General Concerns

The communities across the US that receive New York City's garbage have grown more reluctant to receive it. Tipping rates keep increasing, and the cost of landfill disposal of all of the waste generated by the Proposed Action is likely to be quite large. The FEIS should consider the costs of the additional solid waste and sanitation services required by the Proposed Action. Given the diversion of incremental tax revenues to repay billions of dollars in bonds, we are concerned about the effect of added capital and expense items on the City's budget.

CHAPTER 18 – ENERGY

Electricity, 2025 (pp. 18-9 - 18-10)

The DGEIS predicts that we will need two additional substations by 2025 - one by 2013 and the other by 2021. The Proposed Action will also require an additional transmission substation, but the proposed rezoning of the area will leave no place in the project area where new substations are allowed as-of-right. What are the proposed locations for these facilities? How much will they cost and how will they be paid for?

The Proposed Action will generate additional electric demand equivalent to the output of a mid-sized power plant. The DGEIS discusses how this electricity will be distributed, but is silent regarding generation. Will the Proposed Action require construction of a new power plant? Where will this plant be? How much will it cost? Is there any plan to finance it?

Railcuts (Appendix R)

The DGEIS notes that DOT and Amtrak have proposed new bridges over the Amtrak tracks that would limit Con Edison's ability to deliver service to its customers. The design process for these bridges has not always been fully informed by large scale plans for the area. What differences will the FEIS consider between the type of bridge reconstruction that would be required under a future scenario without the Proposed Action and the type required by demands generated by the Proposed Action?

CHAPTER 19 – TRAFFIC AND PARKING

General Comments

Even using extremely optimistic assumptions, the Proposed Action will significantly adversely affect 130 intersections during a typical afternoon commute in 2025. The proposed level of commercial density simply cannot be handled by the City's street network. It is clear that, as early as 2010, with or without a stadium, the density proposed by the city combined with the convention center expansion cannot be supported by the proposed upgraded infrastructure.

The construction phase lasting for 5 years (2005 to 2010), presents immense challenges in traffic, noise and pollution for which no comprehensive, enforceable mitigation is offered. Major access routes to and from the Lincoln Tunnel will be impeded by lane or street closings, including sections of 42nd, 41st and 40th streets. Truck routes for construction overlap with areas of extreme traffic congestion at peak hours The FEIS must consider how traffic will be affected by the construction of two new subway stations, a stadium, the mid-block boulevard, the convention center expansion, the new hotel, and all the new office towers.

Peak Traffic Hours (p. 19-3)

We disagree with the limited choice of times for the Special Event peak hour. We believe that departures from the stadium should also be studied because of the fact that departures occur in a more compressed time period than arrivals, and also because a night-time football game and a concert at Madison Square Garden are likely to end at about the same time. The FEIS should study departures times of stadium events as part of its peak hour traffic analysis.

Traffic Study Area (pp. 19-4 - 19-5)

Severe traffic congestion on the West Side will cause traffic backups across town and across the Hudson River. Game day traffic should be studied all along 42nd Street and 34th Street. East side intersections should be studied more thoroughly, particularly along the streets north and south of 42nd Street and 34th Street that motorists are likely to use as alternate routes to avoid congestion when the main thoroughfares are backed up. Hudson River crossings must also be studied, as should their major approach routes in New Jersey. Though the action itself may be limited to Manhattan, traffic congestion caused by both special events and the weekday commute will have major impacts on New Jersey.

The DGEIS does not study any unsignalized intersections during a Special Event peak hour. In other words, it does not adequately address traffic backing up on 12th Avenue as people come and go from Jets games, conventions, and concerts. The FEIS must rectified this serious oversight.

Trip Generation (pp. 19-6 - 19-21, Appendix S-1)

There is simply no way that 75% of Jets fans are going to use public transportation to get to the stadium. Even at Madison Square Garden, which sits on top of a rail hub and which hold most of its events on weekdays when many of its attendees are already in Manhattan, only half of Knicks and Rangers fans use public transit. A West Side stadium would be accessible by one subway line and no commuter rail, and is going to sit next to Route 9A and the Lincoln Tunnel. Although it will be near a ferry terminal, the DGEIS includes no data to prove that the existing terminals and ferry operator have sufficient capacity to meet the projected demand. It is also unrealistic to expect stadium-goers to get out of their cars and get onto ferries on the cold winter days when many football games are played. Based on surveys of existing facilities, we believe that no more than 40% of Jets fans will use public transit. We also believe that vehicle occupancy rates will be comparable to what they are now, not to the rosy picture predicted for the future. Given the price of football tickets, it is unclear why anyone going to the game would be daunted by the cost of a bridge toll. The DGEIS traffic analysis must reflect these more

realistic numbers. We note that surveys of existing facilities are a far more appropriate source of data than asking fans to predict their future behavior.

We also question the modal splits for office uses. The percentage of New York City workers who live in New Jersey has increased dramatically in recent years. It is likely that many commuters to new jobs in the Hudson Yards area will live in New Jersey. The modal split numbers predict that twice as many office workers will come by subway than by rail, bus and ferry combined. The FEIS must be reconsidered the modal split to reflect the development and expected growth of New Jersey's bedroom communities.

We disagree with the decision not to consider peak attendance days at the convention center. If football games occur often enough to be studied, than high volume events at the convention center certainly do as well. It is also unclear to us why public shows that are able to grow 84% in floor space will not similarly increase in attendance. Growth estimates should be based on a real analysis of similar facilities, not the assumptions of Convention Center management. The FEIS must analyze traffic generated by a peak attendance event that is able to grow by 84%.

It is also disingenuous to say that peak attendance events are unlikely to coincide with a football game. Any year that the Jets make the playoffs (or that the regular season runs late, as it does this year), their schedule will coincide with the boat show. The FEIS must study the impact of this "coincidence."

We also question the modal splits for convention center attendance. Although we agree that the No. 7 line will have some effect on how people travel to the convention center, we note that most convention center visitors are not New York City residents used to riding the subway. We also note that exhibitors must bring their wares and promotional materials with them to shows. As it is, three times as many people come by car and taxi as by subway. It is simply impossible that an 85% increase in the size of the convention center will generate only a 2% increase in the number of vehicles arriving at the center on a weekday morning. As with the stadium, we believe the numbers for transit use are much too optimistic. Using more realistic numbers, the FEIS must be redo the trip generation analysis conducted for the DGEIS.

Traffic Assignment (p. 19-23, Appendix S-2)

The DGEIS uses 1990 census data and assumes that the percent of workers coming from New Jersey is less than 19.5% (this figure includes commuters from Rockland County) while RPA analysts suggest that 25% is a more realistic figure given the development of New Jersey's commuter communities over the past 15 years. We note that 89% of all increase in commuters in the city over the last 20 years came from areas west of the Hudson. The location of the new office space in west Midtown will reinforce this trend. The traffic analysis must be redone to reflect the actual numbers of New Jersey commuters. As it is now, the travel route assignment seriously underestimates traffic on Route 9A and through the Hudson River crossings. There is no discussion of the George Washington Bridge at all. Nor is there any discussion of traffic in New Jersey itself. The FEIS must rectify all of these omissions.

Reasonable Worst Case Scenarios (pp. 19-24 - 19-25)

The reasonable worst case scenarios used in the FEIS must include the likely coincidence of a football game with boat show, must account for a more realistic increase in attendance at public shows at the convention center, must consider simultaneous departures from a night game and Madison Square Garden, and must use a more accurate modal split for stadium and convention center attendees. The reasonable worst case scenarios must also consider the likelihood of tailgating, and its effect on traffic flow. There must also be consideration of a Saturday special event that coincides with normal Broadway theater schedules as well as cruise ship arrivals and departures from the Passenger Ship Terminal and events at the convention center and Madison Square Garden.

We also expect that some attendees at football games and other special events are likely to arrive early on weeknights in tailgate, to have dinner in the City, or to avoid the traffic. How many are likely to arrive early and how will they affect rush hour commuters?

Traffic Data Collection (pp.19-25 - 19-26)

The DGEIS does not consider the recent changes to Eleventh Avenue and Lincoln Tunnel traffic patterns. Intersections affected by recent changes include locations on NinthAvenue and Dyer Avenue. Full or partial street closures have affected 39th Street and 41st Street. We expect that the FEIS will rely on more recent data, as the DGEIS says that it will. In the mean time, we note that we are unable to fully review this traffic analysis due to the omission.

The DGEIS severely undercounts commuter buses traveling to and from the Port Authority Bus Terminal and surrounding streets because it analyzes only one intersection likely to have any commuter bus traffic at all. Some buses leaving layover parking do pass through the intersection at West 39th Street and Tenth Avenue, but the vast majority do not. This analysis completely misses the buses that travel from the Lincoln Tunnel straight to the Port Authority Bus Terminal. Given that vehicle classification was performed in order to study air quality, this omission is dangerous and must be rectified. The FEIS must study more appropriate intersections, particularly those along Dyer Avenue.

We also note that there is no indication that the DGEIS acknowledges in any way the many buses and vans that use our neighborhood streets as daytime parking between commuter trips. Do the parking, noise, traffic, and air quality analyses take this phenomenon into account? If not, they must be redone accordingly.

The Port Authority and the Economic Development Corp. are currently performing an inventory of bus parking and storage as part of their plan to build a new bus garage. The results of this study should be used in the FEIS to more accurately estimate bus traffic in the area.

River Crossings (pp. 19-26 - 19-27)

The DGEIS relies on river crossing data from 1998 and then increases it by the background level of traffic growth for Manhattan. As discussed earlier, this is likely to significantly underestimate the use of Hudson River crossings due to recent growth in New Jersey bedroom

communities and related increase in commuting from New Jersey. The FEIS must account for real growth in the region and not rely on generic projections.

Mid-block Park and Boulevard System (pp. 19-30)

According to the DGEIS, the Midblock Park and Boulevard System will lie on top of a 950 space public parking garage with vehicular ingress and egress at 35th and 36th streets. The traffic on this boulevard is omitted from the discussion of 2010 and 2025 conditions, presumably under the theory that if it didn't exist before, it can't be adversely affected. That is unacceptable. Traffic on the Boulevard at peak hours must be studied in the FEIS. Given that it will be used as a thoroughfare for those parking in the area, the street is likely to be severely congested and this congestion will undoubtedly affect the existing streets that pass through it.

Relocation of DOS Facility and Tow Pound; PANYNJ Bus Garage (pp. 19-30 - 19-31)

The traffic analysis of the DGEIS assumes that Block 675 will be developed as a DSNY facility and NYPD tow pound. If this does not occur, it assumes that block will be developed as at-grade open space. There is no discussion whatsoever of the current use of the space, which is substantially occupied by several privately operated bus parking lots. The FEIS must consider what will happen if the bus parking stays where it is, and must also consider where it is likely to be relocated if the development does occur as planned. The DGEIS also assumes that Projected Development Site 21 will be developed as a Port Authority parking garage, but the Port Authority has not committed to this project or to this site. The traffic analysis in the FEIS must reflect the possibility that the bus garage is not built or is built in a different location than that proposed.

Future with the Proposed Action, 2010 and 2025 (pp. 19-47 - 19-88, 19-97 - 19-176)

The DGEIS analyzes each intersection individually and does not consider the cumulative effect of traffic backlogs. For instance, it seems impossible that one intersection will have a ten minute delay, while the next one down the line will only have a 6 minute delay. The FEIS must consider how the intersections will affect each other. Without this, the traffic analysis is wholly inadequate.

We cannot accept the DGEIS prediction that there will be no back-up whatsoever on major crosstown thoroughfares during football games. It defies logic that 75,000 people attending a Jets game will have no significant adverse impact on 34th Street, or 42nd Street or the Hudson River crossings. We suspect that the error is due to a combination of factors, including overestimating how many people will use mass transit, not considering the interplay among intersections, not adequately accounting for the effect of masses of pedestrians in the streets, not adequately accounting for street closures, not adequately accounting for the masses of people dropping off and retrieving cars at the Midblock Boulevard parking garage, ignoring the likelihood of tailgating, choosing inappropriate peak periods, minimizing projected attendance at the convention center, and overestimating the occupancy of each car. An adequate FEIS must correct for all of these errors and consider their cumulative effect.

Similarly, the DGEIS assumes that 800 additional vehicles using the Lincoln Tunnel will have no backup effect on the overall system. This seems extremely unrealistic to us. We also question the ability of the Lincoln Tunnel to handle thousands of new commuters from New Jersey leaving work at the same time that attendees to stadium events from New Jersey and elsewhere begin to arrive for a special event.

Proposed Mitigation (pp. 19-61 - 19-63, 19-116 - 19-118)

The DGEIS highlights possible mitigation measures for traffic congestion but provides little detail and indicates that their effectiveness has not been studied. We are unable to fully assess the DGEIS in the absence of these studies. We question the effectiveness and feasibility of the proposed mitigation measures. In particular, we ask how likely is it that parking will be barred at intersections? How much will all the mitigation measures cost? Do some of the mitigations ease one intersection while worsening the situation at another? How many parking spots will be eliminated through the proposed mitigations and has this been accounted for in the parking analysis? How many more police officers will be needed in order to provide adequate enforcement? What will this cost?

We also note that Route 9A was recently given wider sidewalks in order to reduce crossing distance and thereby increase pedestrian safety. The Proposed Action would require the reversal of that improvement and widening the street. The planned pedestrian overpasses do not really make up for this, and are emblematic of the low priority that is given to at-grade pedestrian access to the waterfront. (It should go without saying that if they do get built, they must be accessible to the handicapped, and to the elderly who just don't want to have to go up and down stairs to reach the waterfront.)

CHAPTER 20 – TRANSIT AND PEDESTRIANS

General Concerns

The level of pedestrian congestion that will be caused by the Proposed Action is completely unacceptable. The DGEIS predicts both every day congestion caused by the excessive commercial development of the area and special event congestion caused by the stadium. At many intersections and sidewalks where the DGEIS finds no significant adverse impact, the area will have an "unacceptable" level of service. The FEIS should not accept these conditions as acceptable. The FEIS should address the phenomenon of tailgating.

The DGEIS admits that the Proposed Action will fill many subway stations to overflowing by 2025. Nothing can be done to mitigate stairs, escalators, passageways and turnstiles that will have to serve many more people than they are able. There will be lines at the base of stairs and escalators, and subway platforms that are jam packed. And this is even after turnstiles have been added, stairways widened, and escalator speed increased by 30 feet per minute. The applicants consider it to be "acceptable" when every square foot of an escalator or a subway car is filled by passengers. Measurements of acceptability must reflect a general human desire for breathing room.

Furthermore, the analysis of subway station elements assumes that the Second Avenue Subway and East Side Access projects will be completed on schedule. It also assumes that all of the suggested mitigation measures will be undertaken, but it notes that a feasibility analysis has not been performed. What happens if these assumptions are wrong?

This chapter assumes that there will be money forthcoming to significantly alter subway stations, streets, and sidewalks, to add bus service, to purchase new buses, and to expand bus storage and maintenance facilities. How much are these measures likely to cost? Does the Hudson Yards financing plan include allocations for these projects? Is there any other plan to finance them?

This section omits any reference to commuter bus and van service not run by the MTA. At the very least, the EIS must study the effect of the Proposed Action on New Jersey Transit bus service and the bus-related elements of the Port Authority Bus Terminal.

Analysis Hours (p.20-6)

According to the Appendix S-1 memorandum on the stadium, departures from football games and rock concerts both cause worse congestion than arrivals. The memo discusses the likelihood of multiple events with overlapping arrivals, but does not consider at all the possibility of overlapping departures. Given that arena concerts and Monday night football games both often end between 11:30 and midnight, we are surprised that this issue is not addressed. The DGEIS must consider the impact of overlapping departures. The FEIS should use the 11:30 p.m. to 12:30 a.m. peak period for study, using a worst case scenario of a football game and concert letting out at the same time.

Capacity Analysis Methodology, Pedestrian Analyses (pp. 20-12 - 20-13)

The DGEIS only considers severe congestion of pedestrian elements to be a significant adverse impact. It does not consider that pedestrians often feel unsafe when sidewalks are not adequately used. The FEIS should include a discussion of the likely level of use of the widened sidewalks along the side streets between 10th and 11th Avenues, 34th - 38th Streets, at non-peak hours. The FEIS should include a similar analysis of the usage of the Mid-Block Boulevard. What will these areas be like on a Tuesday night or a Saturday afternoon, when offices are closed and the stadium is not holding an event? What methods exist to measure under-use of pedestrian elements?

Capacity Analysis Methodology and Transit Impact Criteria, Escalators (pp. 20-10 - 20 - 11, 20 – 20)

Although the DGEIS acknowledges that the nominal and maximum capacity for escalators are significantly different, it uses the maximum capacity to determine level of service criteria. A significant impact is only determined to exist when the escalator goes from below maximum capacity to above maximum capacity. The problem with this is that maximum capacity would require New Yorkers to share escalator steps with strangers, which we rarely do. Full utilization of an escalator means being packed onto it, shoulder-to-shoulder, much too close for comfort. Surely going from a comfortable ride to that level of closeness should be considered a significant adverse impact.

Capacity Analysis Methodology and Transit Impact Criteria, Line Haul Capacity (pp. 20-11 - 20-12, 20-21)

We are amazed by the subway car guideline capacity numbers in Table 20-5. A subway car with 34 to 44 seats is expected to serve 110 people - in other words, about three times as many people as there are seats. We've been on subway cars packed that tightly, and we know that it's far from pleasant. A subway car that's "at capacity" is a miserable place to be. The DGEIS only finds a "significant adverse impact" when a car is filled beyond capacity. The morning commute becomes unacceptable way before that line is reached, and the FEIS should reflect that reality. In its Spring 2004 assessment of transportation needs and impacts of far west Midtown, the RPA used a more comfortable standard to determine when a subway car is full: 83 persons per car. The FEIS should consider crowding of subways cars above 83 persons per car as a significant adverse impact.

Determination of Significant Adverse Impacts, Crosswalks (pp. 20-13, 20-21, 20-44, 20-59, 20-150 - 20-155, S-5)

The DGEIS only considers a significant adverse impact to occur when the pedestrian flow rate at a crosswalk drops to Level of Service E -- 15 square feet per pedestrian or below. However, the DGEIS also defines Level of Service D (24 square feet per pedestrian or below) to be unacceptable. We are particularly confused because Table 20-7 defines LOS C as 24 - 40 square feet per pedestrian and LOS D as 15 - 24 square feet per pedestrian, but on page 20-59, the DGEIS states that 15 square feet per pedestrian is the threshold between LOS C and D (according to the table and page 20-21, it's the threshold between D and E). What exactly is an acceptable level of service at a crosswalk?

There are many locations where the Level of Service drops from A, B or C to D, in other words, changes from free movement to unacceptable congestion. Why is this not considered a significant adverse impact? We certainly think that it is.

The DGEIS, by only discussing the change from conditions without the Proposed Action to conditions with the Proposed Action, does not adequately describe the pedestrian congestion that will be created along the new Mid-Block Boulevard. For example, of the 32 crosswalk elements along the boulevard, 15 will have Level of Service E at mid-day in 2025 and another 7 will have Level of Service D. In other words, the Boulevard is expected to be mobbed. The EIS should discuss the pedestrian conditions that will be created along the Boulevard.

Determination of Significant Adverse Impacts, Corners (pp. 20-13, 20-21, 20-43, 20-59, 20-144 - 20-149)

We have many of the same concerns about the corner analysis as the crosswalk analysis. It is unclear what level of service is considered acceptable due to discrepancies in the DGEIS. We do not understand why drops of service to Level D are not considered significant adverse impacts. This discrepancy makes a huge difference in the analysis. For instance, the DGEIS notes that 19 corners will drop to LOS E at mid-day in 2025 (or, for those already that bad, will remain at the same level but get nominally worse). There are another 22 corners that will drop to LOS D at

mid-day in 2025 (or, for those already that bad, will remain at the same level of service but get nominally worse.) Any drop in service from acceptable to unacceptable must be reported as a significant adverse impact.

Determination of Significant Adverse Impacts, Sidewalks (pp. 20-13, 20-21, 20-42, 20-86, 20-141 - 20-143)

As with crosswalks and corners, we do not understand why a drop in level of service from acceptable to unacceptable is not considered a significant adverse impact. There are many sidewalk locations that meet this criteria, but which are not discussed in the DGEIS. Although Table 20-21 uses LOS C as the minimum acceptable, all sections dealing with future conditions seem to use LOS D as the minimum acceptable. We strongly disagree with this practice. The FEIS should consider any drop in LOS from acceptable to unacceptable should be considered a significant adverse impact.

Data Collection, Pedestrian Conditions (pp. 20-23, S-5)

Although we are not experts in pedestrian movement, we have all spent many years walking through New York City, and the 2003 data for pedestrian volume completely baffles us. We have noticed that at some intersections, pedestrian volume increases and decreases in bizarre ways over 15 minute intervals. For instance, at Broadway and 34th Street during the AM peak hour, the pedestrian volume at crosswalk A-B-C falls from 1,015 to 0 in 30 minutes. This seems highly unlikely. Similarly at Sixth Avenue and 34th Street, pedestrian volumes go from 0 to several hundred on both corners in the course of a half hour in the AM, MD, PM, and Special Event peak hours. Also at Sixth Avenue and 34th Street, sidewalks B and C host thousands of people in the course of a day, while Sidewalks A and C serve not one single soul. This just seems impossible. There are countless intersections with similarly curious data.

The DGEIS does not sufficiently explain how pedestrian movements are measured, and this makes it extremely difficult for laypeople to understand. We also question the accuracy of much of this data. The FEIS must provide more information on how pedestrian volume was measured.

Existing Conditions, Transit Network (pp. 20-23 - 20-31, S-4)

We are completely baffled by the 2003 Existing Conditions data provided in Appendix S-4. Throughout the appendix, presumably different elements have the exact same utilization numbers. For example, of the seven stairways at 35th street and 6th Avenue in the Herald Square station, three of them had exactly 284 people climbing each of them during a 15 minute interval in the morning, two were used by exactly 696 people each, and the other two were used by exactly 416 people each. These repetitions can be found on every page of the 2003 tables. Why is this? Are these numbers observed or estimated? If they are estimated, what is the margin of error? Why does the appendix say the analysis is based on pedestrian counts? Given that these numbers are the baseline upon which the entire analysis depends, if they are inaccurate, the entire analysis must be redone. These unexplained repetitions lead us to question the accuracy of the data.

We also note that we are unable to understand where these elements are located or how they relate to one another, as the diagrams provided in the appendix have very small, blurry, illegible type. The diagrams can be read neither on-line nor in hard copy, so we have no idea where these stairways, corridors, and turnstiles are located. This information should be made accessible.

Existing Conditions, Ferry Service (p. 20-41)

The DGEIS does not contain any data at all on existing weekend and evening ferry service. Given that the applicant expects almost 8,000 people to travel to Jets games via ferry, this omission is completely unacceptable.

Subway Station Elements, 2010 and 2025 (pp. 20-63 - 20-67, 20-109 - 20-113, S-4)

According to the DGEIS, fully 22% of Jets fans (almost 17,000 people) are expected to use the new Number 7 subway station to get to the game in 2025. However, fewer than 5,000 of them are expected to try to use the turnstiles at the new 34th Street station during the peak 15 minute period before a Monday night game. This despite the fact that the turnstiles can handle twice that many. This seems highly unlikely. Surely the station will be busier if so many people are trying to use it. Odder still, the DGEIS predicts that fewer than 700 people will use those subway turnstiles to get to the same game in 2010. Why the discrepancy? If the assumption is that Jets fans will not be using the subway in 2010, does the traffic analysis reflect this?

Furthermore, the DGEIS only considers how the new stations will be affected by arrivals and does not consider departures, even though departures will be more congested. Again, we request an analysis of how these stations will function when 75,000 people try to leave a football game all at the same time.

Ferry Service, 2010 and 2025 (pp. 20-19, 20-73, 20-120, S-1)

The DGEIS states that ferry service to special events is expected to be sufficient in 2010, but provides not one shred of information to back up this conclusion. Worse, there is not one sentence in Chapter 20 that mentions special event ferry service in 2025. Appendix S-1 notes that the Jets and NY Waterway have discussed the matter and that 20,000 riders could be accommodated, but gives absolutely no information about how this could be done. At the absolute peak of service on a weekday, NY Waterway can currently accommodate about 4,300 passengers traveling from Hoboken, Weehawken and Jersey City to New York. But the applicant expects almost 8,000 people to use ferries to reach the stadium for a game. How is this going to happen? The discussion of ferry usage during special events is entirely inadequate.

We note that in order to find this discrepancy, we had to comb through the appendices. Table 20-9, which gives trip generation rates for each expected new facility, reports that 6,960 people will travel to and from the stadium by "other" means. Presumably this is the number that refers to ferry ridership, although it is significantly lower than the actual 7,950 predicted to arrive by ferry (10.6% of 75,000). Why is ferry usage not included in this table? How was the "other" figure derived?

It is also odd that the discussion of ferry service does not refer to the new stadium ferry terminal that appears in all of the promotional materials about the stadium that the applicant regularly distributes. Does the NY Waterway statement repeated in the appendix about 20,000 riders rely on this new terminal? Do the 8,000 riders predicted by the applicant rely on this terminal?

As for weekday ferry service, the DGEIS predicts that 1,256 new riders will use the ferries in 2025 due to the Proposed Action. How was this number derived? The modal splits used for office workers in Appendix S-1 (who account for the vast majority of the 127,000 new workers that the DGEIS anticipates) do not account for ferry riders. Rather, they predict that 100% of trips generated will be by auto, taxi, bus, train, subway and walking.

Bus Service, 2025 (pp. 20-115 - 20-119, 20-135 - 20-140)

According to the DGEIS, 130 new buses will need to serve the Hudson Yards area in order to avoid unacceptable crowding. The area will also need articulated buses. What are the plans to purchase, store, and maintain these buses? Have they been included in the traffic and air quality analyses? On the flip side, does the transit analysis consider the effect of traffic congestion on bus service?

CHAPTER 21 – AIR QUALITY

General Comments

We are very concerned about the air pollution likely to be caused by the Proposed Action. Even using extremely optimistic (and we believe unrealistic) assumptions, the DGEIS predicts PM10 exceedances at five sites, PM2.5 exceedances at six sites, carbon monoxide exceedances at three sites, and sulfur dioxide and toxics exceedances at the Quill Bus Depot. Although the DGEIS assures us that mitigation measures and further study will solve the problems, we question this assumption. As Tier II analysis and a study of the mitigation measures has not been done, we are unable to fully comment upon them.

The analysis of stationary sources of air pollution does not include any discussion of the proposed cogeneration facility for the stadium. In recent conversations with City Planning, we have been told that this facility will be included in the stadium. Its environmental effects must therefore be studied along with the rest of the Proposed Action.

Principal Conclusions (pp. 21-1 - 21-2)

Because the mobile source analysis relies on the traffic analysis performed in Chapter 19, it is equally flawed. By underestimating the number of auto trips to a special event, choosing peak periods that do not represent the worst conditions, ignoring the presence of commuter buses and vans in the area, underestimating the number of commuters coming from New Jersey, not considering the interplay among intersections, not adequately accounting for the effect of masses of pedestrians in the streets, not adequately accounting for street closures, not adequately accounting for the masses of people dropping off and retrieving cars at the Midblock Boulevard parking garage, ignoring the likelihood of tailgating, and minimizing projected attendance at the

convention center, the DGEIS severely underestimates traffic congestion. This also leads to a severe underestimate of mobile source pollution. These flaws must be rectified in the FGEIS.

Furthermore, given that there has not yet been a feasibility and effectiveness study on the proposed traffic mitigation measures, it is extremely optimistic to assume that changing the timing of traffic lights etc. is all that is required to lower dangerous levels of air pollutants. It is also a bit ridiculous to make assumptions about federal emissions standards in 2025 given that this is a highly politically charged issue on which there has not been easy compromise. Mitigation must be seriously studied before we assume it will make all the air pollution problems disappear.

We also note that relying upon a Tier I analysis and reserving the Tier II analysis for later in the process deprives the community of its ability to fully comment upon the DGEIS. When a Tier II analysis is done, it must consider the actual traffic speeds and congestion that are likely, rather than assuming that traffic will move at posted speed limits as is done in Chapter 22. We believe that a more realistic picture of the likely traffic will show worse levels of air pollution, not better. Furthermore, the discussion of likely bus retrofitting by the MTA completely ignores the presence of Greyhound, New Jersey Transit, and other commuter buses in the area. These bus fleets must be analyzed separately rather than assumed to have the same emission levels as MTA buses.

Does the parking facility analysis account for the proposed new bus garage? Does it account for existing private bus garages and layover zones? Does it account for the fact that the proposed new facility is not part of the Port Authority's capital plan and may very well not be built, or be built in a different location?.

Mobile Source Analysis, Vehicular Emissions (pp. 21-12 - 21-13)

The DGEIS does not consider emissions from idling vehicles other than buses and heavy duty trucks. This methodology is likely to severely underestimate the air pollution caused by cars and particularly light trucks that are mired in traffic during special events and rush hours. As for buses, the DGEIS appears to apply MTA bus emissions data to all buses present in the area, which completely ignores the Greyhound, New Jersey Transit, and other bus fleets that serve the area, primarily using the Lincoln Tunnel and the Port Authority Bus Terminal. Proper mobile source analysis must consider these other bus fleets and must properly account for idling vehicles.

Mobile Source Analysis, 2010 and 2025 (pp. 21-15, 21-22, 21-25 - 21-28)

The DGEIS assumes that carbon monoxide emissions rates will be affected by decreases in future year emissions due to more stringent regulations. What does the DGEIS assume will be the average fuel efficiency of the cars, light trucks, buses, and heavy trucks that are expected to be present in the Project Area? How is the total fleet assumed to be allocated among each type of vehicle? Does the DGEIS assume that the 2010 and 2025 fleets will be allocated among vehicle types the same way that they are now, or does it take account of the continuing growth in SUV sales? If it does not, it should, for both carbon monoxide and particulate matter analysis.

The 2025 Future with Additional Bus Service only considers additional MTA buses, it does not include buses in other fleets, such as New Jersey Transit and Greyhound. This omission must be rectified. We are also surprised that the bus service additions are only included in this special section, rather than in the standard 2025 analysis. Why was this separated out? Are additional sanitation trips included in the standard analysis? Are additional truck trips to the expanded Convention Center? Is there anything else that has been omitted from the standard analysis?

Truck Marshalling Path (pp. 21-33 - 21-34)

The DGEIS does not consider the air quality effects of the truck marshalling path because the Convention Center is "not publicly accessible." This is an unacceptable omission, given that many shows at the Convention Center are open to the public and the Convention Center itself is a facility to be built with public money for public purposes. Given that much of the rationale for the Proposed Action is to expand attendance at the Convention Center, we certainly need to know whether the air at the Center will be safe to breathe.

Air Toxics Analysis - Health Risk Assessment (p. 21-49)

We are concerned that the analysis considers only the carcinogenic effects of toxic air pollution, and does not address other health concerns such as respiratory illness and risk to fetal development. What non-carcinogenic health risks are related to the pollutants found in the study area, and will any of the pollutants be present in high enough quantities in 2010 or 2025 (with the Proposed Action) to trigger these effects?

Air Toxics Analysis - Impact on Potential Development Sites (p. 21-50)

The EIS notes that the existing industrial uses south of Penn Station, coupled with the possibility of further industrial development of the area, could generate air pollution bad enough that new buildings on nearby Potential Development Sites must be built with inoperable windows and no air intakes. What will be done to protect workers and residents in existing buildings in this area? Might pedestrians in this area be harmed by the air pollution? What about outdoor workers, such as newsstand operators and street vendors? Must they be barred from this area?

CHAPTER 22 – NOISE AND VIBRATION

Methodology (pp. 22-2, 22-4, 22-24, 22-26, 22-29, 22-31)

Complete information about the extent of noise impacts and the amount of mitigation required will not be available until the Final EIS is released. The DGEIS's noise assessment assumes that traffic will be moving at posted speed limits despite the findings in other chapters. Without information about the noise generated when traffic is backed up, we are unable to fully review the Proposed Action. We can only assume that noise will be <u>much</u> worse than is reported in the DGEIS.

We also note that this noise analysis relies on the assumption that most Jets fans are going to take public transit to reach the stadium, and that they will travel with more people in each car than

they do now. The analysis must be redone using more realistic modal splits and vehicle occupancy numbers.

Noise Impacts Avoidance and Mitigation (pp. 22-30 - 22-31)

Due to the extreme noise pollution caused by higher traffic volumes, the City is planning to place E Designations on every potential and projected development site in the Project Area. These E Designations essentially mean that buildings must provide alternative means of ventilation as workers and residents will find open windows unbearable. The EIS also mentions, in passing, that the City will have to provide mitigation to existing residential and commercial developments - basically giving out thick windows and air conditioning units. How many existing residents and businesses will be affected by the noise pollution caused by the Proposed Action? What is the potential cost of the mitigation project? How and when will it be implemented? Does the City plan to pay for the increased electricity bills of existing residents and businesses who will have to increase their air conditioning usage?

Although the DGEIS lists the acceptable noise levels for outdoor spaces in Table 22-2, nowhere does it study what the noise levels will be at the public open spaces that are part of the Proposed Action. Given that outdoor noise levels will exceed 80 dba at many locations, and that the acceptable noise level in many public parks is only 55dba, it is clear that the noise at these new parks could well be unbearable. There is absolutely no discussion of how noise will be mitigated at outdoor locations. This issue must be discussed in the FEIS.

Vibration - Existing Conditions (pp. 22-36 - 22-37)

The DGEIS concludes that only two locations - V1 and V4 - currently experience vibration levels that exceed FTA criteria. However, the study done by the applicant found that vehicles frequently hit the curb when entering the Lincoln Tunnel at site V7, and that this generates vibration levels up to 95 VdB - far in excess of the FTA criteria. Why was this site not included in the list of those currently experiencing vibration problems? Furthermore, the study found that when buses enter the Port Authority Bus Terminal near site V3, they generate vibration levels at 77 VdB. If buses enter the terminal at this location more than 70 times per day, which is likely, this too would exceed FTA criteria. Why was this site also not listed?

Future With the Proposed Action, 2010 and 2025 (pp. 22-37 - 22-38)

Although the DGEIS study shows that existing vehicular traffic already causes FTA Vibration Impact Criteria to be exceeded at several sites within the Study Area, the DGEIS does not consider the effect of additional vehicular traffic on vibration conditions. Instead, it considers only the effect of the Number 7 subway extension. The FEIS should study the effect of traffic growth on vibration conditions experienced throughout the Study Area, and particularly along the major thoroughfares.

CHAPTER 24 – PUBLIC HEALTH

General Concerns

Despite the finding on Page 21-50 that several Potential Development Sites are so close to polluting industrial sources that they will have to have inoperable windows and no outside air intakes, the effects of these toxic emissions are not discussed in the chapter on Public Health. The FEIS must contain an analysis of how these toxic emissions will affect people on the streets and sidewalks south of Penn Station, including people who work outside. The Public Health chapter should include a discussion of the health risks posed by toxic industrial emissions.

Construction Impacts, 2010 (pp. 24-8 - 24-9)

The DGEIS states that there will be no significant adverse impact on public health due to peak construction activities even though PM 2.5 standards will be exceeded. We are particularly concerned about the effects of spikes in PM 2.5 on those with asthma and other respiratory illnesses, given that it can aggravate asthma, increase respiratory symptoms like coughing and difficult breathing, cause chronic bronchitis, decrease lung function and hasten death. Although the DGEIS discusses 24-hour and annual averages, we request a discussion of spikes and their likely health effects. We also ask for an analysis of how the increased PM 2.5 levels will affect particularly vulnerable populations, including the elderly and those with asthma.

Mobile Source Pollution (pp. 24-9 - 24-11, 24-13 - 24-14)

The DGEIS states that the massive traffic congestion caused by the Proposed Action will not have any significant adverse impact even though the Tier 1 analysis that is has done shows that PM 10 and PM 2.5 models would exceed recommended levels. The reasoning is that a Tier 2 analysis, which has not been done, will generate better results. This is a huge and dangerous assumption given the adverse health affects of particulate matter. Without seeing the results of the Tier 2 analysis, we are unable to adequately comment on this issue.

The DGEIS, in its discussion of Solid Waste Management Practices also notes that hundreds of additional tons per day of solid waste will be sent to the 59th Street Marine Transfer Station. Have traffic and air quality studies taken into account the additional truck traffic due to solid waste removal?

In its analysis of mobile source pollution, the DGEIS assumes that 70% of Jets fans are going to use public transit to get to the stadium and that they are going to pile more friends into their cars than they do now. That is ridiculous. The analysis should be repeated using more realistic modal splits and vehicle occupancy numbers.

Noise and Vibration (pp. 24-11, 24-14)

We disagree with the conclusion in the DGEIS that E Designations that require inoperable windows and no outside air intakes will adequately address the public health concerns related to noise. The E Designations will do absolutely nothing to mitigate noise and vibrations outside on the City's streets and sidewalks and in all of the new public spaces that the applicant expects to

create. The FEIS should address the effects of noise on people outside - including those walking to and from work and shopping, those who work outside like street vendors and traffic officers, and people using City parks and playgrounds. Also, the FEIS must contain more information about how windows and air conditioners will be paid for and provided to existing residents.

We are also concerned that the DGEIS does not adequately study the effect of noise on public health, as it is based on the assumption that traffic will be moving at posted speed limits. The actual noise levels generated by the Proposed Action are likely to be much greater than those predicted in the DGEIS.

CHAPTER 23 – CONSTRUCTION IMPACTS

General Comments

The DGEIS calls for a long list of mitigation measures, many of which involve significant construction work. Given that these measures are a necessary consequence of the Proposed Action, their construction impacts must be studied as well. What will be the effect on subway riders of construction in four heavily used subway stations? (The DGEIS calls for installation of nine new escalators, eight new staircases, and one new turnstile, and widening of six additional staircases.) What will be the traffic, noise and vibration effects of installation and widening of so many water and sewer mains? Where are the new electric substations, firehouse, and school likely to be located, when are they likely to be built, and what will be the effects of their construction? How will traffic and pedestrians be affected by the widening of so many sidewalks, crosswalks, and corners? What about the installation of the new pedestrian crossing on Eleventh Avenue and the construction of the two new pedestrian overpasses on Route 9A?

Neighborhood Character (pp. 23-47 - 23-48, 23-90 - 23-91)

We refer you to our discussion of Chapter 12 regarding the DGEIS's mischaracterization and underestimation of our neighborhood.

Historic and Archaeological Resources (p. 23-91)

See response to Chapters 9 and 10.

Socioeconomic Conditions (p. 23-49)

The DGEIS predicts that there will be significant lane and sidewalk closures along West 40th Street and West 41st Street, nearby to residences, stores, and community facilities. The closures would obstruct pedestrian, resident, and truck access and obstruct signage. Nevertheless, the DGEIS concludes that this would result in no significant adverse impacts to these homes, businesses, and facilities. It is inconceivable that a four years of construction and lane and sidewalk closures would not negatively affect residents and businesses (see for example the Time Warner Center construction project) and the FEIS must admit this.

Open Space (p. 23-50)

The DGEIS fails to consider the effects of construction on non-Parks-owned community open spaces: HKNA's Bird Park, Bob's Park and the 39th Street Dog Run and the 34th Street Community Garden. It also fails to consider the effects of construction on the Hudson River waterfront. The FEIS must include an analysis of these elements.

Traffic (pp. 23-51 - 23-62, 23-91 - 23-93)

By limiting the study area to and area bounded by 24th Street, 43rd Street and Eighth Avenue, the DGEIS fails to study the effects of construction on traffic further north, south and east. This is inadequate, given that traffic jams can cause backups miles away. At the very least, the DGEIS must consider longer stretches of Route 9A, 34th Street, and 42nd Street. It must also consider the effects on river crossings, given that all construction material deliveries will originate outside of Manhattan and all rock spoils must be taken out of Manhattan. We remind the applicant that construction of just one building, the Time Warner Center, required special regulation of river crossings and use of a temporary concrete mixing facility because security at river crossings made timely delivery of construction materials exceedingly complicated.

The traffic analysis does not consider the effect of construction in Lower Manhattan. The DGEIS must analyze how massive construction projects both downtown and in the Hudson Yards area will together affect the river crossings and Route 9A.

Again, we note that it is utterly fantastic to believe that the No. 7 train will begin operation in 2010. The traffic analysis must be redone using a more realistic timetable.

The DGEIS assumes that private development will be evenly spread out over a 15 year period. It seems more likely that development will occur in cycles, and that some years will have more construction than others. The applicant must consider how many buildings are likely to be under construction during a peak development year, and use that number for its analysis. We believe that the bond financing does not presume even, steady development, but expects highs and lows. Why are the same assumptions not used for the DGEIS?

See also our response to Chapter 19.

Impacts, Air Quality (pp. 23-63 - 23-74, 23-94)

The DGEIS analysis of air quality related to construction activities does not consider the cumulative effect of other sources of air pollution, including the increased traffic in the area due to the Hudson Yards development, and the concurrent construction activities in Lower Manhattan. For the DGEIS to be adequate, it must add together the effects of various sources of air pollution. In particular, there must be an off-site mobile source analysis performed for the locations likely to suffer the worst combined effects, which we suspect will be the Lincoln Tunnel entrances and exits.

We are very concerned that the construction activities, even with all the proposed mitigation measures and without considering cumulative impacts, will still cause an unacceptable increase

in PM 2.5. The DGEIS notes that the applicant will consider further mitigation possibilities, but there is no reason to believe there is anything they can do that they haven't already come up with. We also note that we are unable to fully analyze the DGEIS without these promised studies.

We echo the request of Manhattan Community Board No. 1, expressed in its response to the DEIS for the Fulton Street Transit Center, urging that ongoing air quality and contaminated materials be constantly monitored during the years of construction in order to insure that proper steps are actually taken to minimize mobile and stationary source pollution. We also support on-site emissions testing of diesel machinery to ensure compliance with contracts and with the law. Air quality and emissions data should be posted on a website and frequently updated. The applicant's plan relies heavily on the assumption that low-sulfur fuel will be used and a variety of steps will be taken to reduce emissions. This will require constant monitoring.

We also echo the request of Manhattan Community Board No. 1 that the City enforce the idling laws with respect to construction vehicles and trucks and manage the construction schedule to avoid idling.

See also our comments on Chapter 21.

Impacts, Noise and Vibration (pp. 23-74 - 23-84, 23-94)

Again, the DGEIS fails to consider the cumulative impacts of all the different aspects of the Proposed Action that contribute to noise pollution and vibration. The DGEIS must add up the effects of regular traffic, construction activity, and construction vehicles.

It is not enough that the applicant is "considering" noise mitigation measures such as using walled enclosures, muffling devices, doing noisy work during the day, and using alternative construction methods. Rather, these mitigation measures must be required when construction is to take place near noise sensitive receptors. As the applicant notes, construction will go for many years and will be extremely noisy. Without appropriate mitigation, our neighborhood will become unliveable.

See also our response to Chapter 22.

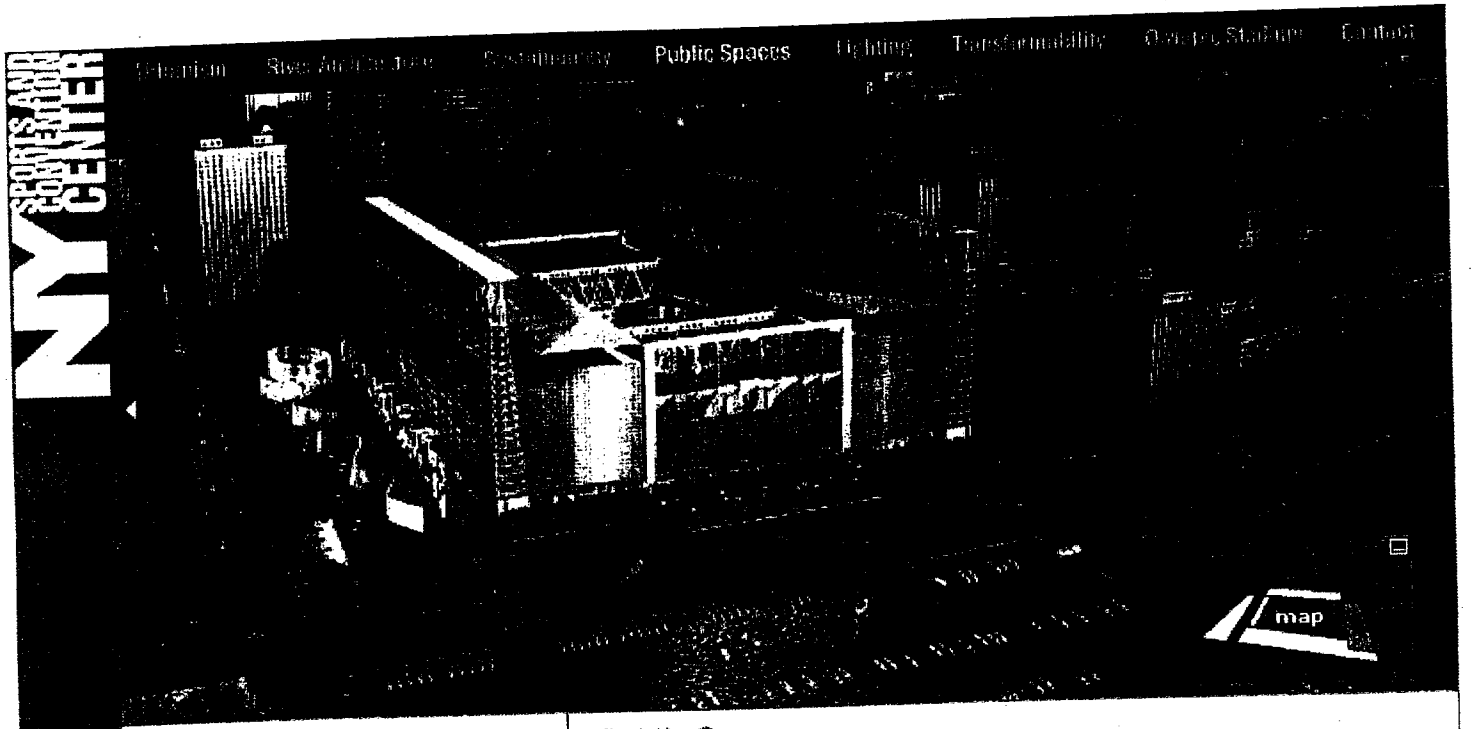
Impacts, Natural Resources (pp. 23-84 - 23-85)

We disagree with the applicant's conclusion that there is no alternative that would limit construction within the floodplain. This is only due to the extremely narrow and specific crafting of the project goals. We believe that there are clearly alternative development paths for this neighborhood, and that these would require less construction in the 100 year flood hazard zone. In particular, we take issue with the applicant's conclusion that the stadium could not be built anywhere in New York other than the Hudson Yards area, especially given that NYC 2012 has considered numerous alternative locations throughout the five boroughs.

Thank you for this opportunity to provide comments and to submit recommendations on this very important study. We look forward to a final EIS document that addresses the concerns raised herein.

Sincerely,

Walter Mankoff
Chair



Public Spaces

The Hudson Terrace

Riverfront views, restaurants, landscaping, and a café reminiscent of the 70th Street Boat Basin in Riverside Park combine to create a scenic new spot to watch bikers, kayaks and boats stream past. The promenade over 12th Avenue also gives the neighborhood an

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HELL'S KITCHEN/HUDSON YARDS ALLIANCE
212-541-5996 / info@hkhyalliance.org / www.hkhyalliance.org

Testimony before the City Planning Commission on the proposed Hudson Yards plan for Hell's Kitchen South:

This testimony is being submitted on behalf of the Hell's Kitchen/Hudson Yards Alliance. I want to thank you for the opportunity to speak with you today. We appreciate your appearing with us this evening to more fully investigate the ramifications of the Hudson Yards plan for West Siders and the people of Manhattan, and we know that our membership appreciates the opportunity to speak with you and people from your office about the plan.

Today, we are here to ask you to vote No to the ULURP's pending before you unless the City makes serious changes to their plans to redevelop Hell's Kitchen South.

The Hell's Kitchen/Hudson Yards Alliance was formed to provide a balanced community response to the New York City Administration's plans to redevelop the West Side of Manhattan from 28th to 42nd streets, west of Eighth Avenue. The Alliance brings together hundreds of community members, civic and business organizations, your entire local elected officials from Hell's Kitchen/Clinton and Chelsea, and others from across the city.

The Alliance is committed to maintaining and expanding the strong residential community on the West Side. To achieve this the Alliance seeks to:

- Encourage residential and commercial development at rational and balanced densities.
- Preserve and produce affordable housing
- Create and enhance open space, parks and waterfront access.
- Provide for social infrastructure such as schools and libraries.
- Expand the Jacob K. Javits Convention Center.
- Implement comprehensive traffic management and transportation plans

The Hell's Kitchen/Hudson Yards Alliance supports residential and commercial development in Hell's Kitchen that balances the needs of the neighborhood, the city, and the region. Parts of the neighborhood now zoned for low-density industrial use should be rezoned to allow for contextual expansion of residential and commercial uses in Hell's Kitchen and to facilitate affordable housing opportunities. While we appreciate the Mayor's desire to rezone Hell's Kitchen South, he fails to get our priorities right. However, the Lower Density Alternative provides for a density that is closer to what the Alliance seeks for this community with much more affordable housing. The following is the Alliance position on the future development of Hell's Kitchen. The Draft Environmental Impact State is so deficient, that it has failed to provide the public sufficient information to be able to adequately comment on the plan. The city agreed to study the traffic noise, pollution but in their 6,000 pages of documents, they never disclose the impacts or failed to study them. In addition, this is far from a well-constituted plan as required by law. There is more commercial than they can prove they need, not enough residential as the low vacancy rates have proven and a total lack of a plan for decent affordable

Transportation

The city should consider alternatives to the proposed route of the No. 7 line extension. Alternatives to consider include a shuttle west from Penn Station to Eleventh Avenue partly along existing rights of way or a moving sidewalk, light rail, and expanded bus services.

If the City makes the above commitments, the ALLIANCE would accept the following changes in our neighborhood:

Density & Use

The substantial upzoning in this plan, particularly the enormous bonus density available to developers, is extremely problematic for our community. The proposed rezoning without any bonuses are the type of rezoning this community needs. Therefore, we ask that all rezoning be limited to the density proposed and prohibit any upzoning bonuses beyond the development of new affordable housing. Mid-blocks should be zoned purely residential, and no portion of the area should be zoned solely for commercial development. (The indicated FAR include bonuses).

Residential

- Maintain medium density with a maximum building height of 95 feet along 9th Avenue, the "Main Street" of Hell's Kitchen, from 41st to 35th Streets; this will be a residential zone with ground floor local retail use (FAR 6).

- Maintain the lower density with a maximum building height of 85 feet between 9th and 10th avenues, from 41st to 35th Streets; this will be a residential zone (FAR 5).

- Increase density with a maximum building height to 125 feet on 10th Avenue, from 41st to 35th Streets; this will be a residential zone and ground floor local retail use (FAR 7.5). This zoning would also apply on each street up to parks over the Amtrak right-of-way.

Commercial & Residential Use

- Increase to a maximum density along the 30th to 35th street corridor from 8th Avenue to 12th Avenue as a mixed-use zone, with FAR limited unless issues of traffic, air pollution and water pollution raised in the Environmental Impact Statement are resolved. This higher density mixed-use designation allows for commercial, hotel, institutional, and residential use.

- Allow high density on 11th and 12th Avenue from 41st Street to 35th Street for mixed-use zone structured in a way that preserves maximum light and air to the neighborhood: above a 13-story base, the towers will have floor-plates no larger than 8000 square feet and horizontal dimension facing 11th avenue and the Hudson river of no more than 80 feet. The total building height will not exceed 37 stories.. This allows for commercial, hotel, institutional, and residential use (FAR 12).

Conclusion

I want to thank you for the opportunity to speak to you today and appreciate the commitment you have made to our community. We hope that you will continue to be an ally to the West Side and join us in saying "no" to the Hudson Yards plan, unless the City is willing to excise the stadium and include a genuine plan for affordable housing. The West Side has a vibrant residential and commercial community, one that can expand with further development in our neighborhood—but we need that development to be rational, productive and human-scale, which the current Hudson Yards plan is certainly not.

My name is [illegible] Kimmelman, an urban designer and consultant to the Hell's Kitchen Neighborhood Association.

~~I would like to [illegible] the Hudson Yards Plan.~~

~~[illegible] the Hudson Yards Plan.~~

- ~~The [illegible] plaza [illegible] yard [illegible] forces [illegible]~~

NO!!

- Because the stadium and stadium plaza are not used for development, it forces high density office development ~~in the Hudson Yards Plan~~ to go on between 10th and 11th avenues ~~in a north-south direction~~.

on 39th 40th & 41st streets

- The location of the stadium also forces the Javits convention center to expand north – eliminating waterfront access. ~~A convention center expansion on 39th (or 40th) avenue was originally intended [illegible] by the west rail yard is [illegible] the Hudson Yards canal boundary.~~

- ~~The stadium also requires substantial amount of parking – leading to the proposed underground garage under the mid-block boulevard between 33rd and 36th streets, as well as on top of the deck at the east rail yard plaza – causing the plaza to be 18 feet above street level.~~

the loading

- ~~The stadium also requires that the construction of the #7 subway start immediately. If the #7 is otherwise not necessary right now – because the proposed office buildings on 11th avenue are only expected to be developed 15 to 20 years from now. In fact, the stadium is driving the timetable for the public infrastructure.~~

- The net result is that by putting ~~these~~ office buildings ~~and the Convention center~~ expansion to the north ~~[illegible]~~ creates a massive wall of tall office buildings that prevent the expansion of a real residential neighborhood ~~to the waterfront~~. The north convention center expansion closes ~~west 39th, 40th street and 41st~~ streets to the waterfront. This cuts off access of the neighborhood to the river and cuts off the access from the new and expanded 39th ferry terminal to the proposed office development.

WEST.

- The north-south orientation of the Hudson Yards plan is all wrong !
  Show: *the boulevard and high density building form a wall to the river and limit the expansion of the south hells kitchen neighborhood*
  Show: *the north convention center expansion closes west 39th, 40th street and 41st streets to the waterfront.*

IN FACT, THE STADIUM IS DICTATING THE PUBLIC INFRASTRUCTURE INCLUDING THE TIMETABLE OF #7 SUBWAY AND THE CONSTRUCTION OF DOUBLE DECKER GARAGES

I am Kathleen Treat, chair of the Hell's Kitchen Neighborhood Association. We are 400 strong and our membership is growing every day.

~~80 utary office towers will take our sky and our river away from us.~~

The Hell's Kitchen Hudson Yards Alliance

~~Our~~ plan for the ~~forty square blocks of the~~ Hudson Yards includes much more green space, much more open space. It's a user-friendly plan for ***rational*** growth, with equal parts housing to commercial space.

Yorkville and Gramercy Park used to be real New York neighborhoods, with their own distinctive character. Hell's Kitchen is still a ***real*** neighborhood. We have a shoe repair that's been on 9th Avenue since the second world war. For fifteen years I've bought my fish from the same shop, and I have a favorite butcher, too. ~~When I walk down the street I can chat with friends and neighbors. I can have coffee at the Cupcake Café – a one-of-a-kind treasure – not a faceless franchise.~~

~~We have something that~~

Hell's Kitchen is New York City's history.

communities

We don't reject growth – we want it to be on a human-scale, and we want what all ~~neighborhoods~~ need: mixed-use buildings, playgrounds, ***genuinely*** affordable housing, good schools, a soccer field, streets safe for pedestrians.

need

We ***don't*** ~~want~~ a stadium.

Daniel Gutman
407 West 44th Street
New York, N.Y. 10036
212-586-3888

October 4, 2004

Emil F. Dul, P.E.
Principal Engineer, MTA-NYCT
2 Broadway, 2nd Floor
New York, New York 10004

Robert Dobruskin,
22 Reade Street, Room 4E
Director EARD, NYCDCP
New York, New York 10007

Dear Messrs. Dul and Dobruskin,

I submit the following comments on the draft generic environmental impact statement (DGEIS) regarding the Hudson Yards proposal (CEQR No. 03DCP031M).

Air Quality Analysis

1. According to the EIS, air pollutant emissions from the Lincoln Tunnel portals contribute minimally to concentrations at sidewalk level. As the EIS puts it: "Since the portals are below street level, their impact at street-level sidewalk receptors would be minimal" (DGEIS, p. 21-33). This conclusion is apparently an interpretation of modeling results, rather than a consideration based on the physics of the situation. The problem, however, is that the modeling results are wrong.

   The Lincoln Tunnel ascends to an exit plaza that varies from about 30 to 20 feet below street level (not 40 feet as claimed by the EIS). The 38th and 39th street sidewalks are atop of the walls of the exit plaza. Vehicles leaving the tunnel create jets of air that carry pollutants into the exit plaza. The walls of the exit plaza confine the pollutants, permitting them to rise to street level before being dispersed by the wind. Pollutants are thus at the same level as the sidewalks when they are picked up by the wind, causing relatively high concentrations on adjacent sidewalks.

   The dispersion model chosen for the task, Industrial Source Complex (ISC3), is unsuited for this situation because it was developed for industrial sources, not highways. The ISC3 model was not designed for and cannot correctly portray the physical relationship between the Lincoln Tunnel portals and nearby sidewalks. Using ISC3, the EIS modeled sidewalk receptors as elevated points in space, failing to account for the walls of the exit plaza. In

doing so the EIS assumes that pollutants can bypass the adjacent sidewalks by traveling through the walls of the exit plaza and then through the ground under the sidewalks. That obviously absurd assumption led to the incorrect results and "explanation" quoted above..

The EIS should have used a more appropriate dispersion model, one designed for depressed sections of highways, such as EPA's HIWAY model or CALINE3, the prototype for CAL3QHC, the dispersion model the EIS used for all other street and highway segments.

2. The EIS does not use DEC's guidance value for significance of annual PM 2.5 impacts of 0.3 $\mu g/m^3$. Rather for stationary sources the EIS uses a value of 0.1 $\mu g/m^3$ averaged over a one square kilometer area, a criterion that is likely to be less stringent than the DEC standard for sources with short stacks and little plume rise. Since most of the stationary sources the EIS examined are in that category, the EIS fails to disclose the full extent of risks to public health.

3. The Lincoln Tunnel ventilation building analysis is seriously flawed. The Javits Convention Center expansion will envelop two of the ventilation buildings, and the roof the Javits Center expansion will be almost as high as the ventilation building smokestacks, creating essentially one structure. Nevertheless the ISC3 modeling of ventilation building exhaust does not include the downwash effect of the Javits Center building on the plumes from the ventilation buildings. Also receptors on the Javits Center roof are modeled not as locations on a building, but as points in space, an obvious mischaracterization that underestimates pollutant concentrations on a roof next to a smokestack.

4. The stationary source analysis examined receptors on future residential buildings, but not on future commercial buildings (DGEIS, p. 21-35). But commercial buildings have air intake vents that are, in fact, receptors for air pollutants, and those must be examined as well (CEQR manual, p. 3Q-17). If the locations of air intake vents on future commercial buildings are unknown, then an (E) designation should be entered for each commercial site and the DGEIS should state that any future commercial buildings would be subject to an environmental review, possibly requiring a supplemental environmental impact statement.

5. The wall separating the truck marshalling tunnel exhaust from the Twelfth Avenue sidewalk (DGEIS, p. 21-34) would divert the plume either north or south, and there is no wall separating the exhaust from the 41st Street sidewalk. Impacts on the 41st Street sidewalk should be evaluated.

<u>Socioeconomic Impacts and Public Policy</u>

6. The EIS dismisses all concern about secondary residential displacement with the claim that "the Proposed Action would ameliorate increases in rents and property values by substantially increasing the supply of housing" (DGEIS, p. 5-33). This analysis fails to acknowledge the potential demand for nearby residences by the 112,000 workers in the new commercial space. Surely some of those workers will want to live nearby, and it won't take many to overwhelm any "amelioration" and add substantially to development pressure in Clinton and Chelsea.

7. The State of New York has previously recognized that commercial development in nearby

portions of Midtown, such as Times Square, "will undoubtedly accelerate development pressures in Clinton" (see Times Square FEIS, pp. 2-53, 10-101). The State cannot credibly deny that the Hudson Yards proposal, with over three times the commercial space of the Times Square Redevelopment project, will not have commensurably larger negative impacts on Clinton.

8. Higher rents and gentrification in Clinton as a result of development pressure from the Hudson Yards project would also be contrary to public policy (see DGEIS, p. 4-4, and Zoning Resolution §96-00 (b)), an impact the EIS does not examine.

Traffic

9. The EIS appears to have used full attendance at a football game on Sunday or another event on a weeknight, combined with 85th percentile events at MSG and the convention center. The EIS then claims that an 85th percentile event at MSG or the convention center would be unlikely to coincide with a football game. That assumption might be reasonable if all events were randomly distributed. But events are not randomly distributed; for example football games always occur in the fall and winter. Some of the biggest events at the Javits also occur in the winter. The biggest — the Gift Show — takes place in January and could coincide with a football game (see EIS, Appendix S-1).

   The Boat Show is also held in January in combination with two or three trade shows (see EIS, Appendix S-1). The combined Sunday attendance is higher than the 85th percentile convention center event (43,000 vs. 38,000). The same kind of analysis should be applied to events at MSG. For example hockey and football occur in the same season, and both the Rangers and Jets are playing home games this year on November 1, a Monday evening.

10. Future base traffic volumes are derived from existing traffic volumes. Existing traffic volumes are based on counts taken in June, 2003, which probably did not represent an 85th percentile, or higher, day at either the convention center or MSG. Quite possibly nothing was happening at either venue. Thus adding only the incremental changes in 85th percentile convention center and MSG trips to base traffic does not represent simultaneous "major" events, as claimed. The full traffic from 85th percentile events should have been used instead, after subtracting the actual traffic, if any, at MSG and the convention center on those particular June days.

11. The EIS increases background traffic by 0.5% per year up to the assumed build-year of 2025, increasing base traffic by 10.5% over the twenty year period. The analysis was termed "conservative," but in this respect is not conservative at all. In reality EDC expects that the amount of office and residential space projected will be built over a thirty-year period from 2005 to 2035. Over that period background traffic will grow by 16%, not 10.5%. Hudson Yards traffic added to the larger base traffic volumes in 2035 would cause devastating traffic impacts throughout the area. By chosing an early build-year, not supported by economic projections, the EIS failed to disclose the actual traffic impact of the Hudson Yards proposal.

12. The EIS traffic analysis is flawed because it does not fairly portray the extent of current traffic congestion. It is well known that traffic congestion, largely due to the Lincoln Tunnel, currently causes extensive queuing on area streets. Yet the EIS portrays most

intersections as operating well below capacity. For example the intersection of 42nd Street and Ninth Avenue is portrayed as having a level of service of "C" in the p.m. peak hour, with a southbound volume-to-capacity ratio of 0.88, even though it is well known that the intersection operates well over capacity (in modeling terms), causing backups into upstream blocks. Thus there is no spare capacity at that intersection for future increases in traffic. Additional traffic will simply extend the Ninth Avenue queue north of 50th Street.

To take another example, it is absurd to think that northbound Eighth Avenue in front of the Port Authority Bus Terminal at 42nd Street operates at a volume-to-capacity ratio of 0.71 in the p.m. peak hour. There are many more equally ludicrous examples.

13. Although speed runs were promised, the EIS does not disclose the comparison of existing delays with speed runs.

14. Pedestrian safety is an important consideration. The EIS shows that many intersections are already dangerous for pedestrians and bicyclists. To handle additional vehicular traffic generated by the Hudson Yards project, the EIS proposes adding traffic lanes at many intersections. But the EIS does not consider the likely impact on the safety of pedestrians and bicyclists of adding traffic lanes at already dangerous intersections.

Route 9A deck

15. According to the EIS, the Route 9A deck "would result in exceedances of the 24-hour and annual PM2.5 DEP STV guidance for both analysis years at locations along Route 9A near the portals of the covered roadway that would be created by development of the deck." The EIS then speculates that "significant adverse air quality impacts could be avoided through the incorporation of a mechanical ventilation system into the design of the deck, by shortening the deck or by developing two shorter decks rather than one longer deck," but fails to actually do the analysis.

16. According to the Deputy Mayor, the Route 9A deck is an integral part of the stadium proposal. Thus the environmental analysis of the stadium is not complete without the missing air quality analysis of the Route 9A deck. The EIS also fails to provide a complete analysis of the impact of the Route 9A deck and berm on Hudson River Park.

Parking

17. The proposed parking requirement, along with construction of new public garages, would reverse a twenty-year policy originally adopted for traffic control and environmental reasons.[1] The rationale for the current parking policy is the conviction that requiring more parking spaces would simply encourage more traffic to enter the Central Business District, an undesirable result. The EIS failed to consider the full impact on traffic conditions and the environment of abandoning the existing Midtown parking regulation in the entire Hudson Yards area.

18. The Hudson Yards proposal would allow up to 25,000 new parking spaces.[2] This is an enormous

[1] NYC Zoning Resolution, Article 1, Chapter 3, Section 13-00.

[2] The calculation is as follows: 28 million square feet of commercial space, at one parking space per 2,500 square

number, considering that there are only about 140,000 off-street spaces in all of Manhattan south of 60th Street. More parking means more commuter traffic entering and leaving the area, adding to traffic congestion. The EIS based its traffic analysis on the minimum number of parking spaces required by proposed zoning. The EIS thus failed to consider that the maximum allowed number — 25,000 parking spaces — will in fact be built, and it failed to consider the impact that these new spaces would have in attracting even more traffic to the area.

19. On the other hand, the EIS failed to consider that limiting future parking in line with the current Midtown parking regulation would limit traffic in the area. There is no doubt that many vehicular trips have their endpoints at proposed parking garages. Constrain the number of parking spaces and you reduce the number of vehicular trips to the area. Vehicular trips would either be diverted to other areas with spare parking or drivers would be induced, both by scarcity of parking and consequent price rises, to shift to other modes of transportation.

20. The current parking regulation should be viewed as a traffic mitigation measure; it would substitute for proposed mitigation measures that increase the number of traffic lanes at many intersections. The current regulation limits accessory residential parking spaces to 20% of residential units and accessory commercial parking spaces to 100 per commercial building. However the regulation does not prevent conversion of accessory spaces to valet parking, increasing the actual number of parking spaces, and also allows public parking garages by special permit.

21. The EIS failed to correctly count existing parking spaces in the area. Many facilities that use valet parking, and those that add mechanical lifters, actually have higher capacities than the licensed capacity.

22. The following table lists parking facilities that exist, but were not counted.

---

feet, or 11,200 spaces; residential accessory spaces equal 50% of 12,600 dwelling units, or 6,300 spaces. The total number of accessory self-park spaces is 17,500. After construction, developers typically convert garages to valet parking, increasing capacity by 50%. Thus the actual total number of new parking spaces could reach 25,000.

Uncounted Parking Facilities

Name of Facility	Address	License No.	Licensed Capacity	Actual Capacity
Edison Parking	601 West 41st Street	1078818	194	197
Central Parking System	800 Sixth Avenue		45	50
Icon Parking LLC	58-70 W. 37-59-61 W. 36	3429528	150	150
	161-165 10th Avenue	1006124	80	80
	535 W. 19th Street	1026615	70	70
Central Parking of NY	550 W. 37th Street	1099321	37	43
Enterprise 30th Street	505-509 W. 29th Street	1154257	130	70
Parking Corp.	139 West 35th Street	917272	24	30
Cosmo Park	360 W. 43rd Street	1130474	105	120
	476-490 11th Avenue	927315	158	158
Central Parking System	485 10th Avenue	1183132	55	65
Theater Parking	413-419 W. 45th	1001638	100	100
TOTAL				1,133

Sincerely,

Daniel Gutman

Daniel Gutman

September 20, 2004

DEPT OF CITY PLANNING
2004 SEP 22 PM 12:59
ENVIRONMENTAL REVIEW DIV.

Mr. Robert Dobruskin, AICP
NYC Dept of City Planning
22 Reade Street #4E
New York, N.Y. 10007

William C. Ashe
Owner Block 706,Lot 48

re: ULURP No. 040507 MMM
CEQR No 03DCP031M
SEQRA Classification Type 1
Hearing Date 9/23/04
DGEIS Written Public Hearing Comments

Dear Sir or Madam,

I would like to go on record as being opposed to the construction of a stadium above the West Side Rail Yards, for many reasons. As a property owner and landlord, I depend on my property for my livelihood. The plan for redevelopment would condemn my property and take from me my primary source of income, for which I have worked most of my life. In addition it would displace my tenants, who have recently installed their corporate headquarters in my renovated property.

When I hear political officials refer to the "blighted, underdeveloped" west side of today, I think back to the 1970s when young businesspersons like myself bought property in the "Way-West" Hudson Yards area. Back then descriptions of this as a blighted, seedy neighborhood were certainly true. Soon after the Javits Center was built, there were many proposals for rezoning and bureaucratic help for the neighborhood. Sadly, these changes never materialized.

Even so, the neighborhood slowly improved as small business pioneers, like myself, bought property and ran businesses in the area. Their faith in the neighborhood created this improvement. For example, when the parks department planted trees on my block some of the truckers complained it made it difficult to make deliveries. But I was all for the trees, and after the first one planted in front of my building was destroyed by a truck, I had another one planted at my expense. When that one was mowed down I again replaced it at my expense, and that time installed barriers to protect it. It's still there and looks great!

Now the city subsidizing a Stadium for a football organzaton seems fiscally irresponsible. The big winner in this deal will be the N.Y. Jets and the losers will be the vast majorty of tax paying New Yorkers. I am not opposed to progress and redevelopment on the westside,

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www.billashe.com

however building a rarely used football stadium on some of the most valuable ground left in Manhattan is a grave mistake. It would not encourage development, but rather create sporadic traffic nightmares. And where would all these football fans have their tailgate parties? On the

surrounding streets? Or would they simply abandon their beloved team for one that allows them this essential football tradition.

Why not use this site for some mixed use towers, similar to what you have in mind for my block? It wouldn't use taxpayers money, and if you throw in some subsidized housing everyone might be happy (with the exception of one or two individuals and the Jets organization.)

The hosting of the 2012 Olympic games in NYC, however important to some individulals, should not be the keystone in the redevelopment of a vast area of the greatest city in the world. Should the Olympic Committee select New York, I am sure we can create the necessary facilities without the burden of a sports arena in the middle of Manhattan. The recent hosting of the Republican Convention brought midtown to a halt, paralyzed traffic, and gave NYC, for it's residents, the feel of a police state. If a few thousand visitors can do that, what will happen when tens of thousands of visitors from around the world arrive at a midtown facility. In planning the redevelopment of such a large area of New York, it seems very short sighted to connect such development to the dreams of hosting a single event in Midtown.

In conclusion, I do favor redevelopment. I feel re-zoning of the west side is essential. I think creation of open space is also essential. However I am fearful of losing my property where I ran a sucessful business for over 20 years and now depend on it for my livelihood. I have invested a great deal of money in its renovation and through a lifetime of hard work have created a valuable asset upon which I depend. I do oppose the construction of a stadium on one of the most valuable parcels left in one of the, already, most congested urban centers on earth. This project will enhance the fortunes of a limited few at the expense of many hard working small businesses. I favor rethinking the project without the stadium.

Sincerely,

William C. Ashe

cc Emil F. Dul PE
Bernard Flaton Esq.

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470 WEST 24TH STREET 19B
NEW YORK NY 10011-1240
1 212 691 7397

DEPT OF CITY PLANNING
RECEIVED
2004 SEP 28 PM 1:23
ENVIRONMENTAL REVIEW DIV.

26 September 2004

City of New York Planning Commission
22 Reade Street, 4E
New York, NY 10007

Attention: Robert Dobruskin, AICP
RE: DGEIS for proposed Hudson Yards Rezoning and Development Program

Dear Mr. Dobruskin:

I am writing about the proposed Hudson Yards Plan, which was the subject of the public hearing on 23 September 2004, and which I was present at.

It's an ambitious plan, and integrating this western side of Manhattan into the larger flow of city would seem to be based on good intentions. In its sweep, however, the plan seems to gloss over—"bulldoze" might be a more apt word—other considerations important to the life of city and its residents. I speak of quality of life, stability of community, sustainable development, and proper attention to the environment.

In any public policy decision, cost must be weighed against benefits. How beneficial is a decision going to be, and at what cost? And over what time period? If the cost is too high, if they go on for years and years, then obviously the benefits are diminished. And then there is basic matter of who pays for the cost. And who benefits.

Specifically, my concerns have to do with the proposed stadium. First, on a practical level, the quality of life in adjacent neighborhoods—as well as midtown Manhattan—would be

severely impacted by the presence of such a stadium. Imagine the deluge of 60,000 to 75,000 people every other weekend for a Jets game. Consider the traffic tie-ups, the noise, the glaring lights, the trash, the police necessary for crowd control. Consider the burden on electricity, water and sewage, roads and transportation. Think about the loss of parking, the inevitable crime, the mess, the repeated invasion into neighborhood and community life. The social costs are terrible. Would anyone on the Planning Commission want a stadium in his or her neighborhood? I don't think so.

On an economic level, the costs are huge. Who will pay? Not the Jets, after they drop their initial contribution. It will be New Yorkers who will foot the bill, year upon year upon year—not only for the actual construction but also for the maintenance and repairs and police and congestion, roadwork, infrastructure. All this outlay takes away from money that could be better invested in education, which would benefit New Yorkers much more. The Jets will have their tax break; what tax break will New Yorkers get? This is not intelligent, sustainable development. Nor can I imagine that my property values will rise with the presence of a stadium in the neighborhood.

Finally, on an environmental level, a stadium puts dangerous strain on an urban environment already under strain. A stadium would be an environmental insult—to neighborhoods, communities, the borough of Manhattan. It will make huge demands on city infrastructure, electricity, water supply, the sewer system, roads, bridges, and tunnels, and, I repeat, quality of life. Noise, lights, crowds, trash, the influx of rowdies into neighborhoods, the loss of already scarce parking spaces. Things will not be better for this stadium; things will be frighteningly worse. And the costs will only grow year after year.

A stadium does not belong in the city proper. I am a sports fan, but to foist my sports enthusiasm on an unsuspecting neighborhood that will have to pay for it does not seem fair or just or socially responsible. Construct a stadium where it is appreciated by all.

Sincerely,

Elmer Luke

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TESTIMONY PRESENTED BY BARBARA ZUCKER, CHAIR HOUSING AND PLANNING COMMITTEE

BEFORE THE CITY PLANNING COMMISSION REGARDING HUDSON YARDS ULURP APPLICATION

DATE: SEPTEMBER 23, 2004

The Women's City Club of New York is an 89-year old nonpartisan advocacy organization concerned with a broad range of public policy issues in New York City. Our hundreds of members are dedicated to making New York City a better place in which to work and live. We recognize that the development of Hudson Yards is a unique opportunity to create a vibrant mixed-use community in mid-Manhattan fronting on the Hudson River. Because of the scarcity of large potential development sites in Manhattan, and the major capital investment involved, it is essential that we "get it right."

Affordable Housing. One of the Women's City Club's long-standing concerns is the lack of affordable housing in New York City. In June 2004 we published a report, "New York City's Affordable Housing Crisis, What Can Be Done?" We noted that while there are a number of programs with various incentives to encourage development of affordable housing, these are voluntary and temporary.

We believe that affordable housing must be made an integral and mandatory element of all residential developments constructed with government assistance, whether the assistance is in the form of tax subsidies or abatements or Brownfield cleanup or upzoning.

Founded in 1915, the Women's City Club of New York is an independent, nonpartisan, nonprofit advocate wor
to make New York City a better place by shaping public policy and encouraging citizen involvement in governı

Only 3% of the Hudson Yards area is currently zoned for residential use. The zoning amendment in the ULURP application proposes that density in Hudson Yards be greatly increased. If adopted, the Department of City Planning projects that it would result in a likely 30-year build-out of 12 million square feet of residential development, in the form of 12,600 new residential units. However, not one single housing unit of those 12,600 need be affordable. That is left entirely up to the developers. Those who choose to build so called 80/20 houses will receive an additional benefit – greater density through an increased FAR. But it is entirely voluntary, and the affordability is for a limited period of time. We submit that the upzoning should mandate that a portion of the housing be affordable to low and middle income residents.

More Flexible Zoning. The major portion of Hudson Yards, some 28 million square feet, is to be zoned for commercial use. Even taking into account the extended build-out period, some economists question whether the area can really support this much additional commercial space. In view of the uncertainty, we suggest that a portion of the rezoning be sufficiently flexible that it permit either commercial or residential use, depending on future demand.

Financing. The original agreement between New York City and the Battery Park City Authority provided for payments to the City to be used for affordable housing. Nevertheless, most receipts have gone into New York City's general revenue fund. Now the City is proposing to use reserve funds from the Battery Park City Authority for its share of the infrastructure improvements in Hudson Yards. We oppose such diversion of funds.

Football Stadium/Convention Facility. The Women's City Club does not believe that a stadium belongs in midtown Manhattan where it would create traffic, noise and air pollution. Moreover, a structure equivalent to a 30-story building would block both visual and physical access to the Hudson River. There are other possible locations for an Olympic Stadium in New York or New Jersey. There are no other vacant waterfront locations of similar size in mid-Manhattan.

In addition to the very substantial cost of the infrastructure for the multi-use facility, there is a quality of life cost for our residents. The proposed financing plan includes sale of development rights in return for permitting developers to build with greater density. Absent a stadium, a redeveloped Hudson Yards would likely still include a platform over the rail yards. However, without a need for $225 million to pay for a retractable roof, the Department of City Planning might be less generous with density bonuses.

Javits Convention Center. We do support expansion of the Jacob K. Javits Convention Center. For many years there have been complaints that the existing convention center is too small to attract large meetings and multi-day events. Conventioneers bring needed revenue to New York City. With the planned adjacent hotel and more convenient subway access, the expanded Javits Center should attract additional convention business.

As a State project built on State land, there is little provision for public comment on the particulars of the Javits Center expansion and little oversight on its implementation. Despite the lack of input, New York City is expected to contribute $350 million towards the cost of the Javits Center project. As previously noted, we particularly object to the use of Battery Park City funds for that contribution since Battery Park City surplus was supposed to be earmarked for affordable housing.

Transportation. Lack of public transportation has been a major impediment to the development of Hudson Yards and full use of the Javits Center. We believe that the proposed two-step extension of the #7 subway line would improve access and is likely to speed up development. As an interim solution, we suggest the MTA provide more frequent bus service on the 42nd Street corridor, such as bus-only or express bus lanes. And to improve access from the west, we support plans to increase ferry service from New Jersey.

News from ...

[~~Dat~~ (Rec'd 20 Oct 04)
→ Kong (Lundy
J Brown (PB Team)

SENATOR THOMAS K. DUANE

29TH SENATORIAL DISTRICT • NEW YORK STATE SENATE

Testimony by New York State Senator Tom Duane At the City Planning Commission Hearing

Thursday, September 23, 2004

I am the New York State Senator for the area affected by the proposals before you today. Many have already highlighted the flawed elements of the Mayor's proposal. I have already presented testimony before the Economic Development Committee of the New York City Council and at the Borough President's hearing on this important topic (which I have attached), so today I will simply highlight the most important reasons why this proposal should be rejected.

- Twenty-eight million square feet of office space is excessive, especially with the new construction and development in Lower Manhattan and Downtown Brooklyn. These potentially enormous office towers will create a wall that prevents residents and visitors from enjoying the many wonderful things on the West Side. Office space should be included in the rezoning, but it should be part of a mixed-use plan that includes space for small and emerging businesses as well.

- No comprehensive plan exists for developing affordable housing. Temporary 80-20 deals are not acceptable. While 421A and J51 type proposals are flawed, they can be used as a starting point for providing permanent affordable, low income and special needs housing. Penn South provides one excellent blueprint. I would ask Mayor Bloomberg: *where is your housing plan*?

- The plan displaces my constituents--residents and business people who, sadly, the Mayor thinks are expendable for a stadium and

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excessive office space. Many of the small and medium-sized businesses that provide essential products and services to Midtown either own their property outright or pay reasonable rents and they have invested heavily in their spaces. These important businesses would be forced to leave. In addition to the spaces and buildings being well-suited for either their industrial or commercial uses, because they have been designed and renovated over the years to maximize their efficiency and economy, the costs to these businesses to relocate would be too great. This uprooting of local businesses is unacceptable. We will be losing them and the jobs they have created forever.

- Some of the buildings should be considered for landmark protection.

- The traffic and pollution is already terrible in Midtown and the West Side. Under the Mayor's proposal, which revolves around a stadium and not smart, responsible development, the environment will only get worse. And already, choking traffic prevents businesses from bringing materials into the City and exporting products out of the City. In addition, the serious environmental effects of all that traffic will have to be dealt with.

- There is no public oversight of government spending and public financing. If we are going to spend all this money, let's improve our sewage treatment plants, schools, and parks. Also, our firefighters, teachers, and police officers, etc., should not be used as collateral for a loan to advantage the Jets. We should be able to pay these valued public servants a fair wage, deal with the City's infrastructure needs, and not pay the bills for a wealthy sports team.

- The Javits Center should be expanded and I support that aspect of the plan, but the Stadium is completely unacceptable.

- By far, more important than building a stadium, is creating work and living spaces for artists and those working in the fields of art, theatre, dance, etc. Also, venues for performances and artistic expression deserve public support.

- I want to express my agreement with Community Boards 4 and 5 that the scale of the Mayor's proposal is too big.

- The Sanitation and Tow Pound facilities must be placed below ground!

- Building an extension of the #7 line is of secondary importance to creating the Second Avenue subway.

In conclusion, the stadium is unacceptable and the Mayor's proposal should include lower density and mixed zoning, not unneeded mammoth office towers. The Mayor's proposal should also include affordable and low-income housing, open spaces, and parks across the area. I urge you to vote no.

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DIRECTOR
Steven L. Newman Real Estate Institute

October 4, 2004

The Honorable Amanda Burden
Chair, City Planning Commission
Director, Department of City Planning
22 Reade Street, 6th Fl. West
New York, NY 10007-1216

Dear Ms. Burden:

The Newman Real Estate Institute hereby submits the attached comments with respect to the Draft Environmental Impact Statement for the Hudson Yards.

The Institute is primarily engaged in real estate education and research. Typically, we do not participate at this level of detail in a specific planning project. However, the breadth of the City's goals and the scope of its proposals for the Far West Side embody a boldness and vision that we have long urged as necessary for the future of real estate and development in New York. We are therefore anxious to see the City's efforts succeed and offer these comments in support of those efforts.

We propose an alternative design approach focused primarily upon relocation of the Javits Convention Center in an east-west orientation. Guided by this concept, we have developed a series of alternative scenarios demonstrating that this approach can work with and without the Olympic sports stadium and with and without a relocated Madison Square Garden.

It is our conclusion that, if one critical element of the City's proposal is changed – i.e., the orientation of the Convention Center -- the prospects for a win-win outcome on the Far-West Side are very good indeed.

The problem is not, as some have argued, that the City has proposed building an Olympic quality sports stadium. There are both pluses and minuses to such a stadium. However, the City's current proposal makes the stadium the centerpiece and driver of Far-West Side development. In our view, no sports stadium has ever successfully played such a role, and we are not persuaded that the current stadium proposal will be the exception to that rule.

As proposed, the stadium further walls off the Hudson River waterfront. It boxes in the Convention Center, forcing it to expand two directions that, however successful, will still leave the City with an aging and relatively inaccessible 1970's monolith that will negatively impact nearby development.

Moreover, focus on the stadium discourages more efficient and beneficial use of the MTA Hudson Yards site, including the potential for the stadium. Because the

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City's current design does not provide for the more sophisticated transport links embodied in our proposal, it mandates the immediate construction of an extension of the #7 Flushing line, dramatically increasing funding risks.

The City's current proposal also falls short in meeting the need for a world-class convention facility. The design flaws in the existing structure, including the lack of large column-free spaces, are not addressed. While the total amount of exhibition space would be increased, this total would still fall short of competing facilities. And, since the basic location would not change, the facility would remain isolated from the New York urban experience. In addition, the facility would be a construction site for years, rendering its utility during that period marginal at best.

Instead, we propose an alternative that makes a new Convention Center, rather than a new stadium, the centerpiece of Far-West Side development, while still preserving the option to build an Olympic quality sports stadium in a timely manner. We propose to build the new Convention Center over the MTA Yards, running east to west from the new Moynihan Station on 9th Avenue to 12th Avenue. Commercial development at the street level, and major new office and hotel space, would be an integral part of the project. Transportation would be provided by an automated rapid transit loop running between 7th and 12th Avenues along 30th and 34th Streets, with a moving walkway link to 6th Avenue, providing direct access between the Penn Station transportation hub, the three west side subway lines, and the new Convention Center and stadium.

During construction of the new Convention Center, the existing Javits facility would be fully available for use. After the new Convention Center is completed, the existing Javits Center would be torn down, opening up the Hudson River waterfront in the 30's and enabling the entire neighborhood between 10th and 12th Avenues to be redeveloped in a rational and appropriate manner.

This approach provides significant incremental benefits to the City. It provides a 21st Century convention facility combined with extensive retail and commercial development that will be an integral part of the urban fabric of the West Side. The east-west axis of development organically links the Far-West Side to Midtown. It provides efficient, economical and superior transportation connections, allowing the No. 7 line extension to be viewed in the context of the overall MTA capital program.

In addition, the proposed alternative offers a more sustainable program of commercial development with less market risk and a more neighborhood-compatible program of residential development. Opening up the West Side waterfront between 30th and 42nd Streets would add billions of dollars of development potential to adjacent real estate and create a dramatic new urban amenity for the City.

Finally, the benefits of the proposed alternative will come on line faster, cost less, present less risk to public finances, pose less development risk, and will have less adverse impacts on the environment than any other action or alternative currently being considered. In our view, the proposed alternative is the best way to meet all of the City's goals for the Far-West Side.

With respect to the stadium, our alternative includes a potential site on the skypark level of the new LandBridge infrastructure. This location would remove it from the at-grade street grid, minimizing the potential for negative effects on nearby development, take advantage of the new rapid transportation loop, clarify the division of funding responsibility between the public and private sectors, and avoid management conflicts between stadium and convention uses inherent in the City's current proposal. The proposed alternative offers options with and without a stadium, allowing the stadium decision to be made independently of the fate of the entire Far-West Side.

In closing, we believe that the alternatives included herein have a practical boldness that suits the strategic boldness of the City's development goals. Currently, none of the numerous alternatives in the Draft EIS includes a different use of the MTA Yards site. Consideration of the alternative approach proposed in these comments would address that issue and offer a benchmark against which to weigh the City's current proposal. By considering an alternative use of the MTA Hudson Yards site, we believe this approach offers a true win-win solution that can turn the City's vision for the Far-West Side into reality.

We know that you will give our comments your most careful review and consideration. If the alternatives proposed herein better meet the City's goals and objectives, they should be selected as the preferred alternative.

Thank you for the opportunity to comment on this most important planning initiative.

Yours truly,

Henry Wollman
Director

NATIONAL RAILROAD PASSENGER CORPORATION
30th Street Station, Philadelphia, PA 19104

Floor 5S, Box 25

AMTRAK

Record 13 Oct 04 Dob/Kong/Lundy P McGrade/S. Singh J Brown (PB Team)

October 8, 2004

Emil F. Dul, P.E. Principal Engineer
MTA NYC Transit
MTA Capital Construction
2 Broadway, 8th Floor
New York, NY 10004-2207

Robert Dobruskin
Director Environmental Assessment and Review Division
NYC Department of City Planning
2 Broadway, 8th Floor
New York, NY 10004-2207

Re: Final Scoping Document for the Proposed No. 7 Subway Extension- Hudson Yards Rezoning and Development Program Draft Generic Environmental Impact Statement

Gentlemen:

Please refer to your letter dated May 26, 2004 to Walter Ernst, General Superintendent of Amtrak's New York Division. Please be advised that I have circulated copies of the Final Scoping Document/ Generic Environmental Impact Statement, which was attached thereto, to the various departments here at Amtrak.

I have compiled their various responses and comments, and they are listed on the attached pages.

I hope you find this information helpful. I can be reached at (215) 349-1959, if you require additional information.

Sincerely,

Sheila Mary Sopper

Sheila Mary Sopper
Project Director
Amtrak Real Estate Development Department

Amtrak Comments to the Final Scoping Document for the Proposed No. 7 Subway Extension- Hudson Yards Rezoning and Development Program Draft Generic Environmental Impact Statement:

AMTRAK PROPERTY DESCRIPTION

Note: All references to streets are to "West", i.e. "32nd Street" means "West 32nd Street"

Westside Connection (Empire Line)- Hudson Yards- NYC Project

Amtrak has a perpetual easement for its Railroad Right of Way, the width of which varies from block to block and has certain upper limiting planes in the general area of the proposed Hudson Yards Project, additionally, between 33rd Street and 34th Street it has an upper and a lower limiting plane.

At 32nd Street (a paper street), between 10th Avenue and 11th Avenue, Amtrak owns two parcels of land in fee. These parcels are referred to as Amtrak's 11th Avenue Shaft.

The first parcel is on the north side of 32nd Street, approximately 125 feet east of 11th Avenue. This parcel has fifty feet of street frontage and a depth of forty feet. This parcel is subject to certain overhead rights as held by others.

The second parcel is also on the north side of 32nd Street, approximately 111 feet east of 11th Avenue. This parcel has fourteen feet of street frontage and a depth of forty feet. This parcel is also subject to certain overhead rights as held by others.

Following are the widths and the upper limiting planes of Amtrak's ROW.

Width of Amtrak ROW

33rd to 34th - 24'- 6" width, and then a variable width

34th to 35th- variable width

35th to 36th- 44'-11.75 "

36th to 37th - 56' wide

37th to 38th- 56'wide

38th to 39th- 56' wide

41st to 42nd- 74.5' wide

Upper Limiting Plane of Amtrak ROW

At the North line of 33rd Street Amtrak's Easement contains an envelope of property that, at its highest point, is at "Plus 5.82, according to NYC Datum"; and at its lowest point is at "Negative 18.88, according to NYC Datum". This is a Tunnel.

At the South line of 34th Street Amtrak's Easement contains an envelope of property that , at its highest point, is at "Plus 7.12, according to NYC Datum"; and at its lowest point is at "Negative 17.58, according to NYC Datum". This is a Tunnel.

From the North line of 34th Street to the South line of 35th Street, the Amtrak easement is presently overbuilt with suitable clearance.

Amtrak has an easement from the Convention Center, referred to as "The Easterly Easement" in Amtrak's records. At the north line of 35th Street, this easement grants Amtrak an upper limiting plane of 18'6" above top of rail.

At the North line of 36th Street, Amtrak's upper limiting plane is at "Plus 27.86, according to NYC Datum".

At the South line of 37th Street, Amtrak's upper limiting plane is at "Plus 26.14, according to NYC Datum".

Note: clearance at south side of 37th Street is at 19.22 ' above top of rail.

At the North line of 37th Street, Amtrak's upper limiting plane is at "Plus 25.66, according to NYC Datum".

At the South line of 38th Street, Amtrak's upper limiting plane is at "Plus 23.99, according to NYC Datum".

Note: clearance at south side of 38th Street is at 18.79' above top of rail.

At the North line of 38th Street, Amtrak's upper limiting plane is at "Plus 23.61, according to NYC Datum".

At the South line of 39th Street, Amtrak's upper limiting plane is at "Plus 21.86, according to NYC Datum".

Note: clearance at the north side of 39th Street is at 18.28' above top of rail.

41st to 42nd- has been overbuilt at approximately 18' to top of rail.

Note: overhead clearance at south side of 41st Street is 18.26' to top of rail and at south side of 42nd Street is at 18.08' to top of rail.

Clearance information was taken from West Side Connection grading & drainage track construction plan dated 8/1/1988 W. 37th to Harlem River.

In addition, according to power point presentation sent to Amtrak by NYC, a planned pedestrian ramp will run beneath Amtrak ROW in the bed of 41st Street (for new subway).

Note: 11th Ave. & 10th Ave are 100' wide streets, also 34th and 42nd Streets are 100'wide. All other existing streets intersecting the Hudson Yard project are 60' wide streets.

GENERAL COMMENTS

Concerning the elimination of 32nd Street from 10th to 11th Avenues (paper street) Amtrak's Northeast Corridor is located under and within the lines of the street. Amtrak's continued rights within the former street lines must be protected. Amtrak has fee ownership of a parcel on the north side of 32nd Street east of 11th (11th Ave shaft parcel); see Amtrak Val map 295 for location. The elimination of 32nd Street would technically land lock this parcel. The LIRR yard was developed at this location and an evacuation tunnel was built leading from the 11th Avenue shaft parcel to a set of stairs which leads to the street level at 33rd Street (located on south side of 33rd Street approximately 299' west of the westerly line of 11th Avenue).

Another issue is the proposed new stadium proposed between 12th and 11th Avenues located between 31st and 33rd. Amtrak's Northeast Corridor Mainline is in a tunnel within the lines of 32nd Street (not physically open between 12th and 11th Avenue).

The proposed grade changes on West 33rd Street will affect Amtrak's access to the present evacuation tunnel from the Northeast Corridor Mainline. The City's preliminary plans show a physical elevation of approximately +21.00 as top of curb opposite the street level entrance to this evacuation tunnel. The plan shows a proposed elevation of 31.50. This represents raising the existing street 10.5 feet at this location. Access to Amtrak's evacuation tunnel must be preserved.

Important item: Amtrak vehicular access across Convention Center property to the Empire Line Ventilation Shaft, to the C & S Electrical Substation, and to the Westside ROW must be preserved. This access is thru a gate located on the north side of 33rd Street East of 12th Avenue.

In addition, Amtrak's existing tunnel easement between 33rd and 34th along westerly side of 11th Avenue contains special provisions for any construction that is closer than 20 feet to the existing tunnel easement.

The elimination of 35th Street between 10th and 11th below a certain plane appears to have no affect on Amtrak ROW. An underground garage is planned in the area of the proposed park and a new street from the north line 34th and the south line of 36th Street. Additional information is needed to see if the entrances to the parking garage will have any impact on Amtrak ROW.

Amtrak has legal access to its ROW from the south side of 38th Street under an agreement dated 4/23/1990 that preserves access when and if the property is developed (i.e. overbuild of r/w). This access must be preserved. The City's preliminary plans do not address this issue.

Amtrak is also affected between 41st and 42nd Streets. This parcel has been overbuilt for some time but the City's project will impact Amtrak by apparently taking down the existing structure and building a park above Amtrak's ROW.

There is no indication in the proposal as to how any construction will affect railroad operations in and out of Penn Station. Any work adjacent to or over the rail lines leading to and from Penn Station must be undertaken in a manner that is least disruptive to rail traffic and is acceptable to Amtrak.

Amtrak's Empire Line, running in a north-south direction, is not shown on the mapping. The alignment for this line is somewhat hampered by adjoining properties and should be improved, if possible. The Empire Line must be included on the mapping. It is important to recognize that utilizing the space adjacent to the Empire Line could restrict any future expansion of this important rail passenger line.

Regarding the proposed Convention Center's use of a portion of the existing Amtrak ROW of the Empire Line; Amtrak needs this area to remain open for Amtrak's access to the ROW for maintenance and repair, etc. Some form of joint use may be possible.

Regarding the proposed Multi-Use Facility & Convention Center expansion, Amtrak will require various agreements with the Convention Center; most importantly to preserve Amtrak's access.

Regarding the proposed Truck Tunnel adjacent to Amtrak's Empire Line and in the Wye Track area under the Mercedes Benz property, Amtrak requires this property for its own access to the railroad ROW for maintenance and repair purposes, and emergency ingress and egress. Furthermore, it is not clear that Amtrak can grant permission for use by the Convention Center as Amtrak's perpetual easement is for "railroad purposes".

Regarding the proposed underground garage, we do not have enough information to determine any impact on the Amtrak ROW.

All Amtrak and third party cables and conduits must be identified, protected and/or relocated by the developers. Amtrak to retain any and all easements and licenses relative to any and all fiber optic, cable or pipe and wire occupancies.

In general, Amtrak does not object to the concept of public and private construction over its railroad right-of-way, as embodied in the Hudson Yards plan. Provided that Amtrak's requirements regarding various issues are adequately addressed in appropriate agreements, we believe that development over Amtrak's railroad right-of-way in the Hudson Yards area can proceed consistent with the Commission's planning objectives. These issues that must be addressed in appropriate agreements include clearance, access (both to the railroad right-of-way and to the pedestrian evacuation tunnel that currently leads to a stairway on the south side of West 33rd Street between 10th and 11th Avenues), ventilation, emergency access and egress, security systems, lighting, design, construction, maintenance, indemnification (including environmental indemnification), insurance, payments (e.g., for engineering design review, temporary permits to enter, railroad protection and standard Amtrak Engineering charges), fire detection/suppression and other fire and life/safety (F&L/S) issues (including F&L/S expenses that may arise due to the right-of-way being covered). With specific regard to F&L/S, the F&L/S systems must comply with guidelines of the National Fire Protection Association, be coordinated with the New York City Fire Department and Amtrak, and be designed and installed so that control is integrated with Amtrak's planned and existing F&L/S control system.

- Amtrak's Empire Connection tracks are main tracks, not side tracks. The standard minimum horizontal clearance distance from centerline of track to a permanent structure is 18'-0" for tangent level track plus additional clearance for track curvature and superelevation per Amtrak Standard Track Plan Minimum Roadway Clearances AM 70050G.

- The project to provide Amtrak standard horizontal and vertical clearances within the limits of the Amtrak's perpetual easement. Plans must clearly define the horizontal and vertical limits of Amtrak's perpetual easement relative to all proposed minimum horizontal and vertical clearances in both Plan and Elevation views.

- Life safety measures including lighting, fire protection standpipe, egress and mechanical ventilation must be included per NFPA Standard 130 and Amtrak Engineering Practice 4006, Overbuild of Amtrak Right-of-Way Design Policy.

- Two-way radio coverage for railroad operations must be maintained. This includes train to wayside, police and maintenance of way systems. The current radio coverage will be affected by "closing in" the tracks by the overbuild. The developers must design and implement a system to ensure R-F coverage.

- Plans must show the existing and proposed drainage adjacent to the railroad tracks. All storm water and any de-watering operations must be directed away from the railroad right-of-way.

- Amtrak's Empire Connection tracks are electrified from Penn Station New York to approximately W. 42nd Street. The developers must retain a qualified Electrification Consultant to design details of any required modifications to Amtrak's overhead catenary system through the overbuild. Design must comply with Amtrak Specification AED-1, Procedures and Design Criteria to be Employed by Electrification Consultants Engaged in the Design of Electrification Facilities on the National Railroad Passenger Corporation.

As is the case with regard to any complex construction proposed over its right-of-way, Amtrak will require reimbursement for project management. A project manager will be required to monitor construction, coordinate operations, manage Amtrak's work force and insure that all required documentation is submitted to Amtrak upon completion of the project. Discussions with the City or private developers concerning specific design and construction issues associated with individual projects, and negotiation and execution of appropriate agreements, can proceed once such projects are proposed in accordance with the new zoning and land use regulations.

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October 4, 2004

Recieved 04 Oct 04
~~Kong~~ / Dul / J. Brown BB

City Planning Commission
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New York, New York 10007
Attn.: Robert Dobruskin, AICP

Metropolitan Transportation Authority
2 Broadway, 2nd Floor
New York, New York 10004
Attn.: Emil F. Dul, P.E.

Re: Hudson Yards Draft Environmental Impact Statement

Dear Messrs. Dobruskin and Dul:

These comments on the No. 7 Subway Extension Hudson Yards Rezoning & Development Program Draft Environmental Impact Statement ("DEIS") are submitted on behalf of Madison Square Garden LP.

Though these comments are being written within the announced comment period, it is not possible to submit an adequate set of comments at this time. There are two reasons for this. First, the DEIS is so inadequate and deficient, and so lacking in the material required by the Final Scoping document "(Final Scope") that was adopted in May 2004 by the joint lead agencies, that a fully informed set of comments is not possible. The joint lead agencies should have completed the DEIS as per the Final Scope before releasing it, and they should now prepare a supplemental draft environmental impact statement that fully conforms to the Final Scope and circulate it for another round of public hearings and written comments before proceeding to prepare the final EIS.

Second, my office filed extensive requests under the Freedom of Information Law in July 2004. The City and the MTA did release certain traffic data, but they did not release other documents until 2 p.m. on Wednesday, September 29 – just two and one-half business days before the expiration of the comment deadline. A very small number of documents were released, and most of them were so heavily redacted that little relevant information was provided. We were told that additional documents would be forthcoming, but we were not told when that would occur. On Friday afternoon, October 1, at about 4:30 p.m., we received another slender packet of documents -- every one of them completely redacted except for the "From", "To" and "Re" lines. This appears to be an attempt to shield important information from public review during the public

comment period. We reserve the right to submit additional comments after the comment period to the extent that additional documents are provided and they shed light on this adequacy or contents of the DEIS.

Traffic

The DEIS presents tables (not described in the text) showing that traffic congestion will be off the charts – worse than ever predicted for a project in New York City. Even after implementing all mitigation measures, numerous intersections will have "> 300" seconds of delay, meaning that motorists will have to wait more than five minutes to get through. Gridlock conditions will go as far as the Queens Midtown Tunnel. The worst times are before Monday night football games, and after Sunday afternoon football games.

These projections of extreme congestion in fact underestimate the congestion that will occur. For one thing, they are based on a complete misrepresentation of the modal split that would characterize travel to and from the stadium. Enclosed as Exhibit 1 is a report by Sam Schwartz LLC concerning the modal split at Madison Square Garden, which is the best indication of the likely modal split at the stadium.

The DEIS also greatly underestimates the extent to which, especially on football game days, the parking capacity of Manhattan will be consumed, and parking will be unavailable for other users. The principal methodological errors in the traffic and parking analyses are discussed in the accompanying Exhibit 2, a report from Orth-Rodgers & Associates Inc. The FEIS should address and correct each of these errors.

The DEIS assumes that all streets in the study area are open and available to traffic. Especially on Sundays, many streets are closed because of street fairs, parades, foot or bicycle races, and other such events that form an important part of the fabric of life in New York City. Much road maintenance work is also performed on Sundays. The DEIS should analyze traffic conditions taking account of all these kinds of street closures. If the plan is to prohibit such street closures on football game days, the number and nature of events and roadway maintenance that would have to be cancelled or rescheduled should be disclosed. The extent to which football fans will be allowed to "tailgate" on Manhattan streets, and the effect on traffic conditions, should also be explained.

The DEIS assumes that many people will travel to and from the stadium by bus, including many private, commuter and charter buses, but it ignores where those buses will park during games. The number of buses that would be utilized (consistent with the DEIS projections) should be stated, and where they will park should be revealed.

The Final Scope (page 27) promised "[i]dentif[ication] and evaluat[ion of] feasible measures to mitigate significant adverse traffic impacts." Only a very incomplete set of mitigation measures was provided in the DEIS; full mitigation was deferred to the FEIS.

The Final Scope (pages 26-27) promised a presentation of "travel speed and delay runs," which are conducted by driving vehicles along "selected routes." This was not provided in the DEIS.

Additionally, the FEIS should provide this information:

1. Describe the traffic conditions that will occur at the New Jersey approaches to the Lincoln Tunnel, Holland Tunnel and George Washington Bridge, and at and near New Jersey ferry terminals, before Jets games.

2. State the number of stadium users who will exit the stadium by utilizing the High Line and the time period when they will do so. Explain how the number of such persons compares to the capacity of the High Line to handle this degree of pedestrian flow.

3. Describe the effect of Sunday football games on the ability of persons attending Sunday matinees in the Theater District, or other entertainment events in midtown Manhattan, to find parking spaces.

4. State how many visitors are expected at the largest events at the Convention Center after its expansion is completed.

5. Analyze the traffic and parking conditions that would occur when a football game coincides with the largest events at the Convention Center (subsequent to the expansion), sold-out events at Madison Square Garden and Radio City Music Hall, and other sports and entertainment venues in the study area.

6. Describe the environmental impacts of any traffic mitigation measures, such as reversing the direction of avenues or streets, restricting other uses of streets (such as street fairs and other events), altering the lane configuration of Route 9A, or otherwise.

7. Describe the effect of traffic congestion during peak hours on the response times of emergency vehicles, and the safety effects of associated delays.

Transit Congestion

According to the DEIS, subway congestion will cause long lines to get up and down stairs at many subway stations, including Times Square and Grand Central, even after the MTA has added stairways and sped up escalators. Many areas would be operating at more than twice the volume/capacity ratio, meaning that long lines would develop for riders seeking to go up or down a stairway or through the turnstiles.

The FEIS should provide this information:

1. A quantitative analysis of the queues that will occur at subway stations, including but not limited to the Times Square and Grand Central stations, during peak hours in the analysis years.

2. The capacity of the MTA to finance the construction of both the No. 7 Line extension and the Second Avenue subway. This analysis should describe the capital expenditures that would be required each year, from 2005 through 2025, for each project, and the anticipated sources of these funds. To the extent that these funds are derived from bonds or other long-term instruments, the annual debt service for the years 2005 through 2050 should be stated.

3. The effects on traffic and transit conditions in the event that: a) the No. 7 Line extension is not completed; b) the Second Avenue subway is not completed; and c) neither is completed.

4. The costs and feasibility of mitigation measures to reduce subway congestion, such as construction of stairways and escalators, and the approximate time frame in which this mitigation would be provided.

Air Pollution

The DEIS predicts that levels of particulate matter (PM10 and PM2.5), which are major causes of asthma, will increase. Many of the numbers exceed the primary National Ambient Air Quality Standards, meaning they are unhealthy. The DEIS states that a more refined methodology will show levels that comply with the standards, but figures are given for only one of the many locations where violations are shown. Moreover, though the DEIS analyzes both mobile sources (such as cars and trucks) and stationary sources (such as power plants and factories), it does not add them up. Thus it conceals the possibility of far worse air pollution conditions. A cumulative analysis of the combined effect of stationary source air pollution and mobile source air pollution should be provided.

The FEIS should explicitly state how the project achieves general conformity with the requirements of the Clean Air Act, how it achieves transportation conformity with the requirements of the Clean Air Act, and whether it is consistent with or will require modifications to the State Implementation Plan. Any communications on these subjects with the U.S. Environmental Protection Agency (EPA) or the New York State Department of Environmental Conservation (DEC) should be discussed.

The FEIS should specify how heating and cooling will be provided, and whether any facilities (such as boilers) will be installed that will require air pollution permits under Title V of the Clean Air Act or air pollution permits from DEC or from the New York City Department of Environmental Protection. If any such permits are required, the emissions of these facilities should be discussed and should be included in the cumulative air pollution impact analysis. The timing and nature of the Title V permit and any other air pollution permits should be discussed, together with the anticipated conformance of the facilities to the applicable permit requirements.

A map identifying the parcels that have received or will receive "E" designations as a result of air pollution conditions should be provided.

Air pollution and water pollution issues are further discussed in the accompanying comments from ENVIRON International Corporation, Exhibit 3.

Ferries

The DEIS traffic analysis states that many of the people travelling to and from the stadium will use ferries. The FEIS should provide this information:

1. The total number of people who will use the ferries to travel to and from the stadium

2. The number and sizes of ferries that will be utilized

3. The locations, on both sides of the Hudson River, where these ferries will dock

4. The estimated loading time for the ferries, and their round-trip travel time

5. Estimates of the air pollution that will be emitted by these ferries, and inclusion of these ferry emissions in the cumulative air quality analysis.

Water pollution

According to the DEIS, the amount of sewage generated in the area will go from 1.1 million gallons per day to 8.6 million gallons per day. All of it will be piped to the North River Water Pollution Control Plant in Harlem. That plant has sufficient capacity during dry weather, but not during wet weather. When it rains as much as one/eighth an inch an hour, the plant and the pipes to it lack the necessary capacity. At those times, untreated sewage and other effluent will overflow into the Hudson River at multiple outfalls between the project site and the Harlem plant.

At a time when the City is already out of compliance with federal and state requirements for the elimination and/or minimization of combined sewer overflows (CSOs), the failure to address and mitigate the potential for an increase in CSO events under the Hudson Yards plan is patently inconsistent with the federal Clean Water Act, EPA and New York state policy, and the consent orders that the City has signed with DEC.

The FEIS should state:

1. The average annual number of combined sewer overflow events in the area served by the North River Water Pollution Control Plant.

2. The locations of the combined sewer overflows in the area served by the North River Water Pollution Control Plant.

3. The total number of gallons of sewage generated by the project that will annually be discharged into the Hudson River without treatment in connection with combined sewer overflow events due to the proposed project.

4. The efforts that will be undertaken to mitigate the effect of the proposed project on combined sewer overflows.

5. The minimum rainfall amount that will lead to a CSO event in the area served by the North River Water Pollution Control Plant.

6. The quantity of stormwater that will be stored on-site; the capacity and location of the holding tank(s); and the magnitude of storm whose rainfall the storage system would be capable of holding.

7. The amount of water that will be needed to heat and cool the stadium; where that water will come from (e.g., potable water supply or Hudson River); environmental and infrastructure impacts of this water withdrawal.

8. The conformance of the project to federal and state requirements for management of stormwater and erosion during construction, and the timing and procedures for associated permit applications.

Water distribution

The Final Scope (page 25) promised an assessment of the "effects of the incremental demand of the Proposed Action on the sewer system to determine if there will be a significant adverse impact" and "identif[ication of] mitigation strategies, where appropriate and feasible." This was not provided. There was reference to a "hydraulic assessment" "being prepared" by the City, presumably to be used to identify the areas of the wastewater infrastructure in need of improvements, meaning mitigation strategies could only be determined thereafter. (DEIS at 16-13; 16-18). However, no details were provided.

The Final Scope (page 25) promised an estimate of "the capacity of the distribution system serving the area," but the DEIS did not furnish this and it provided no information about interceptors, elevations, pipe friction, or other factors that bear on capacity. Information was given only about the width of various pipes and certain limited water pressure data, despite admissions that daily water demand will increase from 1.1 million gallons per day to 8.6 million gallons per day, and up to 13 million gallons per day during peak air conditioning periods. (DEIS at 16-1; 16-3 to 16-5).

The FEIS should discuss the costs of providing water service to the project area.

Noise pollution

According to the DEIS, many blocks will be so noisy that, in commercial buildings, openable windows will be banned, and in residential buildings, the City will install double-glazed windows and air conditioners. Most of this noise will come from the added traffic.

The FEIS should provide:

1. A map indicating the locations of areas that have received or will receive "E" designations as a result of noise conditions

2. An estimate of the cost of carrying out the identified measures to mitigate noise impacts, and the sources of these funds.

3. An explanation of the traffic speeds assumed in the noise analysis, and a discussion of how the noise effects would vary if speeds are considerably lower. The noise of honking hours should be included in this analysis.

Hazardous Waste

The long industrial history of the rail yards and the entire area means that many toxic chemicals will be disturbed during construction. Almost no physical sampling has been performed (this has been deferred to the final EIS), but paper records show that many industrial uses once stood at the site of the development.

Current owners of nearly 100 nearby properties will be saddled with notices in their title records, called "E" designations, saying their land is probably contaminated. That will make it very difficult for owners to sell, finance, or insure their properties. The owners will be obligated to spend large sums investigating and cleaning up the land. To the extent that the City condemns these parcels, it will be liable for their cleanup. The costs of this cleanup have not been included in the DEIS.

The FEIS should provide:

1. A map showing the location of the areas that will receive "E" designations as a result of suspected hazardous waste contamination. (A map we have prepared is attached as Exhibit 4.)

2. Estimates of the costs of remediating this contamination.

3. Identification of whether the City or another project proponent will pay for the costs of remediating the contamination, or whether current or former owners or operators of the sites will have to pay these costs.

4. Phase II reports for all the parcels that will be utilized or condemned in connection with the proposed action.

Additionally, a map should be provided identifying all the properties that have received, or will receive, an "E" designation for any reason (hazardous waste, air pollution, noise, or otherwise).

Hudson River Park and Route 9A

The DEIS assumes that the western boundary of construction of the stadium is just east of Route 9A, also known as the West Side Highway. However, in numerous public presentations, the City and the Jets have displayed renderings and made statements indicating that a deck will be built over Route 9A in conjunction with the stadium. The renderings also depict a pier constructed in the Hudson River in conjunction with the stadium. Examples of these renderings and statements are attached as Exhibit 5. The FEIS should present the status of plans to build a deck over Route 9A. The FEIS should disclose the environmental impacts of building a pier, and discuss the permits that it will require.

The traffic analysis assumes that the "neckdowns" in Route 9A will be eliminated, thereby creating a new lane of traffic. This is inconsistent with the plans for Route 9A as analyzed in the environmental impact statement for the construction of that road. The exact alterations contemplated for Route 9A should be disclosed, and the governmental approvals and further environmental analysis required in order to implement them should be discussed.

The DEIS should disclose the impact of the stadium, the proposed deck, and ferry access on the appearance, design and operation of Hudson River Park. The plans for the stadium appear to be inconsistent with the requirements of the New York State statute concerning Hudson River Park.

Electricity

According to the DEIS, the project will consume 309 megawatts of electricity, the equivalent of a medium-sized power plant. No site has been identified for this plant, nor for the two new Con Ed electric substations that will be needed. Utilizing available projections as to the supply of and demand for electricity in New York City, the FEIS should state whether a new electric generating plant is anticipated to be required for this project, and if so where it is likely to be sited, and its air pollution impacts.

The FEIS should discuss the approximate physical dimensions of the required substations and the parameters for their location. In view of the difficulties that Con Ed has recently experienced in locating a new substation in the Chelsea area, the issues that will be posed in siting these substations should be discussed.

Visual Impacts

The FEIS should provide renderings of the appearance of the stadium from various vantage points, as is customary for environmental impact statements for large construction projects in New York State.

Incompleteness of the DEIS

The DEIS indicates that much additional work will be performed in time for the FEIS. Many of these items were included in the Final Scope. The DEIS is the document provided to the community boards, the borough board, the City Council and the other participants in the ULURP process, and it is the basis for the only public comments that will be accepted; by time the FEIS comes out, all opportunities for public comment will have passed.

Exhibit 6 is a document entitled "Promises Made, Promises Broken," listing various items that the Final Scope stated would be in the DEIS, but that were not found there. Each of the items on this list should be provided in the FEIS.

Exhibit 7 is a document entitled, "Quotations From the DEIS Admitting That Critical Information Concerning Significant Adverse Impacts is Missing and Will Not Be Disclosed Until the Final EIS or Later." For each of the items identified here, the missing information should be supplied in the FEIS, and the relevant page number(s) should be identified.

Though the DEIS has Appendices A through Z, there is no appendix B, C, E, F, H, L, or M. Please provide an explanation of what became of these appendices.

Hidden Costs

The financing plan for the Hudson Yards District calls for devoting almost all the new tax and other City revenue resulting from new development on the West Side to the construction of the No. 7 Train extension, new roads and new parks. This means that revenues that the City normally relies on to pay for basic services and facilities will not be available and these costs will have a major impact on City budgets for decades to come.

Because of the diversions, there will be less revenue generated by the project. The revenue streams from new development that have been diverted and will not be available include:

- Real property taxes.

- Sales taxes on building materials.

- The District Improvement Fee.

- Proceeds from the sale of City and MTA property, including development rights and sites on the West Side Rail Yards.

There will be ordinary costs associated with this development, such as infrastructure, for which there will be no new money. New costs that will have an impact on the City budget and on fees paid by City taxpayers include:

- The DEIS speaks of the need for a new elementary school to accommodate the thousands of new families in the Hudson Yards District. There is no mention of how much it will cost and where the money will come from.

- When 50 million square feet of space are developed, including over 12,000 apartments, there will be a need for new police and fire facilities. These facilities and the operating costs associated with them will not come cheaply.

- The DEIS indicates there will be a need for an additional 309 megawatts of power and new substations to accommodate 50 million square feet of new development. These facilities will be expensive to build and the cost will be paid by Con Ed customers throughout the city.

- The expense of building new sewer and water mains will contribute to the City's escalating water and sewer charges. Any effort to build holding tanks for storm-water run-off or to add sewage treatment capacity will come at a heavy cost that has not been calculated or disclosed.

- The City will build the Midblock Park and Boulevard System. This will require acquisition of three residential buildings, one family shelter, and 26 retail, commercial or industrial uses.

- Because of added enrollment from the new development, the DEIS says that "the Proposed Action would result in significant adverse impacts to public elementary and intermediate schools, requiring mitigation."

- The City and other project sponsors will have to acquire numerous properties for the Midblock Park and Boulevard System; the Tenth Avenue station of the

No. 7 line; the site where the Tunnel Boring Machine for the subway will be assembled; and the properties needed for Convention Center expansion. Many of these properties are contaminated with hazardous waste.

- To mitigate overcrowding in subway stations, many staircases, passageways, and corridors would be widened, and many escalators would be replaced with higher-speed models.

- The City would make available double-glazed windows and alternative means of ventilation (e.g., air conditioning) to existing residential and community facilities that would experience excessive noise levels.

There will also be extraordinary costs associated with this project that are still not accounted for and for which there is no money. These include:

- A platform over West Street that would connect the stadium to the waterfront. This platform is shown in all the Jets images of the stadium. The City's cost estimates suggest that the platform will cost $55 million, but this may not include the cost of landscaping the platform and of stairs and elevators. This is not part of the stadium budget.

- Javits Center estimates show a $66 million cost for the park, stairs, elevators and other improvements on the north side of the stadium. These improvements would be built over the Javits Center marshalling yards. In the Jets images of the stadium, this area is described as the "Game Porch" and includes one of the major entrances to the stadium, information kiosks, a sports museum, a theater and retail. Without this improvement it may not be possible to enter the stadium along the sideline to the north. Again, this is not part of the stadium budget.

- Javits Center documents list a $30 million cost for the pedestrian tunnel linking Javits to the stadium and the No. 7 train. This is not part of the stadium budget.

The City has made it clear that any cost overruns from the extension of the 7 Train will be paid for by the MTA. History has established that there are always cost overruns on a major subway project. This expense would further tax the MTA at time when it faces a multi-billion gap in keeping the transit system in a state of good repair for the next five years.

The FEIS should enumerate and add up all the costs the City will have to bear in connection with this project, and compare them to the $600 million it has publicly stated

it would spend on the stadium. All the costs to be borne by the MTA should also be set forth.

Conclusions

For the reasons stated above and in the accompanying documents, the DEIS provides an inadequate basis for public comment and for ULURP review. The lead agencies should prepare a supplemental draft environmental impact statement and submit it for full review under the ULURP and SEQRA/CEQR processes.

Whatever the form of the next environmental review document, it should address all the issues that were identified in the Final Scope, and all of the issues that the DEIS indicated would be addressed in the FEIS or subsequently. The issues in the latter category are enumerated in the accompanying list of quotations from the DEIS, and the next environmental review document should explicitly state where each of these promised pieces of information is being provided.

The accompanying technical reports from Sam Schwartz LLC, Orth-Rodgers and Associates Inc. and ENVIRON International Corporation are incorporated by reference.

Finally, the FEIS should include an executive summary that fairly describes the impacts described in the FEIS's text and appendices. The executive summary in the DEIS concealed many of the revealed impacts.

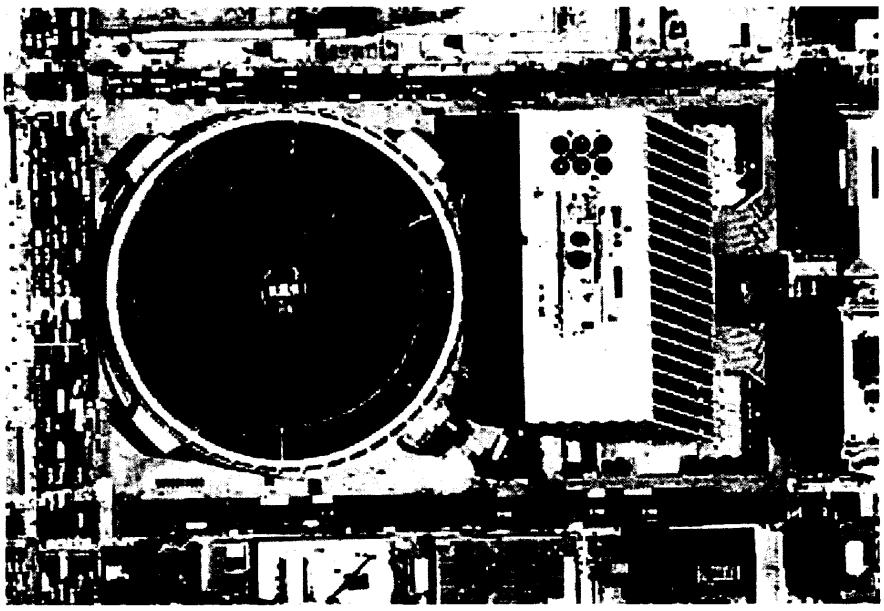
Sincerely,

Michael B. Gerrard

Exhibits

1. Sam Schwartz LLC report
2. Orth-Rodgers & Associates Inc. report
3. ENVIRON International Corporation comments
4. Map of E designations for hazardous waste
5. Renderings/descriptions of deck over Route 9A and pier
6. "Promises Made, Promises Broken"
7. Quotations from DEIS admitting missing information

MADISON SQUARE GARDEN
Modal Split Analysis



July 22, 2004

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Table of Contents

Introduction	2
Summary of Findings	2
Overall Modal Share Results	6
Weeknight Mode Analysis	7
Weekend Mode Analysis	9
Visitor Origins	11
Transit Share Breakdown	17
Vehicle Occupancy	23
Arrival Rates	24
Where People Drive From	26
Conclusion	33

Introduction

To determine the travel patterns and modal share of Madison Square Garden (MSG) patrons, Sam Schwartz LLC (SSC) analyzed survey data collected by MSG. Surveys were administered at nine MSG events between March 2003 and February 2004, including three Rangers hockey games, four Knicks basketball games, the Ringling Brothers Circus and a Red Hot Chili Peppers Concert. Surveyors questioned attendees in-person at the main Seventh Avenue entrance to MSG. A total of 5,046 interviews were conducted.

Surveys at two of the Rangers games took place on weekday evenings (Wednesday, March 26, 2003 at 7:30 pm against the Pittsburgh Penguins and Friday, April 4, 2003 at 7:30 pm against the New Jersey Devils), and one took place on a Sunday (November 23, 2003 at 5:00 pm against the Ottawa Senators). Knicks surveys were performed on two Sundays (March 16, 2003 at 7:00 pm against the Milwaukee Bucks and February 22, 2004 at 1:00 pm against the Cleveland Cavaliers) and on two weekday evenings (Monday, March 24, 2003 at 7:30 pm against the Toronto Raptors and Friday, March 28, 2003 at 8:00 pm against the New Jersey Nets). The circus survey was conducted on a Saturday afternoon (March 29, 2003 at 3:30 pm) and the concert survey occurred on a weekday evening (Tuesday, May 20, 2003 at 8:00 pm).

Summary of Findings

How People Travel

Weeknight Sports Events

- On average, 51% traveled to The Garden by transit, 37% by private car or taxi, and 11% walked.

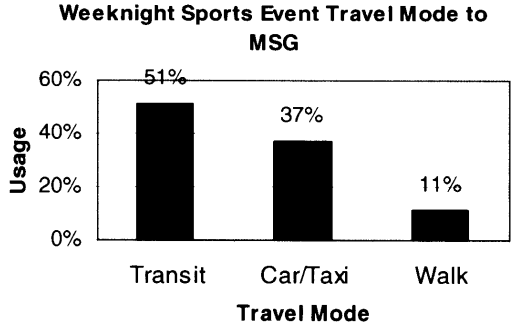
Sunday Sports Events

- At a Sunday night event, transit usage drops to 45%, while car/taxi usage rises to 48%, and walking comprises 8%.

- At a Sunday afternoon event, transit usage increases to 52%, while car/taxi usage drops to 36%, and walking comprises 10%.

Non-Sports Events

- The circus and concert drew the most people by transit (59%) and, in the case of the circus, a high number by car (40%). This seeming contradiction is explained by the fact that almost no one, just 2%, walked to the circus. The concert has just under a third arriving by car/taxi.



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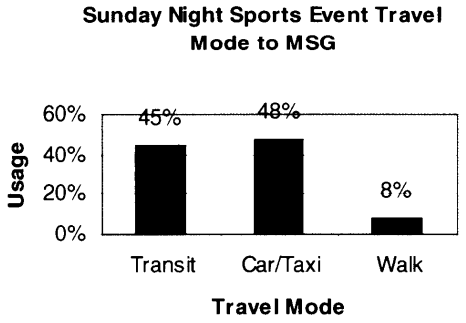

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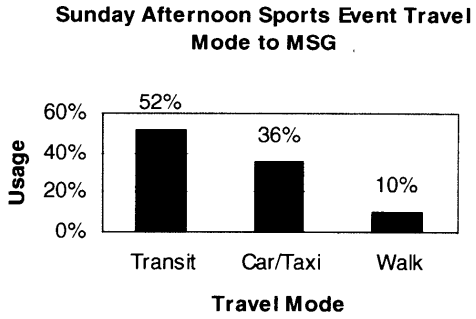

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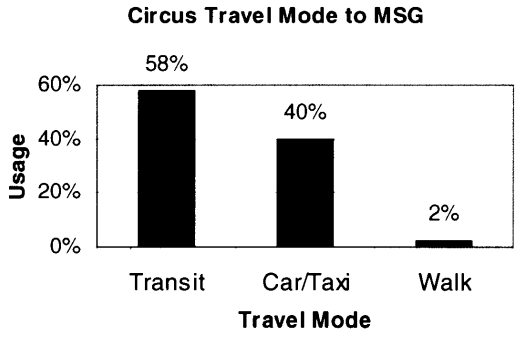

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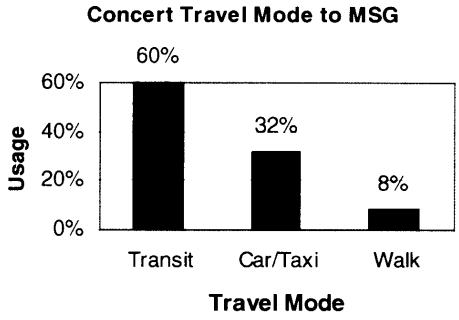


Sample size: 530

Where They're Coming From

Weeknight Sports Events

- Over 40% of Knicks fans and about a third of Rangers fans come from Manhattan. After Manhattan, New Jersey is the single largest origin of trips with 15% of Knicks fans and 24% of Rangers fans crossing the Hudson River. More than half the sports fans are from New York City's five boroughs.

Sunday Sports Events

- On a weekend night 29% of Knicks fans and 15% of Rangers fans come from Manhattan.
- One-fifth of Sunday night Knicks fans and more than one-fourth of Sunday Rangers fans come from New Jersey. Long Island and Westchester contribute another 20% of Knicks attendees and 27% of Rangers fans.
- During a Sunday afternoon game, 26% of Knicks fans come from Manhattan.
- Almost one-fifth of Sunday afternoon Knicks fans come from New Jersey. Long Island and Westchester contribute another 25% of Knicks attendees.

Non-Sports Events

- 29% of concertgoers start out in Manhattan.
- Only 11% of circus goers originate in Manhattan. The single largest origin for circus goers is New Jersey with 24%. Brooklyn is second at 16% just ahead of Long Island with 15%.

Transit Usage

Weeknight Sports Events

- For those arriving by transit, 46% take the subway, 20% take the LIRR, 14% take New Jersey Transit, 6% take PATH trains, 4% take the bus, 7% take Metro-North, 1% take Amtrak and 1% take other.

Sunday Sports Events

- On Sunday nights, 34% of transit users take the subway to get to MSG, 26% use the LIRR, 21% take New Jersey Transit, 4% take PATH trains, 4% take the bus, 8% take Metro-North, 0% take Amtrak and 2% take other.

- During a Sunday afternoon event, 31% of transit users take the subway to get to MSG, 24% use the LIRR, 15% take New Jersey Transit, 5% take PATH trains, 9% take the bus, 11% take Metro-North, 2% take Amtrak and 4% take other.

Non-Sports Events

- Of Circus attendees, 43% of transit users use the subway, while 21% use the LIRR, 20% use New Jersey Transit, 5% use PATH trains, 4% take the bus, 5% take Metro-North, 2% take Amtrak and 2% take other.

- Concertgoers who use transit take the subway at a rate of 35%, the LIRR at a rate of 27%, New Jersey Transit at a rate of 15%, PATH trains at a rate of 5%, the bus at a rate of 2%, Metro-North at a rate of 13%, Amtrak at a rate of 2% and other at a rate of 2%.

Comparisons with Previous Studies

In 1987 there were three separate survey efforts conducted of MSG patrons. Vollmer, retained by MSG, conducted surveys as part of a study to consider relocating the Garden. Parsons, Brinckerhoff, Quade and Douglas (PB) surveyed attendees on behalf of the MTA in its analysis of potential uses for the West Side Rail Yards.

Vollmer surveyed three events in 1987: the "Cars" concert on Thursday, October 29 at 8:00 pm, a Knicks game against the Boston Celtics on Monday, November 9 at 7:30 pm, and a Rangers game against the New Jersey Devils on Tuesday, November 10 at 7:35 pm. Interviews were conducted before the event and during intermission.

Parsons Brinckerhoff surveyed six events in 1987: a "Squeeze" concert on a Friday night, two Knicks games (one weeknight game and weekend game), a weeknight tennis match, a weeknight wrestling match and a Sunday Rangers game.

MSG itself performed surveys on three events in 1987: a Saturday Knicks game, a Sunday Knicks game and a Sunday Rangers game. No weeknight events were analyzed. It should be noted that MSG's surveys were limited in nature and focused most often at Hall of Fame Box users.

Tables 1 and 2 summarize the results. The principal findings were:

- Weeknight sports patrons in 2003-4 vs. 1987 used transit at similar levels to arrive at the Garden: 50-53% in 2003-4 and 46-58% in 1987. Auto usage in 2003-4 was 37%; in 1987 it ranged from 39-44%.
- On weekends 46-50% of sports fans in 2003-4 used transit to go to MSG while in 1987 the range was 30-53%. Auto usage in 2003-4 was 44% while in 1987 it was 46-66%.
- In 2003-4, 60% of concert-goers used transit to arrive at MSG; transit rates were 51-60% in 1987.
- The highest transit share for any Sunday sports event was 53% reported by MSG in 1987 for a Knicks game. The highest car share was 66% reported by PB in 1987 for a Rangers game.
- On weeknights the highest transit share for a sports event was 58% reported by PB in 1987 for a Knicks game. The highest auto share on a weeknight was 44% reported by Vollmer in 1987.

Table 1. Comparison between 2003-4 and 1987 Surveys
Transit usage by attendees at an MSG event

Event	MSG 2003-4	Vollmer 1987	PB 1987	MSG 1987
Knicks Weeknight	50%	51%	58%	--*
Rangers Weeknight	53%	46%	--	--
Knicks Weekend	46%	--	46%	--
Knicks Sunday	46%	--	--	53%
Rangers Sunday	50%	--	30%	36%
Concert	60%	51%	60%	--

* Indicates that no survey was performed for such event.

Table 2. Comparison between 2003-4 and 1987 Surveys
Auto usage by attendees at an MSG event

Event	MSG 2003-4	Vollmer 1987	PB 1987	MSG 1987
Knicks Weeknight	37%	39%	29%	--*
Rangers Weeknight	37%	44%	--	--
Knicks Weekend	44%	--	48%	--
Knicks Sunday	44%	--	--	46%
Rangers Sunday	44%	--	66%	57%
Concert	32%	42%	35%	--

* Indicates that no survey was performed for such event.

Overall Modal Share Results

Frances Bauman Associates, which has over 20 years of experience conducting intercept interviews, administered a scan questionnaire to arriving event attendees. Ten (10) interviewers per event conducted the intercepts and completed at least 50 interviews each. A total of 5,046 interviews were conducted at nine events between March 16, 2003 and February 22, 2004.

An industry standard of a 4.4% margin of error for a sample of approximately 500 was achieved by each individual event survey. All margins of error fell within the acceptable ranges for surveys of this type. For this sample of approximately 500 surveyed attendees per event the accuracy is within ± 4.1% at a 95% Confidence Level.

MSG attendees average a 52% transit share to all events. Public transit was the most popular mode of travel to MSG at every event except a weekend evening Knicks game (March 16, 2003). The Knicks average transit use on weeknights is 50%, Rangers fans average 53%, and concert attendees average 60%. On average, 22% of event attendees used the subway system to travel to MSG, 12% used the Long Island Rail Road, 9% used New Jersey Transit, 4% used Metro North Rail Road, and 3% used PATH trains. Significant portions of weekday event attendees walk directly to MSG. An average of 13% of Knicks fans walk to weeknight events, 10% of Rangers fans, and 8% of concert attendees. Just 2% of circus goers walked to the event.

Less than half of all weeknight event attendees use private vehicles or taxis for transportation to and from MSG. However, private automobile and taxi usage was highest for weekend sporting events. The only surveyed event that drew a minority of transit users was a Sunday evening Knicks game (March 16, 2003) that had a transit usage of 40% and a private automobile/taxi usage rate of 51%. In contrast, weekday Knicks games average 37% automobile usage. It is likely that higher rates of attendees arriving at MSG directly from their workplaces in Manhattan on weekdays account for the higher transit share for the weekday evening Knicks games.

The highest auto/taxi rate (51%) was found at a Sunday evening Knicks game on March 16, 2003. Vehicle occupancy rates were highest among circus attendees, averaging 3.72 people/auto. This is likely due to the large numbers of families who attend the circus. Occupancy rates were lowest at a Monday Knicks game, dipping to 1.85 people per vehicle.*

Table 3. Modal Split Breakdown by Event & Time of Day

TRAVEL MODE				Sample Size	Margin of Error (+/-)	Transit	Walk	Car/Taxi	Other
Rangers	Wednesday	7:30 pm	3/26/2003	569	4.1%	51%	12%	36%	1%
	Friday	7:30 pm	4/4/2003	597	4.0%	54%	8%	37%	1%
	Sunday	5:00 pm	11/23/2003	595	4.0%	50%	5%	44%	2%
Knicks	Monday	7:30 pm	3/24/2003	566	4.1%	50%	13%	36%	1%
	Friday	8:00 pm	3/28/2003	586	4.0%	50%	12%	38%	0%
	Sunday	7:00 pm	3/16/2003	454	4.6%	40%	10%	51%	0%
	Sunday	1:00 pm	2/22/2004	622	3.9%	52%	10%	36%	2%
Circus	Saturday	3:30 pm	3/29/2003	527	4.3%	58%	2%	40%	1%
Concert	Tuesday	8:00 pm	5/20/2003	530	4.3%	60%	8%	32%	1%
Overall Average				**561**	**4.1%**	**52%**	**9%**	**39%**	**1%**

*Figures have been normalized to equal 100%.

Weeknight Mode Analysis

Weeknight Auto Usage to MSG
Fewer than half of all weeknight event attendees use private vehicles or taxis. The usage rate among Knicks fans arriving to MSG averages 37% on weeknights; Rangers fans average 37% auto usage; and concert attendees average 32% (see Figure 1, Weeknight Travel Modes to MSG). Auto and taxi usage tends to increase slightly *after* an event.

Weeknight Auto Usage from MSG
Auto usage by Knicks fans leaving the Garden on a weeknight increases to 41%; Rangers fans average 42%; and concertgoers average 36% (see Figure 2, Weeknight Travel Modes from MSG). The increase in auto and taxi usage after an evening event is attributable to the fact that patrons are less likely to take transit late in the evening.

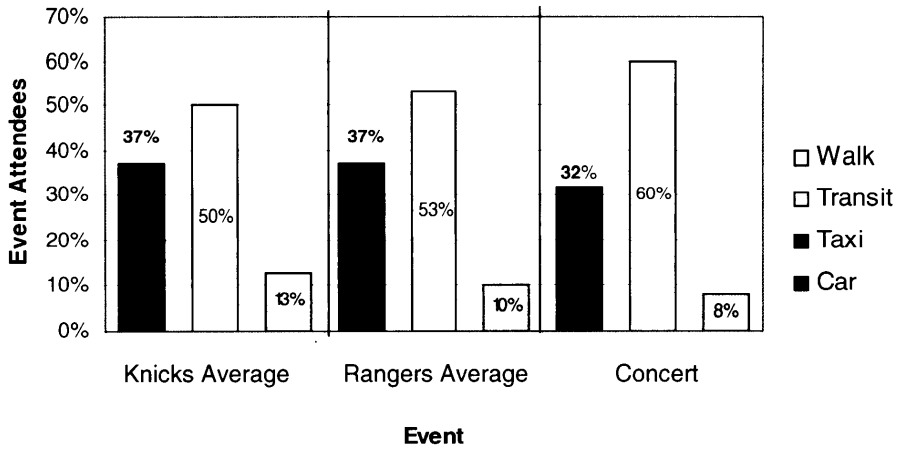
Weeknight Transit Usage to MSG
The majority of weeknight event attendees, both arriving and leaving the Garden, use mass transit. Knicks fans average 50% transit use on a weeknight to MSG; Rangers fans average 53% transit use to MSG; and concert attendees average even higher rates, or 60% (see Figure 1, Weeknight Travel Modes to MSG).

Weeknight Transit Usage from MSG
The transit share for Knicks and Rangers fans as well as concert attendees leaving the Garden during a weeknight remains relatively consistent with arrival rates (see Figure 2, Weeknight Travel Modes from MSG).

Weeknight Walk Rate to MSG
An average of 13% of Knicks fans walk to weeknight events at MSG; 10% of Rangers fans walk to MSG; and 8% of concert attendees walk to the Garden (see Figure 1, Weeknight Travel Modes to MSG).

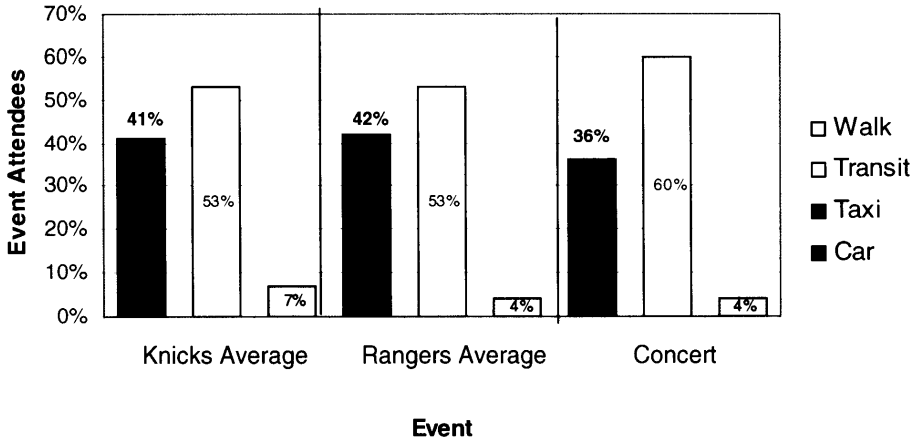
Weeknight Walk Rate from MSG
As expected, less people leaving the Garden after a weeknight event are likely to walk home. In fact, the walk share drops by approximately 50% for all events: 7% of Knicks fans walk from MSG; and 4% of Rangers fans and concertgoers walk home (see Figure 2, Weeknight Travel Modes from MSG).

Figure 1. Weeknight Travel Modes to MSG



Sample size: 2,848

Figure 2. Weeknight Travel Modes From MSG



Sample size: 2,848

Weekend Mode Analysis

Weekend Auto Usage to MSG

Attendees at four events (two Knicks games on March 16, 2003 at 7:00 pm and February 22, 2004 at 1:00 pm, a Rangers game on November 23, 2003 at 5:00 pm, and the Circus on March 29, 2003 at 3:30 pm) were surveyed on a weekend. The Knicks and Rangers fans were surveyed on Sundays; Circus attendees were surveyed on a Saturday. On a Sunday, 44% of Knicks fans and 44% of Rangers fans arrived at MSG via auto or taxi; 40% of circus attendees arrived on a Saturday via auto or taxi (see Figure 3, Weekend Travel Modes to MSG).

Weekend Auto Usage from MSG

Auto/taxi usage rates remained almost the same for attendees leaving both events. The auto share among Knicks fans remained at 44%; the auto share for Rangers fans dropped slightly to 43%; and the auto share for circus attendees increased slightly to 41% (see Figure 4, Weekend Travel Modes from MSG).

Weekend Transit Usage to MSG

The transit share among weekend sports fans is slightly lower than weeknight rates. Among surveyed fans, 46% of Knicks attendees and 50% of Rangers attendees used transit to travel to weekend games. However, 58% of circus attendees traveled to the venue using transit (see Figure 3, Weekend Travel Modes to MSG).

Weekend Transit Usage from MSG

The transit share decreased slightly among Knicks fans and circus attendees leaving the Garden on a Saturday or Sunday. 46% of Knicks fans and 48% of Rangers fans left using transit, while transit usage dropped by 3% for circus attendees to 55% (see Figure 4, Weekend Travel Modes from MSG).

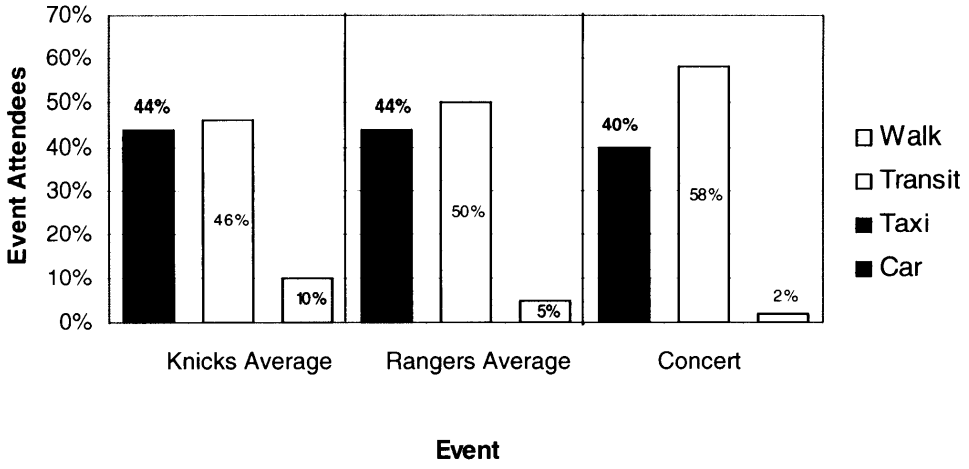
Weekend Walk Rate to MSG

Walk rates among Knicks and Rangers fans to weekend games are similar to rates for weekday evening games. 10% of surveyed Knicks fans and 5% of Rangers fans walked to MSG while only 2% of circus attendees walked to the (see Figure 3, Weekend Travel Modes to MSG). The lower walk rates among circus attendees may be attributed to the fact that this group includes a greater proportion of families with young children.

Weekend Walk Rate from MSG

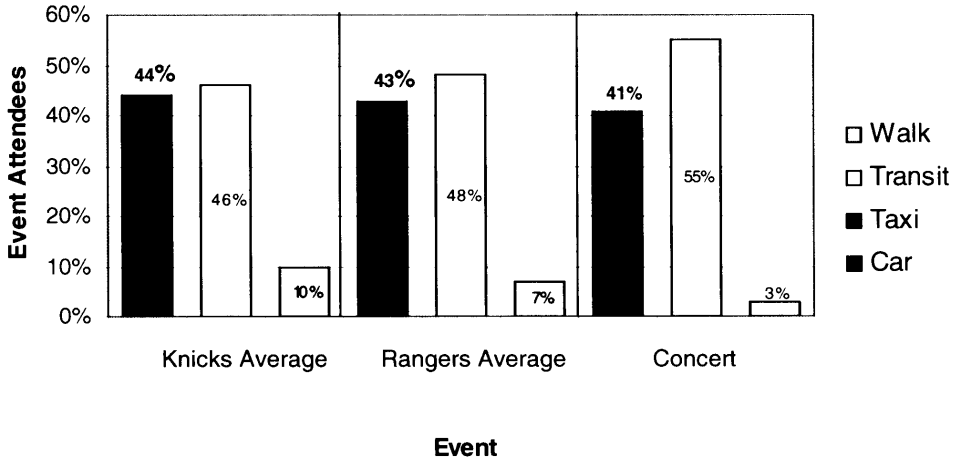
The walk rate for Knicks fans leaving a weekend game remained the same at 10%. The Rangers fans' walk rate increased 2%, to 7%. Circus attendee walk rates increased 1%, to 3% (see Figure 4, Weekend Travel Modes from MSG).

Figure 3. Weekend Travel Modes to MSG



Sample size: 2,198

Figure 4. Weekend Travel Modes From MSG



Sample size: 2,198

Visitor Origins

At most events, the largest group of attendees arrived from Manhattan. Manhattan origin rates range from 37% for an average weeknight sports event to 29% for a weeknight concert, and 23% for a Sunday sports event. (The lowest Manhattan origin rate was 11% for the circus on Sunday, March 29, 2003 at 3:30 pm, and the highest was 46% for a weeknight Knicks game on Monday, March 24, 2003 at 7:30 pm). These figures can be attributed to the high numbers of people traveling directly to The Garden from work for weeknight sports events, a rate that is directly proportional to the Manhattan origin rate. For example, the circus that had an 11% Manhattan origin rate also had a 0% work origin rate (see Figures 5-9).

New Jersey consistently draws a rate averaging 20% for all surveyed events. New Jersey drew the most attendees for the circus (24%) and for the Sunday Rangers game on November 23, 2003 at 5:00 pm (26%). Nassau and Suffolk Counties are second to New Jersey in terms of drawing attendees outside of the five boroughs, drawing an average of 14% of all attendees. The highest Long Island rate occurred at the Sunday, November 23, 2003 Rangers game, to which 19% of fans arrived from Nassau and Suffolk Counties. In fact, at nearly all events, the number of Long Island attendees surpassed the combined rate of Westchester and Bronx attendees. The high percentage of Long Island visitors may be attributed to MSG's convenient location above Pennsylvania Station, which serves as a terminus for the Long Island Rail Road.

Figure 5. Origin of MSG Weeknight Sports Event Attendees

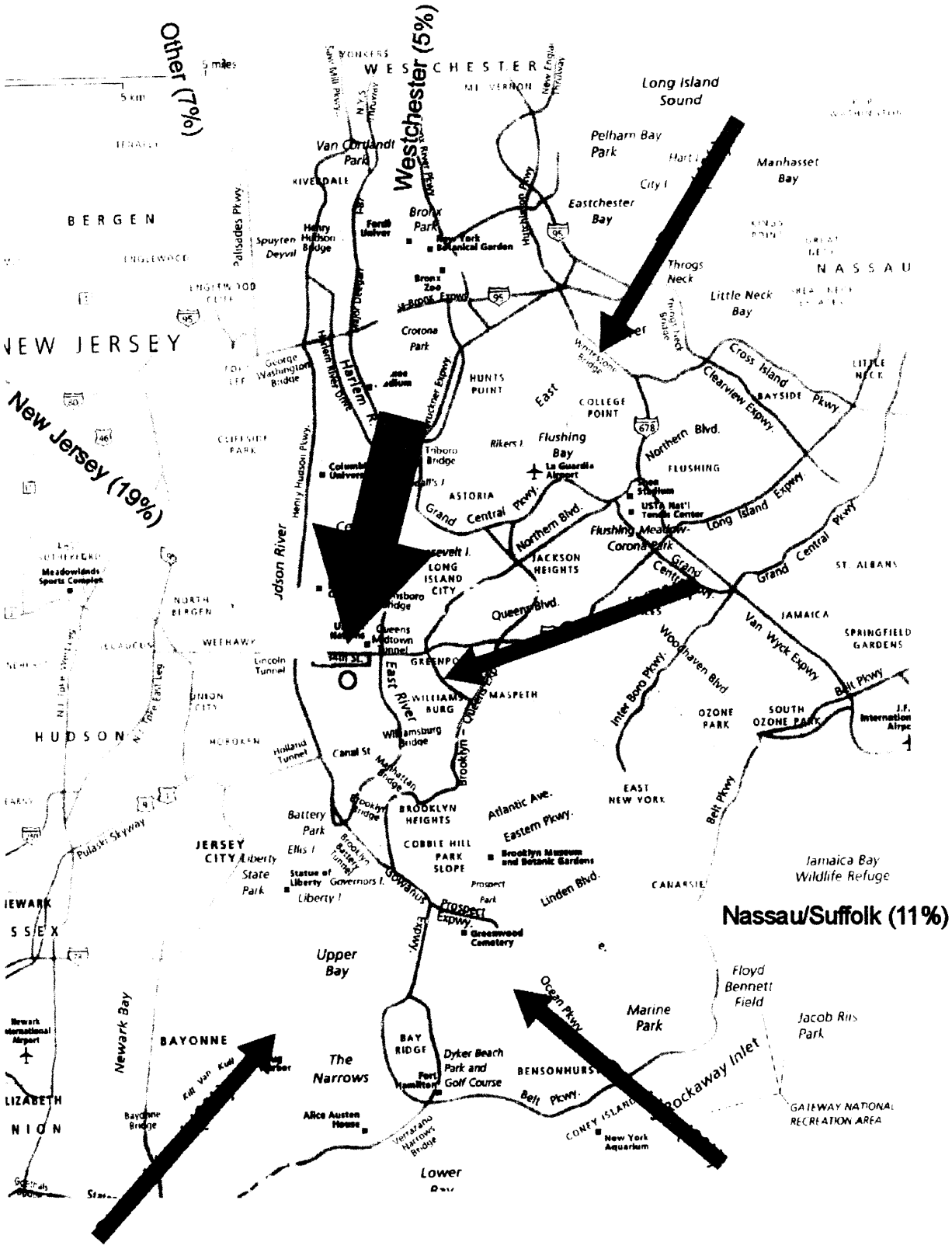


Figure 6. Origin of MSG Sunday Night Sports Event Attendees

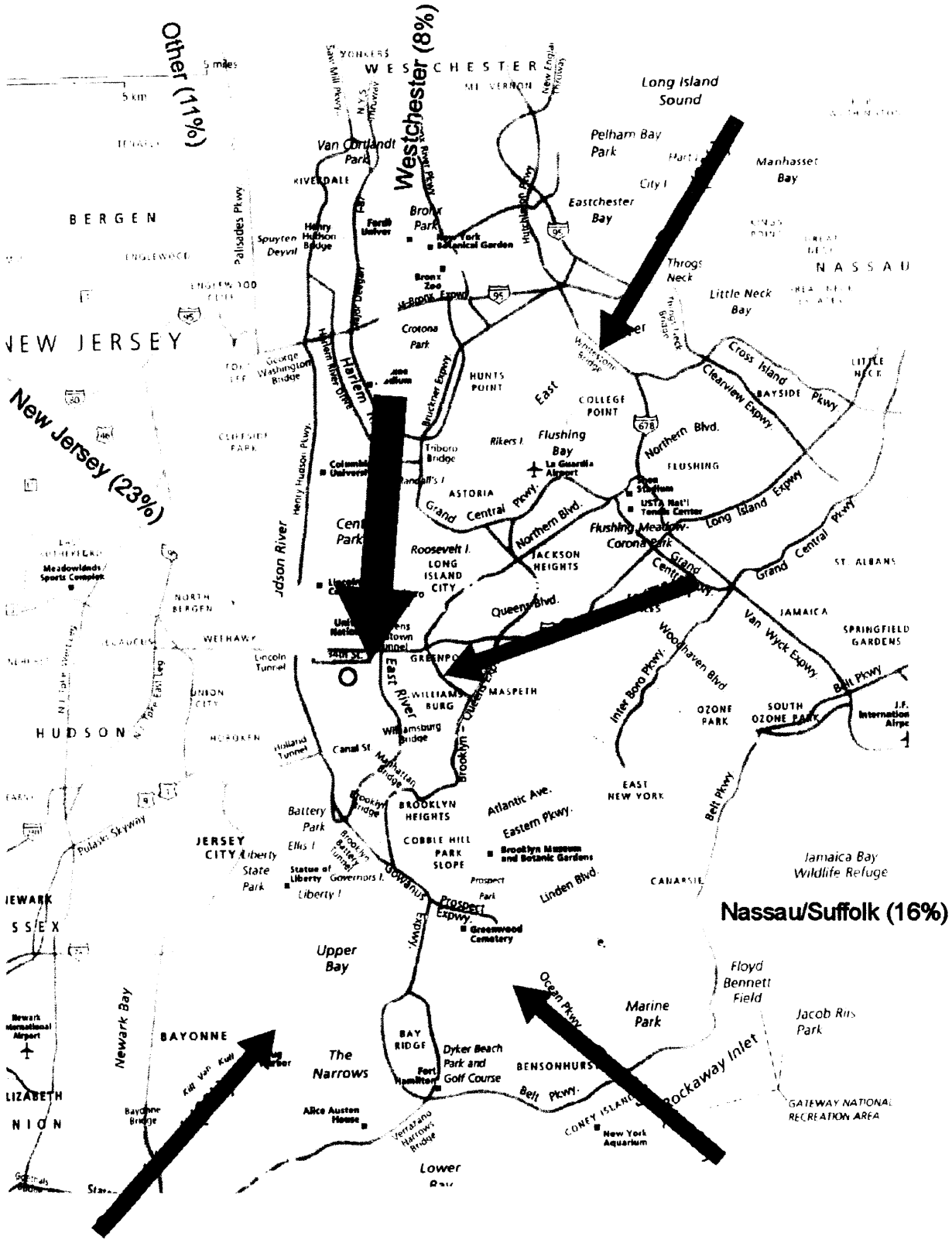


Figure 7. Origin of MSG Sunday Afternoon Sports Event Attendees

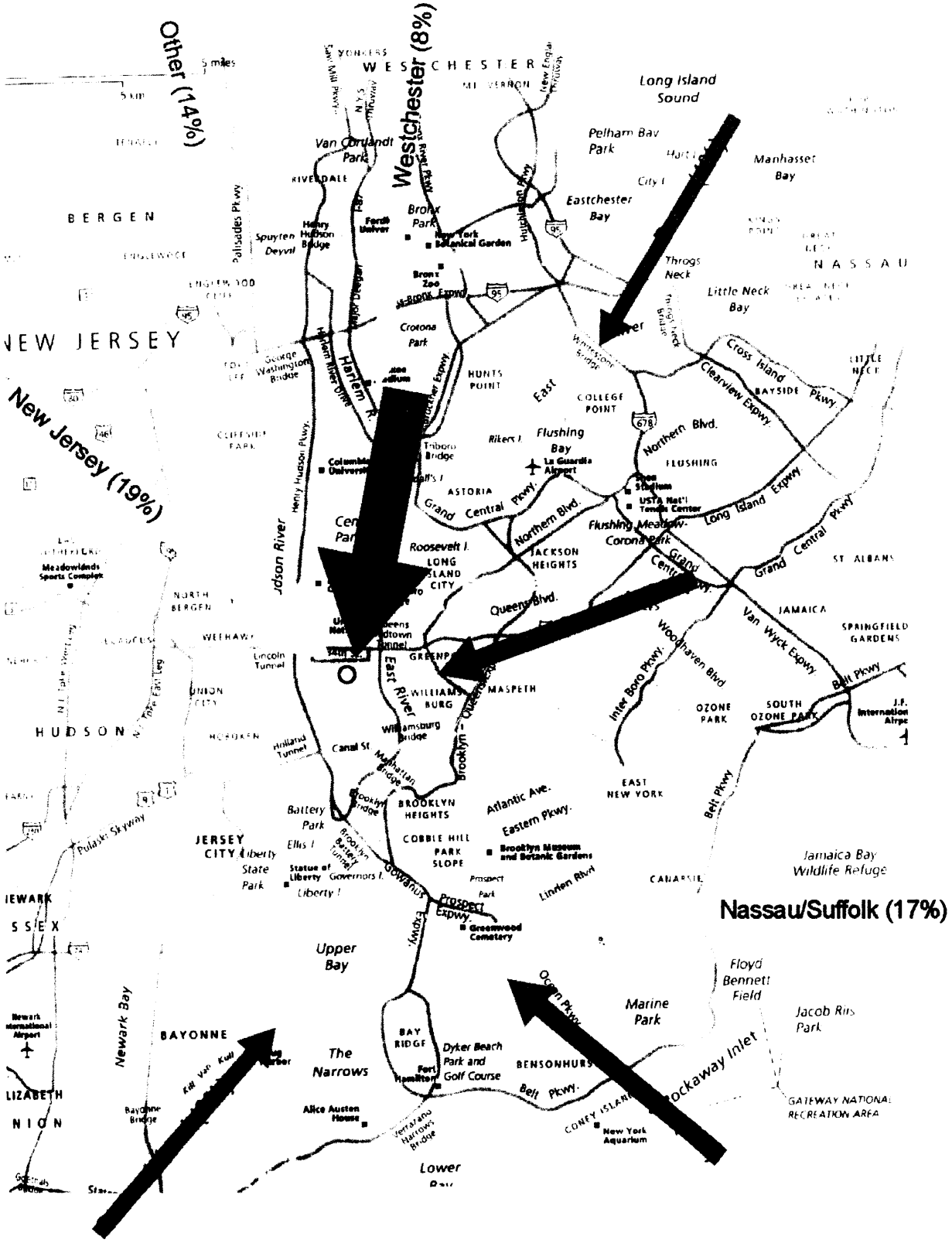


Figure 8. Origin of MSG Circus Attendees

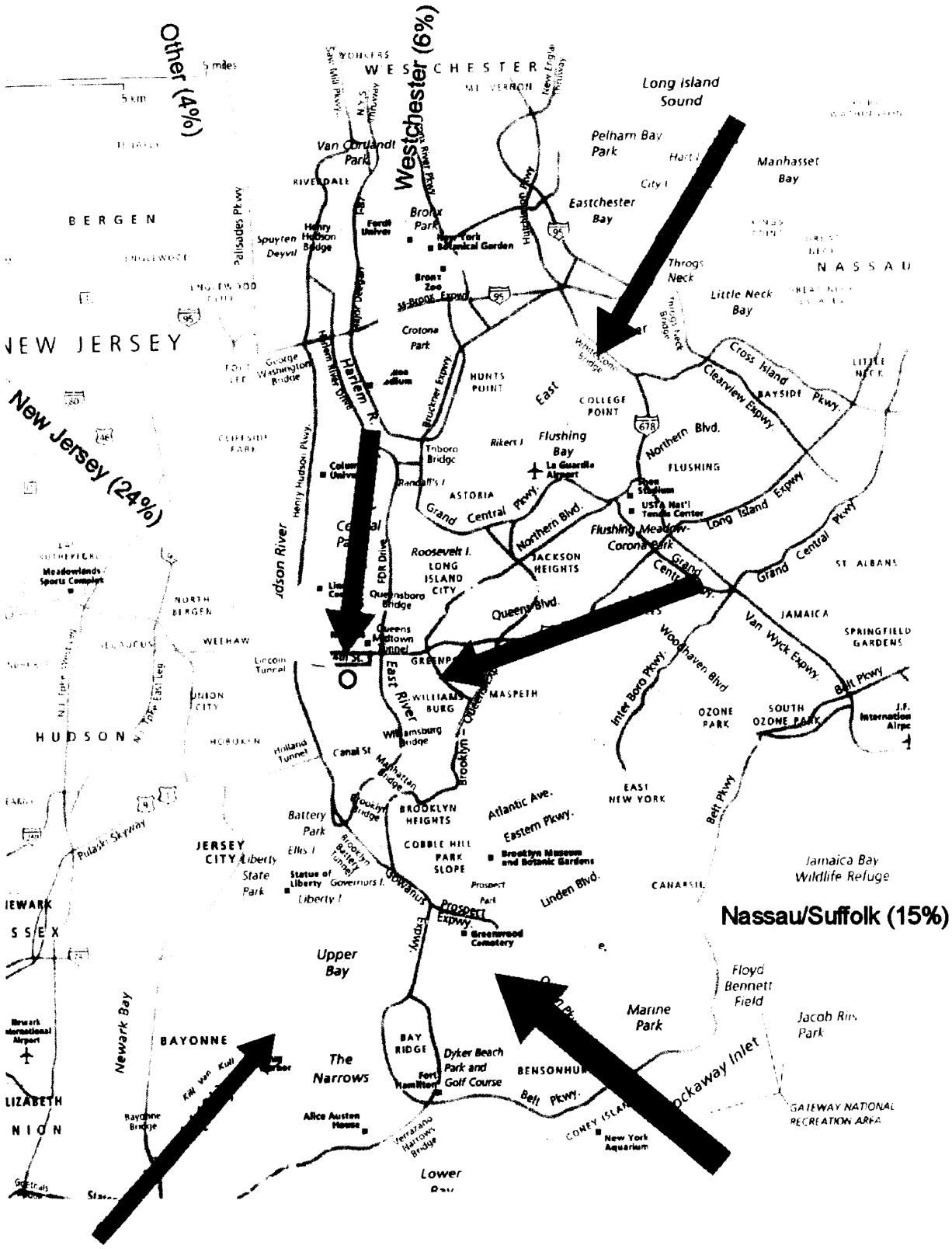
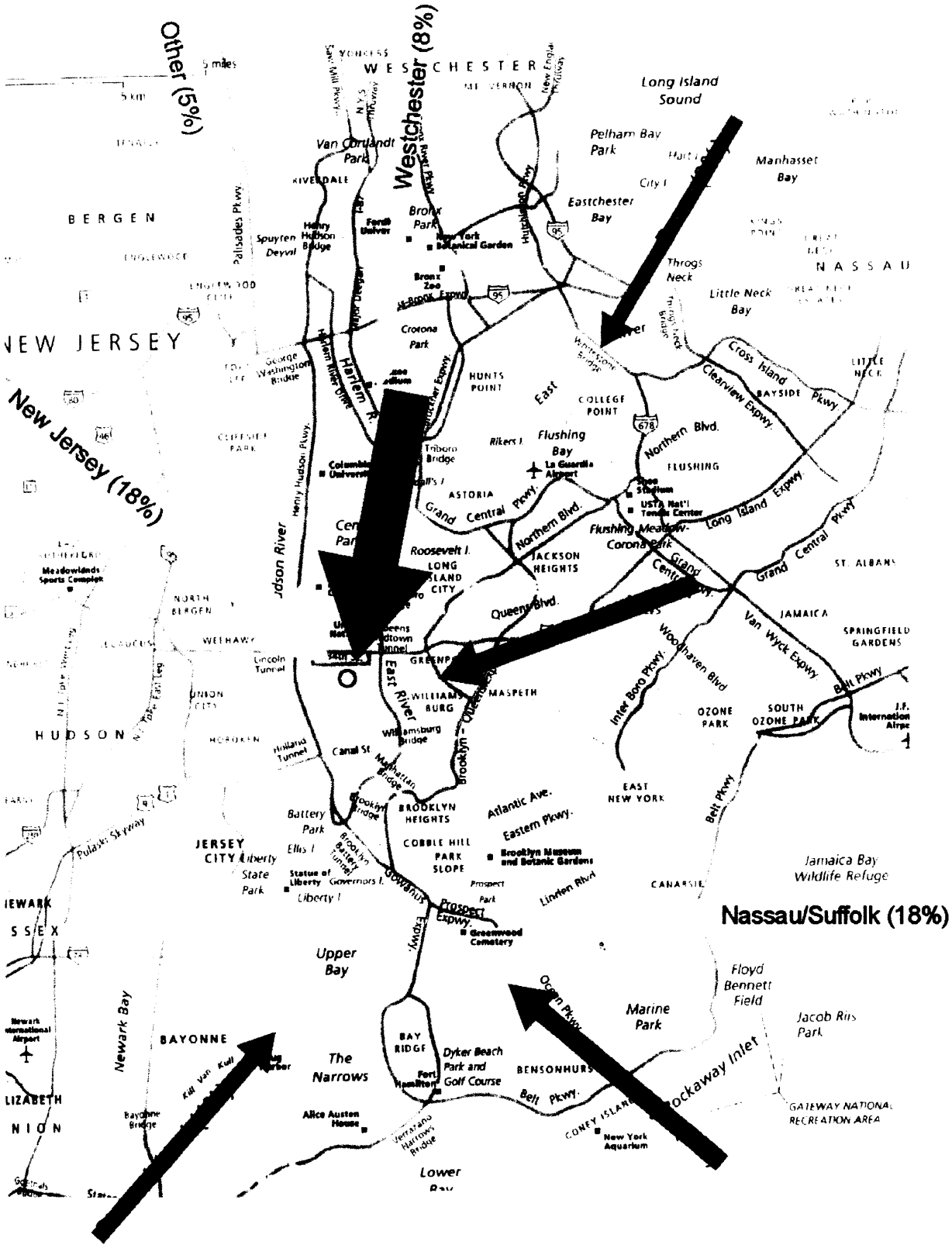


Figure 9. Origin of MSG Concert Attendees



Transit Share Breakdown

Among weekday sports fans, the most popular mass transit routes to MSG are the Seventh Avenue (1, 2, 3, 9) and Eighth Avenue (A, C, E) subway lines. Together, these lines transport 20% of Knicks fans to a weeknight game and 16% of weeknight Rangers fans. However, among concertgoers, the Long Island Railroad (LIRR) was the most popular transit option, bringing 17% of attendees to MSG. New Jersey Transit also transported a large share of attendees to MSG -- an average of 9% of Rangers fans.

Weekend events at MSG saw a similar breakdown amongst transit users. The Seventh and Eighth Avenue subways remained a popular choice, transporting 13% of Knicks fans and 16% of circus attendees. The circus also saw 13% of attendees arrive via the LIRR and 12% arrive via New Jersey Transit. The top choice of Rangers attendees was the LIRR, carrying 14% of fans, followed by New Jersey Transit with 12%.

An average of 1% of respondents chose "Other" as their transit mode to and from the Garden. It is assumed that these travelers utilized transit options not listed on the survey, including the "7" subway line at 42nd Street and Seventh Avenue as well as various ferries from New Jersey at 34th Street and the Hudson River.

The high transit share is attributable to MSG's location above a major transit hub, Pennsylvania Station, which provides access to the A, C, E, 1, 9, 2 and 3 subways lines as well as the Long Island Railroad, Amtrak and New Jersey Transit trains. Additional access is provided via MSG's proximity to the Sixth Avenue/Herald Square transit complex, which includes the PATH trains as well as the B, D, F, V, N, R, Q, and W subway lines (see Figures 10-13).

Figure 10. Transit Riders Arriving to MSG Weeknight Sports Events

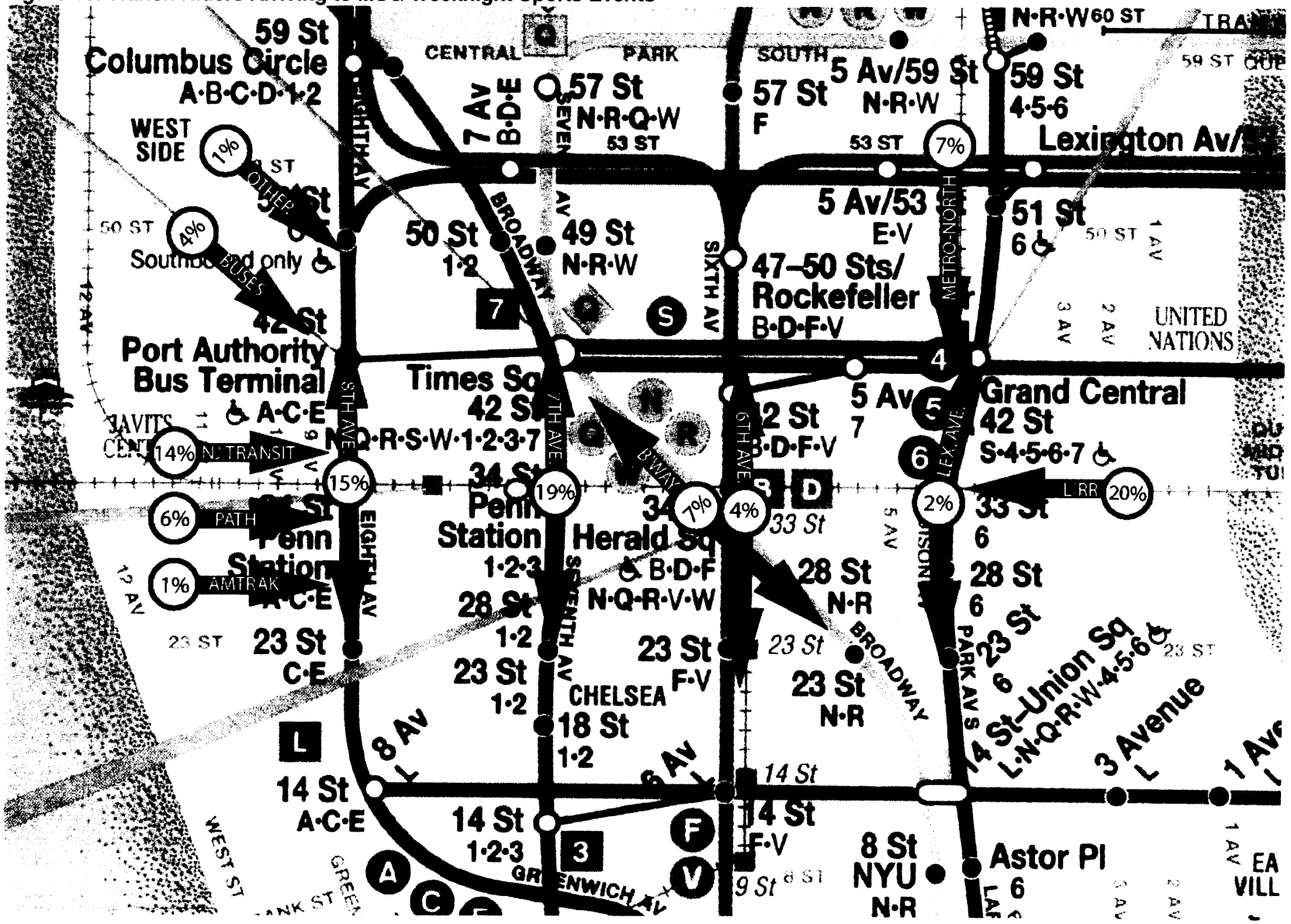


Figure 11. Transit Riders Arriving to MSG Sunday Evening Sports Events

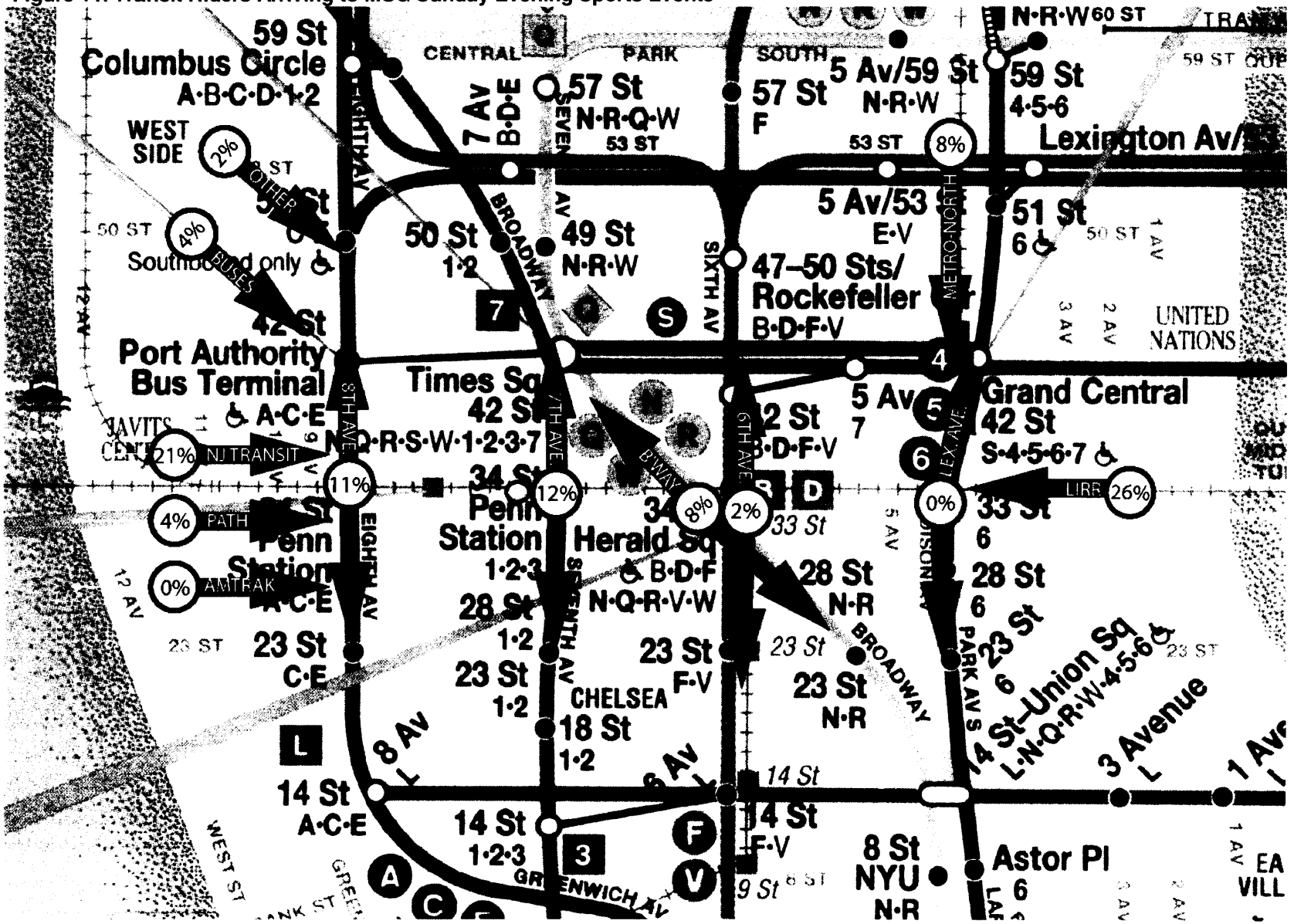


Figure 12. Transit Riders Arriving to MSG Sunday Afternoon Sports Event

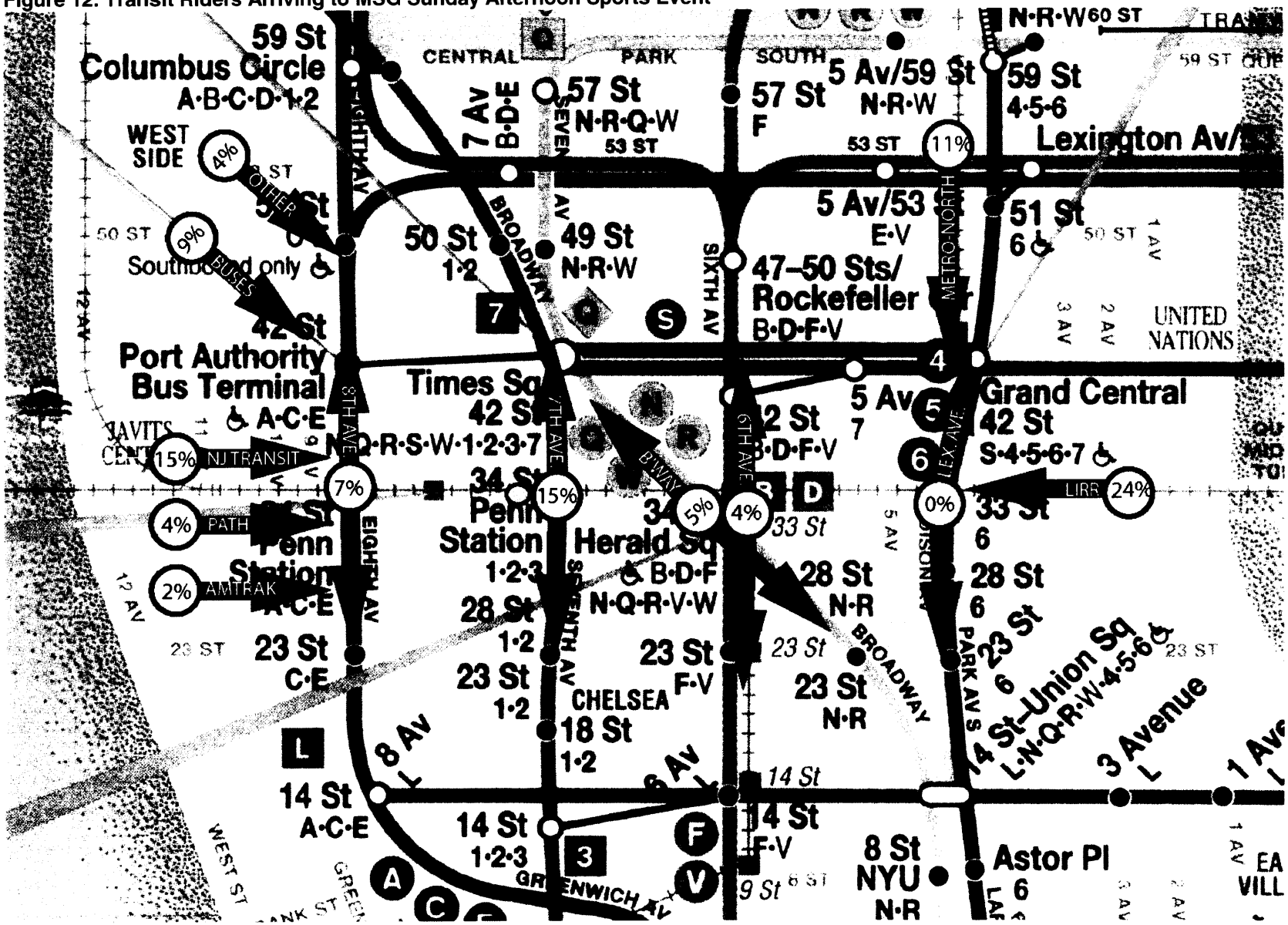


Figure 13. Transit Riders Arriving to MSG Circus

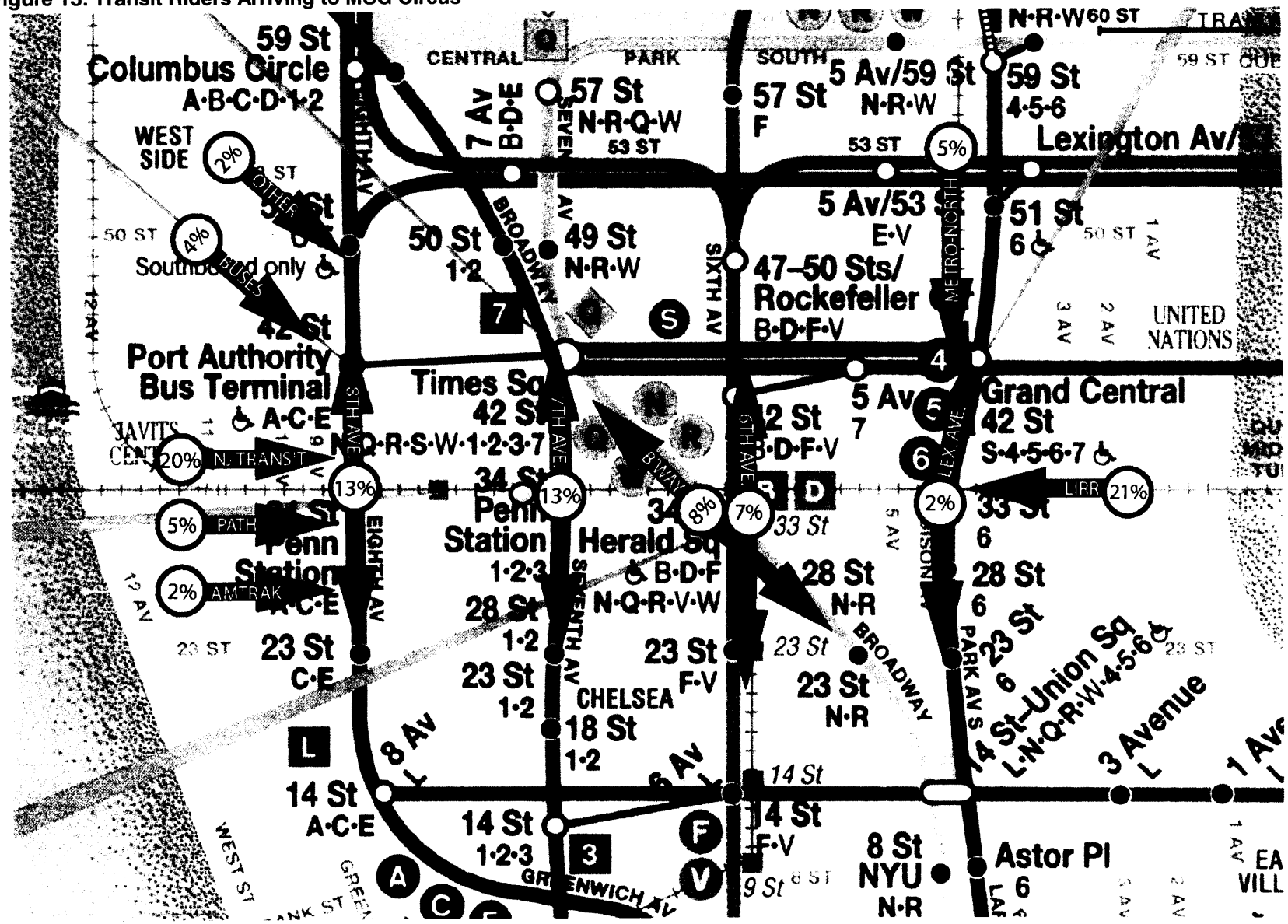
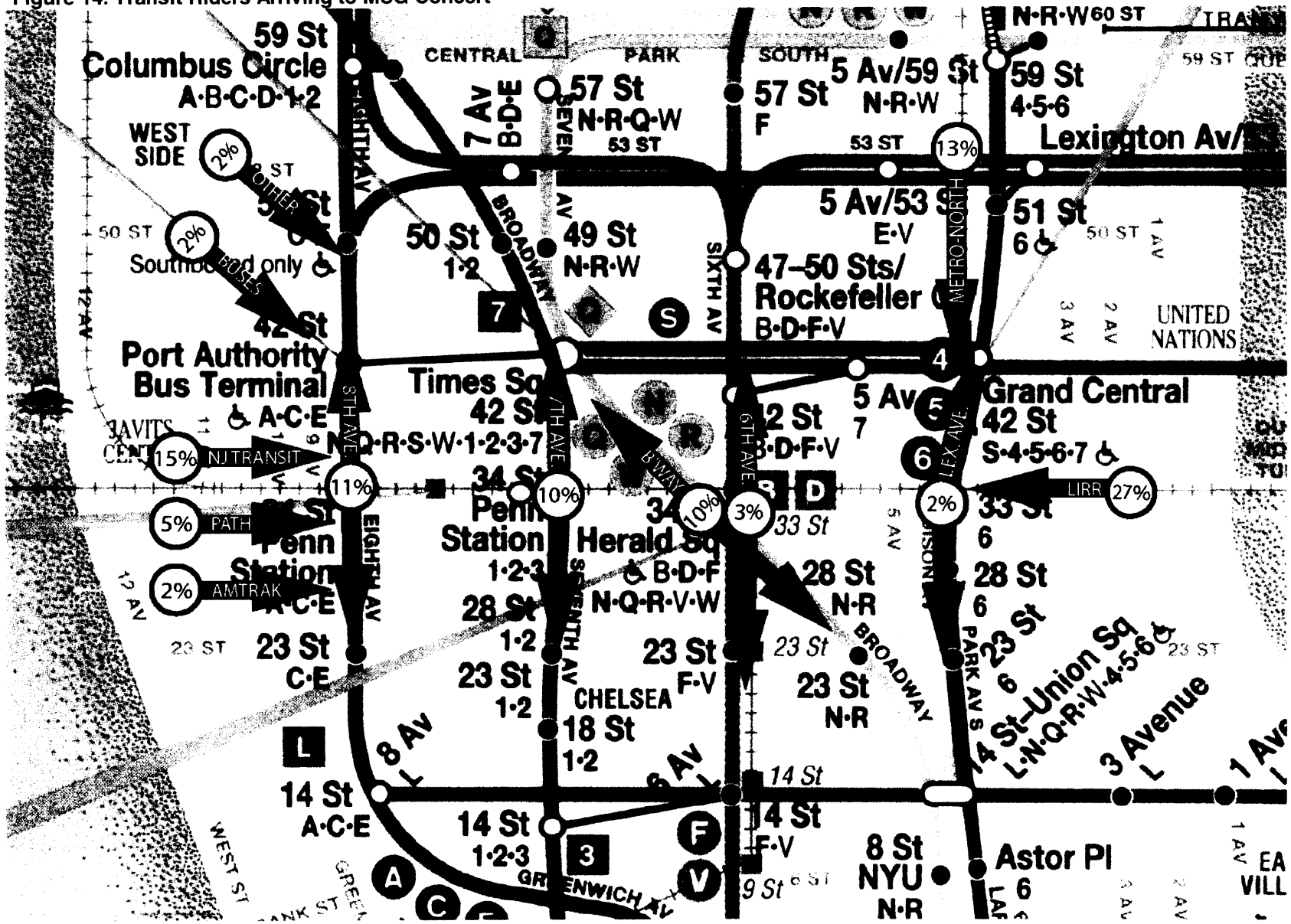


Figure 14. Transit Riders Arriving to MSG Concert



Vehicle Occupancy

While survey results from the circus on March 29, 2003 reflected an auto/taxi usage rate (40%) close to the average (39%), the event also had the highest occupancy rate, likely because most circus patrons are families with children. This resulted in a below-average number of vehicles generated. The Knicks game on March 24, 2003 also had an average auto/taxi usage rate, but its low vehicle occupancy rate (1.85 ppv) generated a high number of vehicles.

Table 4. Vehicle Occupancy Rates by Event

AUTO/TAXI USAGE				Total Attendance	% of Auto/Taxi Users	Total Auto/Taxi Users	Average Vehicle Occupancy	Estimated Total Vehicles
Rangers	Wednesday	7:30 pm	3/26/2003	18,284	36%	6,582	2.40	2,745
	Friday	7:30 pm	4/4/2003	18,283	37%	6,765	2.48	2,731
	Sunday	5:00 pm	11/23/2003	19,605	44%	8,626	2.76	3,121
Knicks	Monday	7:30 pm	3/24/2003	19,074	36%	6,867	1.85	3,708
	Friday	8:00 pm	3/28/2003	20,003	38%	7,601	2.17	3,499
	Sunday	7:00 pm	3/16/2003	19,605	51%	9,999	2.76	3,624
	Sunday	1:00 pm	2/22/2004	18,581	36%	6,689	2.19	3,055
Circus	Saturday	3:30 pm	3/29/2003	12,802	40%	5,121	3.72	1,377
Concert	Tuesday	8:00 pm	5/20/2003	20,000	32%	6,400	2.46	2,599

*Taxi and limo drivers are not factored into vehicle occupancy rates.

Arrival Rates

The rate at which attendees arrive at MSG events tends to peak around the event starting time. At a Friday night Rangers game (April 4, 2003 at 7:30 pm against the New Jersey Devils), 25% of fans arrived in the 15 minutes immediately preceding the game start (7:30 pm) and 61% of fans arrived within a thirty-minute period around the start time (between 7:15 and 7:45 pm). At a Monday night Knicks game (March 24, 2003 at 7:30 pm), 23% of fans arrived in the 15 minutes immediately preceding the game start (7:30 pm) and 62% of fans arrived within a thirty-minute period around the start time (between 7:15 and 7:45 pm). The concert (Tuesday, May 20, 2003) saw a more consistent arrival rate, with 12% of attendees arriving just prior to starting time (8:00 pm) and 37% arriving within the thirty-minute period around start time (between 7:45 and 8:15 pm). This steady stream of arrivals may be due to queuing, or backups, at entry gates. This would be consistent with the fact that only 60% of concert attendees arrived during the 60 minute period around start time (7:30 to 8:30 pm) while other events saw arrival rates around 80% for the same time period. The circus (Saturday, March 29, 2003 at 3:30 pm) saw a similar arrival pattern, as patrons arrived at steady rates beginning 45 minutes before the show began (see Figures 15-18).

Figure 15. Rangers Arrival Rate-Friday 04/04/03
(Start Time 7:30 PM)

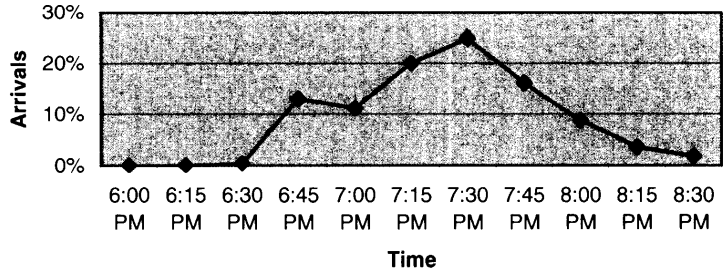


Figure 16. Knicks Arrival Rate-Monday 03/24/03
(Start Time 7:30 PM)

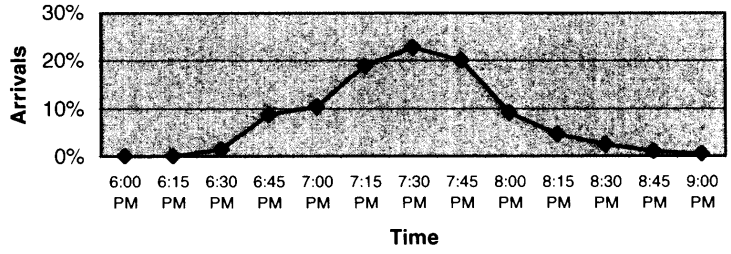


Figure 17. Concert Arrival Rate-Tuesday 05/20/03
(Start Time 8:00 PM)

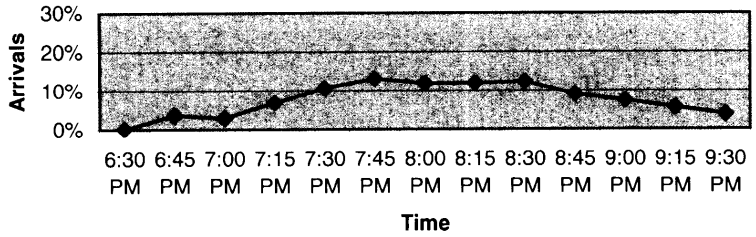
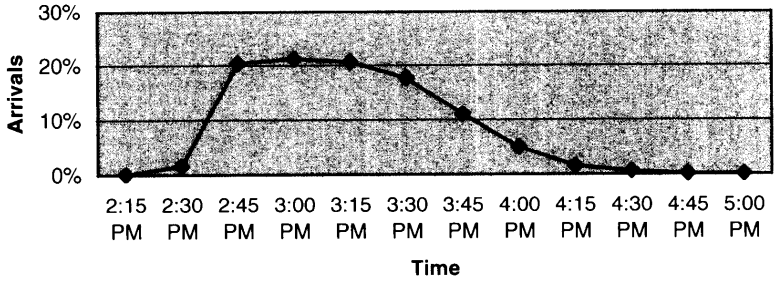


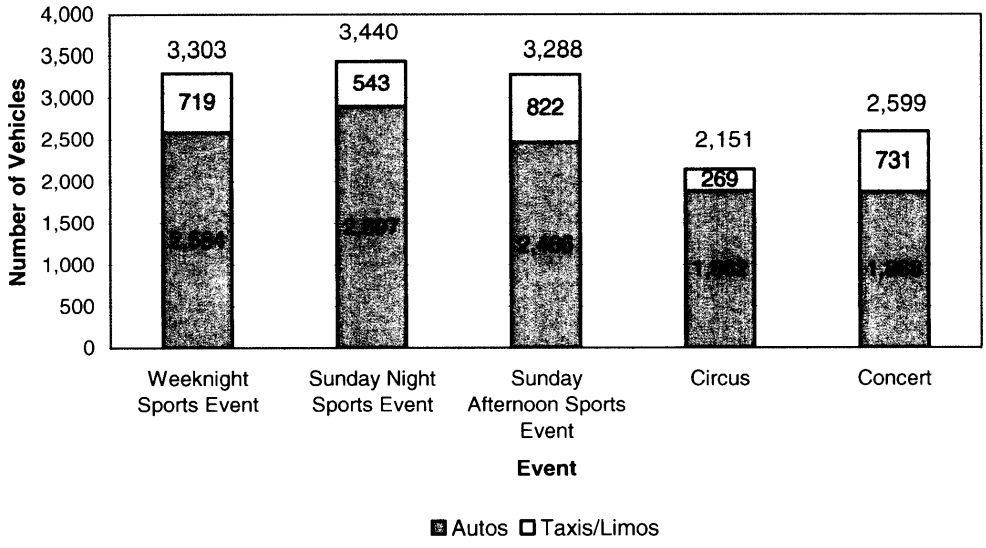
Figure 18. Circus Arrival Rate-Saturday 03/29/03
(Start Time 3:30 PM)



Where People Drive From

To estimate the maximum number of vehicles generated by each event, a capacity of 20,000 people was assumed per event. Modal splits and vehicle occupancy rates, as described earlier in this report, were used to produce Figures 20-24. As shown in Figure 19, a Sunday night sports event generates the highest number of vehicles (3,441 autos/taxis) while the circus generates the fewest vehicles (2,091 autos/taxis). Although the circus has an average share arriving by automobile, this event generates the fewest automobiles because of its high vehicle occupancy rate—averaging 3.72 people/car versus between 1.8-2.8 people/car for sports events and concerts.

Figure 19. Automobiles Generated by Event
(Assuming 20,000 Persons/Event)



As expected, Staten Island and Westchester drivers are most likely to use a car to get to an event. Surprisingly, Bronx and Brooklyn residents had the next highest auto shares for most events with 58% and 52%, respectively, using private automobiles to arrive at weeknight sports events. Long Island residents had the lowest private auto usage rate, after Manhattan residents -- only 21% arrived at a weeknight sports event via car. Manhattan, with the overall lowest rates of private car usage, had the highest rate of travelers using taxis/limos to arrive at MSG. During weeknight sports events, 18% of fans originating from Manhattan arrived via taxi/limo. During the concert event, however, private auto usage among visitors from Manhattan and Long Island dropped to single digit percentages – 6% and 9%, respectively.

Figures 20-24 refer to the share of private automobile drivers and the number of cars per geographic location arriving to MSG for a specific event. For each event the percentage of overall drivers coming from New Jersey is the highest. For weeknight sports events, 24.5% of private automobile users originate from New Jersey (it should be noted that the Rangers game on Friday, April 4th and the Knicks game on Friday, March 28th were both against teams from New Jersey). For a Sunday night sports event this figure increases to 28.8%. For a Sunday afternoon sports event the figure is 27.8%. The circus and concert had a private automobile share from New Jersey of 24.6% and 21.7%, respectively.

With regard to other geographic locations within the New York City Metropolitan Area, the results varied by event. For weeknight sports events, the next highest share belonged to Brooklyn with 13.4% and the lowest share belonged to the Bronx and Staten Island at 7.3%. For Sunday evening sports events, the next highest share belonged to Westchester with 14.6% and the lowest share belonged to the Bronx at 3.7%. For Sunday afternoon sports events, the next highest share belonged to those who identified themselves as "Other" at 22.5% and the lowest share belonged to the Bronx at 2.2%. For the circus, the next highest share belonged to Brooklyn with 20.3% and the lowest share belonged to Manhattan at 2.9%. For the concert, the next highest share belonged to Queens with 13.6% and the lowest share belonged to Long Island at 7.2%.

Figure 20. Private Automobile Origins at Weeknight Sports Events (Percent Share/# of Cars)

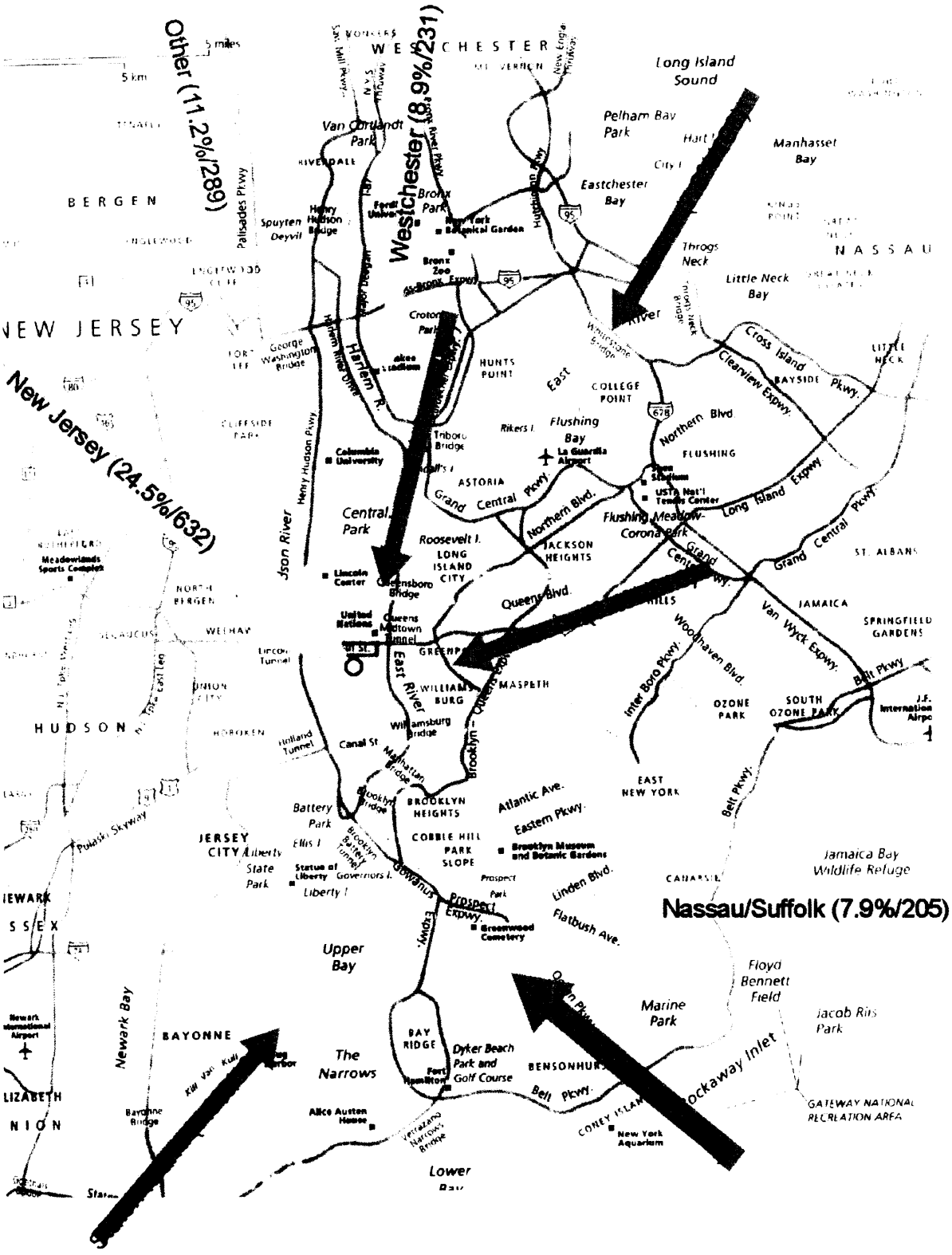


Figure 21. Private Automobile Origins at Sunday Night Sports Events (Percent Share/# of Cars)

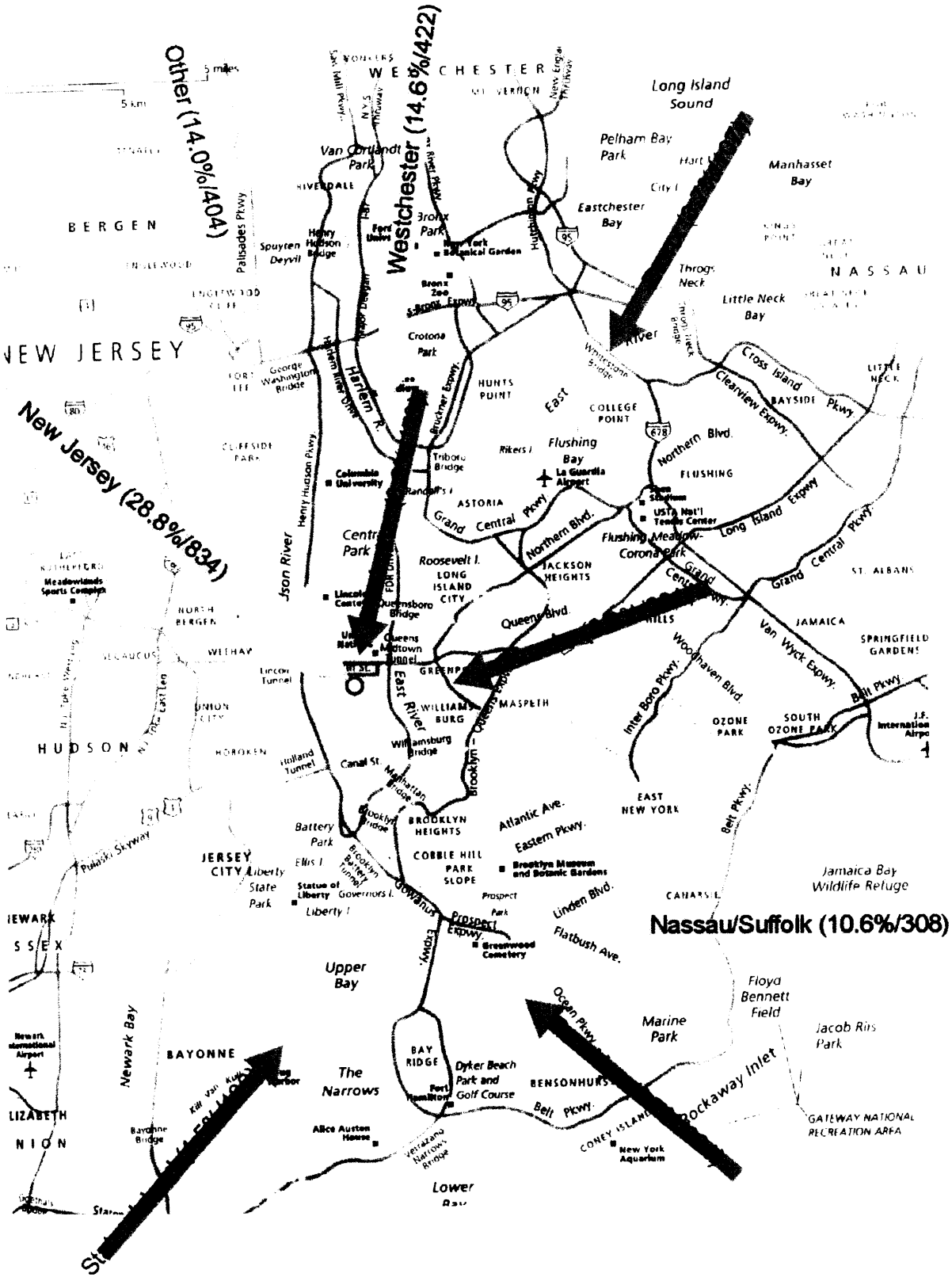


Figure 22. Private Automobile Origins at Sunday Afternoon Sports Events (Percent Share/# of Cars)

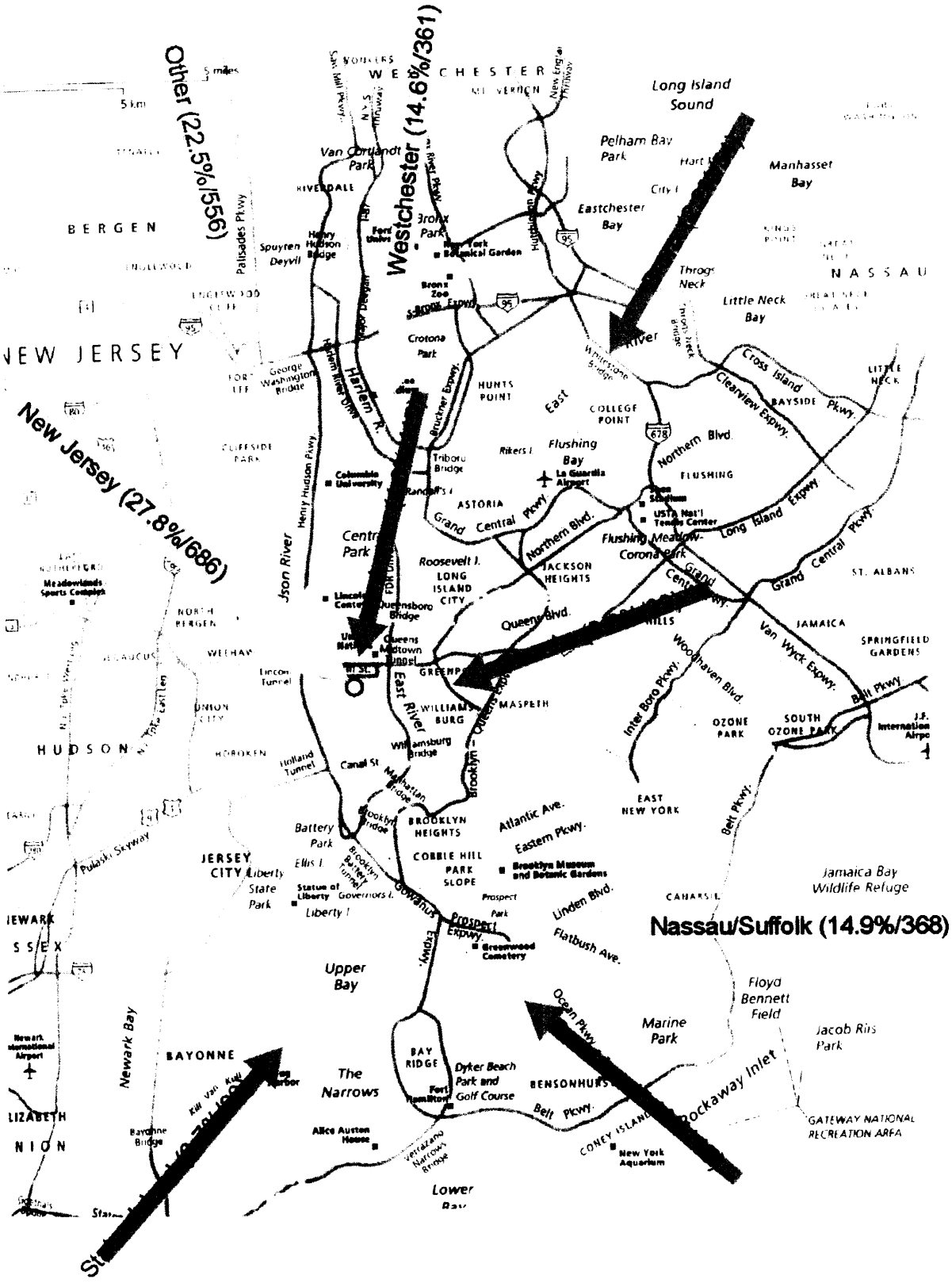


Figure 23. Private Automobile Origins at Circus (Percent Share/# of Cars)

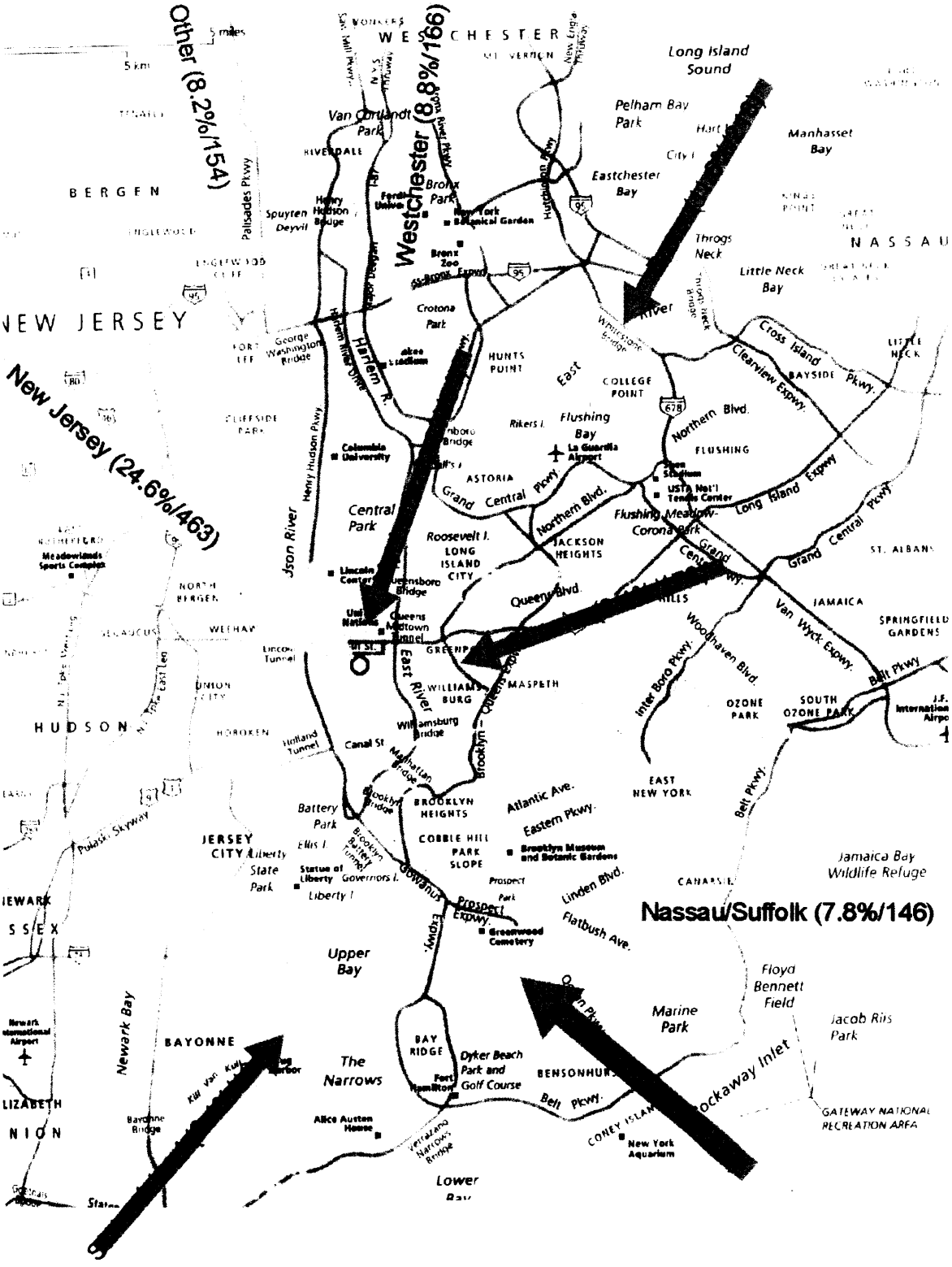
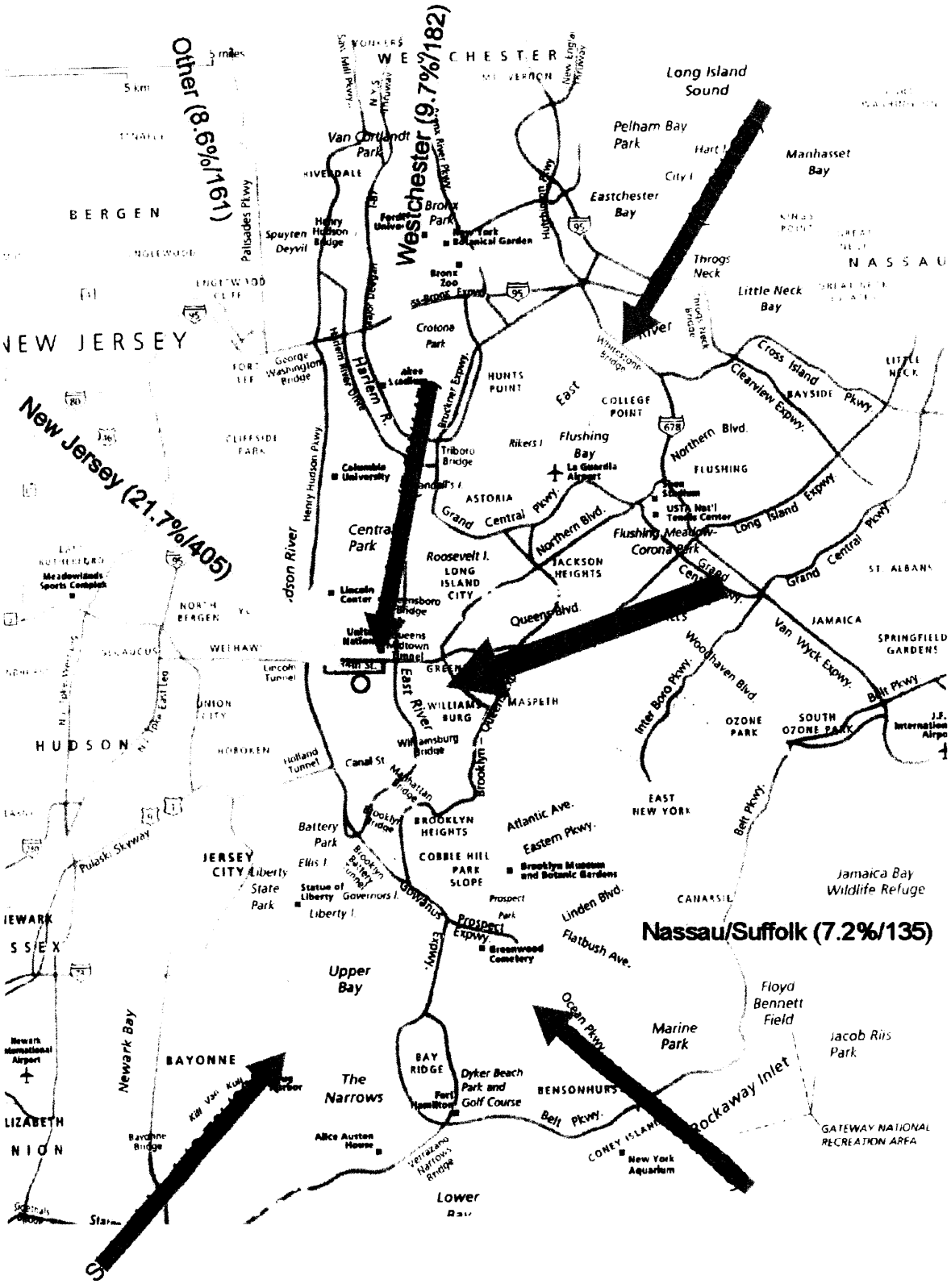


Figure 24. Private Automobile Origins at Concert (Percent Share/# of Cars)



Conclusion

Slightly more than 50% of Madison Square Garden patrons use public transit to arrive at the arena, making it the most common mode of travel. This is so for a number of reasons, the primary reason being MSG's unique and convenient location above Pennsylvania Station, a major regional transit hub. However, the transit and auto/taxi shares tend to fluctuate based on the following factors: type of event, geographic origin of attendees, time of day, and weeknight/weekend event occurrence. Even with such good transit access, almost 40% of fans use a car or taxi. Future planning must maximize transit usage while still programming for substantial vehicular traffic.

TRIP ORIGINATION OF MSG ATTENDEES

Trip Origin				Work	Home	Shopping	Restaurant	Other
Rangers	Wednesday	7:30 pm	3/26/2003	41%	54%	0%	1%	4%
	Friday	7:30 pm	4/4/2003	31%	64%	0%	2%	3%
	Sunday	5:00 pm	11/23/2003	1%	85%	3%	1%	10%
Knicks	Monday	7:30 pm	3/24/2003	40%	52%	1%	3%	4%
	Friday	8:00 pm	3/28/2003	31%	61%	1%	1%	6%
	Sunday	7:00 pm	3/16/2003	3%	82%	1%	3%	11%
	Sunday	1:00 pm	2/22/2004	1%	86%	1%	2%	10%
Circus	Saturday	3:30 pm	3/29/2003	0%	99%	0%	0%	1%
Concert	Tuesday	8:00 pm	5/20/2003	18%	77%	1%	2%	2%
Average				**18%**	**73%**	**1%**	**2%**	**6%**

TRIP ORIGIN AND TRAVEL MODE CROSSTABULATION

Weeknight Sports	Auto	Taxi/Limo	Walk	City Bus	Charter Bus	8 Ave Subway	7 Ave Subway	Bdwy Subway	6 Ave Subway	Lex Ave Subway	NJ Transit	PATH	LIRR	Metro North	Amtrak	Other
Bronx	58%	0%	0%	3%	1%	9%	19%	1%	3%	5%	0%	0%	0%	1%	0%	0%
Brooklyn	52%	3%	3%	1%	0%	16%	13%	10%	3%	0%	0%	0%	0%	0%	0%	0%
Queens	37%	0%	0%	1%	4%	17%	10%	8%	9%	1%	0%	0%	13%	0%	0%	1%
Staten Island	72%	2%	0%	10%	0%	2%	7%	3%	2%	2%	0%	0%	0%	0%	0%	0%
Manhattan	9%	18%	29%	3%	0%	13%	18%	6%	3%	1%	0%	0%	0%	0%	0%	1%
Westchester	56%	2%	0%	0%	0%	0%	4%	0%	0%	0%	0%	0%	0%	38%	0%	0%
Nassau/Suffolk	21%	0%	0%	0%	0%	0%	2%	0%	0%	0%	0%	0%	77%	0%	0%	0%
New Jersey	38%	2%	2%	0%	0%	0%	1%	0%	0%	0%	39%	15%	0%	0%	1%	1%
Other	48%	3%	3%	1%	2%	2%	1%	1%	0%	0%	2%	1%	15%	16%	3%	3%

Weekend Sports	Auto	Taxi/Limo	Walk	City Bus	Charter Bus	8 Ave Subway	7 Ave Subway	Bdwy Subway	6 Ave Subway	Lex Ave Subway	NJ Transit	PATH	LIRR	Metro North	Amtrak	Other
Bronx	33%	2%	0%	13%	2%	4%	29%	2%	7%	4%	0%	0%	0%	0%	0%	2%
Brooklyn	35%	1%	2%	0%	0%	18%	12%	26%	7%	0%	0%	0%	0%	0%	0%	0%
Queens	44%	6%	0%	1%	0%	23%	3%	7%	4%	0%	0%	0%	11%	0%	0%	0%
Staten Island	64%	8%	0%	10%	0%	0%	8%	5%	3%	0%	0%	0%	0%	0%	0%	3%
Manhattan	8%	24%	34%	3%	0%	7%	15%	5%	2%	0%	0%	0%	0%	0%	0%	1%
Westchester	66%	5%	0%	0%	0%	0%	2%	0%	0%	0%	0%	0%	0%	26%	0%	2%
Nassau/Suffolk	25%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	74%	0%	0%	0%
New Jersey	46%	1%	0%	0%	2%	0%	0%	0%	0%	0%	41%	8%	0%	0%	1%	1%
Other	49%	4%	2%	1%	10%	1%	2%	1%	0%	0%	2%	2%	2%	23%	3%	2%

Circus	Auto	Taxi/Limo	Walk	City Bus	Charter Bus	8 Ave Subway	7 Ave Subway	Bdwy Subway	6 Ave Subway	Lex Ave Subway	NJ Transit	PATH	LIRR	Metro North	Amtrak	Other
Bronx	41%	0%	0%	0%	0%	7%	25%	2%	16%	7%	0%	0%	0%	2%	0%	0%
Brooklyn	45%	3%	0%	0%	0%	14%	12%	18%	8%	0%	0%	0%	0%	0%	0%	0%
Queens	33%	2%	0%	0%	0%	23%	10%	15%	8%	0%	0%	0%	8%	0%	0%	0%
Staten Island	57%	9%	0%	13%	0%	9%	9%	0%	0%	0%	0%	0%	0%	0%	0%	4%
Manhattan	9%	26%	15%	4%	2%	17%	11%	2%	2%	7%	0%	2%	0%	0%	0%	4%
Westchester	52%	7%	0%	0%	0%	0%	4%	0%	0%	0%	0%	0%	0%	37%	0%	0%
Nassau/Suffolk	18%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	82%	0%	0%	0%
New Jersey	36%	3%	0%	0%	3%	0%	0%	0%	0%	0%	46%	10%	0%	0%	2%	1%
Other	72%	0%	0%	0%	6%	0%	0%	0%	0%	0%	0%	0%	6%	11%	6%	0%

Concert	Auto	Taxi/Limo	Walk	City Bus	Charter Bus	8 Ave Subway	7 Ave Subway	Bdwy Subway	6 Ave Subway	Lex Ave Subway	NJ Transit	PATH	LIRR	Metro North	Amtrak	Other
Bronx	65%	12%	0%	12%	0%	6%	6%	0%	0%	0%	0%	0%	0%	0%	0%	0%
Brooklyn	38%	9%	0%	0%	0%	6%	9%	38%	0%	0%	0%	0%	0%	0%	0%	0%
Queens	38%	5%	0%	0%	0%	26%	2%	14%	7%	0%	0%	0%	7%	0%	0%	0%
Staten Island	60%	7%	0%	7%	0%	7%	7%	7%	7%	0%	0%	0%	0%	0%	0%	0%
Manhattan	6%	21%	28%	3%	0%	13%	14%	7%	4%	3%	0%	1%	0%	0%	0%	1%
Westchester	27%	0%	0%	0%	2%	0%	9%	0%	0%	0%	0%	0%	0%	59%	0%	2%
Nassau/Suffolk	9%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	0%	90%	0%	0%	1%
New Jersey	27%	2%	0%	0%	0%	0%	0%	0%	0%	0%	51%	18%	0%	0%	0%	2%
Other	38%	12%	0%	0%	0%	8%	0%	0%	0%	0%	0%	0%	4%	27%	12%	0%

* Values are normalized.

Madison Square Garden Transit Survey

1. What mode of travel did you use to come to Madison Square Garden today/tonight?

Car
Yellow taxi
Limo
City Bus
Charter Bus
Walk
8th Ave Subway
7th Ave Subway
Broadway Subway
6th Ave Subway
Lexington Ave Subway
NJ Transit
PATH
LIRR
Metro North
Amtrak
Other (please specify) *(open-ended)*

* analyzed as a multiple response question

2. What time did you arrive at The Garden today/tonight? *(open-ended)*

3. If you traveled by car, taxi, or limo, how many people arrived with you?

No one else
1
2
3
4
5

4. Where were you before coming to The Garden?

Work
Home
Shopping
Restaurant
Other (please specify) *(open-ended)*

5. In what borough or county were you before coming to The Garden?

Bronx
Brooklyn
Queens
Staten Island
Manhattan (GO TO Q6)
Westchester
Nassau/Suffolk
Any county in NJ
Other (please specify) *(open-ended)*

6. If you were already in Manhattan, what part of Manhattan did you travel from?

Lower Manhattan (south of Houston St. to the Battery)
North of Houston St. - South of 34th St.
Midtown (34th St. - 59th St.)
Upper Manhattan (north of 59th St.)

Note: Percentages may be greater than or less than 100% due to rounding.

Madison Square Garden Transit Survey

7. When you leave The Garden, will you return to the same place that you traveled from?

Yes (SKIP TO Q11)

No

8. (IF NO TO Q7) Where will you go after leaving The Garden?

Home

Restaurant

Shopping

Other (please specify) *(open-ended)*

9. (IF NO TO Q7) What borough or county will you go to directly after leaving The Garden?

Bronx

Brooklyn

Queens

Staten Island

Manhattan (GO TO Q10)

Westchester

Nassau/Suffolk

Any county in NJ

Other (please specify) *(open-ended)*

10. (IF NO TO Q7) If you are staying in Manhattan directly after leaving The Garden, what part of Manhattan will you go to?

Lower Manhattan (south of Houston St. to the Battery)

North of Houston St. - South of 34th St.

Midtown (34th St. - 59th St.)

Upper Manhattan (north of 59th St.)

11. What mode of travel will you use when you leave The Garden?

Car

Yellow taxi

Limo

City Bus

Charter Bus

Walk

8th Ave Subway

7th Ave Subway

Broadway Subway

6th Ave Subway

Lexington Ave Subway

NJ Transit

PATH

LIRR

Metro North

Amtrak

Other (please specify) *(open-ended)*

* analyzed as a multiple response question

12. Is this the same mode of travel that you used to travel to The Garden?

Yes

No

Total Respondents

Margin of Error

Note: Percentages may be greater than or less than 100% due to rounding.

TECHNICAL MEMORANDUM A-4

MADISON SQUARE GARDEN ATTENDANCE PROFILE

The existing Madison Square Garden consists of the Arena, Felt Forum, Rotunda and Bowling Center. This memo describes the attendance characteristics of these facilities and predicts future characteristics of the New Madison Square Garden Arena and Forum.

Our study reveals that the events whose attendance is most likely to be affected by the increased capacity of the New Arena are primarily concerts and Ranger hockey games. Surveys have been conducted at two concerts, two Ranger hockey games, and several Knickerbocker basketball games. A summary of the results and estimated average modal split is included in this memo.

Existing Arena and Forum

The existing Arena has a maximum seating capacity which varies with the type of event scheduled. This capacity for concerts ranges from 15,000 to 20,250 seats (depending on the act). Knickerbocker Basketball games have a maximum seating capacity of 19,190 while Ranger hockey games have 17,690 seats at capacity. The Forum has a maximum seating of approximately 5,000.

Madison Square Garden Corporation, the operator of Madison Square Garden, provided Vollmer Associates with information on Arena and Forum attendance for an analysis year beginning 5/1/86 and ending 4/30/87. This information includes all events that occurred in both facilities during the analysis year for a total of 534 events: 347 held in the Arena and 187 held in the Forum. Over the course of a year, 72 dark days occurred at the combined Arena/Forum facilities, 22 of these dark days occurred on weekends or holidays and 50 dark days occurred on weekdays. For each event, the day, date, event title, start time, end time, attendance and ticket sales was provided. This information was entered into a database file which was then analyzed.

Figure IV-1 summarizes the combined Arena/Forum attendance for each day of the week. Weekdays include Monday through Thursday, while weekends and holidays include Friday through Sunday as well as any holidays that fall on a weekday. Attendance was divided into three ranges: events with attendance between 0 and 9,999, events with attendance between 10,000 and 14,999, and events with attendance of 15,000 or more. During the weekdays, Wednesdays and Thursdays have the greatest number of events occurring. On the weekends, Saturday has the greatest number of events occurring. Sunday has about the same number of events with attendance greater than 10,000 as Saturday. However, since underlying traffic volumes are higher on Saturday than on Sunday, it is the more important weekend day to be studied.

A similar summary of attendance is shown in Figure IV-2. Instead of categorizing by the day of the week, attendance is categorized by the type of

event. On weekdays as well as weekends and holidays, four events are significant: concerts, Rangers hockey, Knickerbocker basketball and the circus.

Concerts have the highest attendance of all events. Only 1 (2%) concert had attendance below 10,000 during the analysis year while 16 concerts had attendance in the range 10,000-14,999, and 40 (70%) concerts had attendance greater than 15,000. Total concert attendance for the analysis year was 902,462 with an average attendance of 15,833. The median attendance of 16,597 is approximately five percent higher than the average attendance.

Ranger hockey games also have high attendance. Five (10%) games had attendance below 10,000, 30 (61%) games had attendance in the range 10,000-14,999, and 14 (29%) games had attendance over 15,000. Total attendance during the analysis year was 634,196 with an average attendance of 12,942. The median attendance was 12,383.

There were 44 Knickerbocker basketball games during the design year. Twenty-three games had attendance below 10,000, 17 games had attendance in the range 10,000-14,999, and 4 games had attendance greater than 15,000. Total attendance for the analysis year was 417,179 with an average attendance of 9,481. The median attendance was slightly above the average at 9,764.

The circus appears significant because it had the greatest number of events scheduled during the analysis year, however most of the events had low attendance. Seventy-three circus performances had attendance below 10,000, ten performances had attendance in the range 10,000-14,999, and four performances had attendance over 15,000. Total circus attendance for the analysis year was 548,566 with an average attendance of 6,305. The median attendance was 5,714.

At the Felt Forum during the analysis year a total of 187 events were held. Maximum seating capacity is about 5,000. During the analysis year, a total of 51 (27%) events had attendance less than 2,000, 94 (50%) events had attendance between 2,000 and 4,000 and the remaining 42 (23%) events had near or at capacity attendance with 4,000 or more in attendance. The total attendance for the year is estimated at 520,038 with an average attendance of 2,780. The median event was a Sesame Street show with 2,856 persons in attendance.

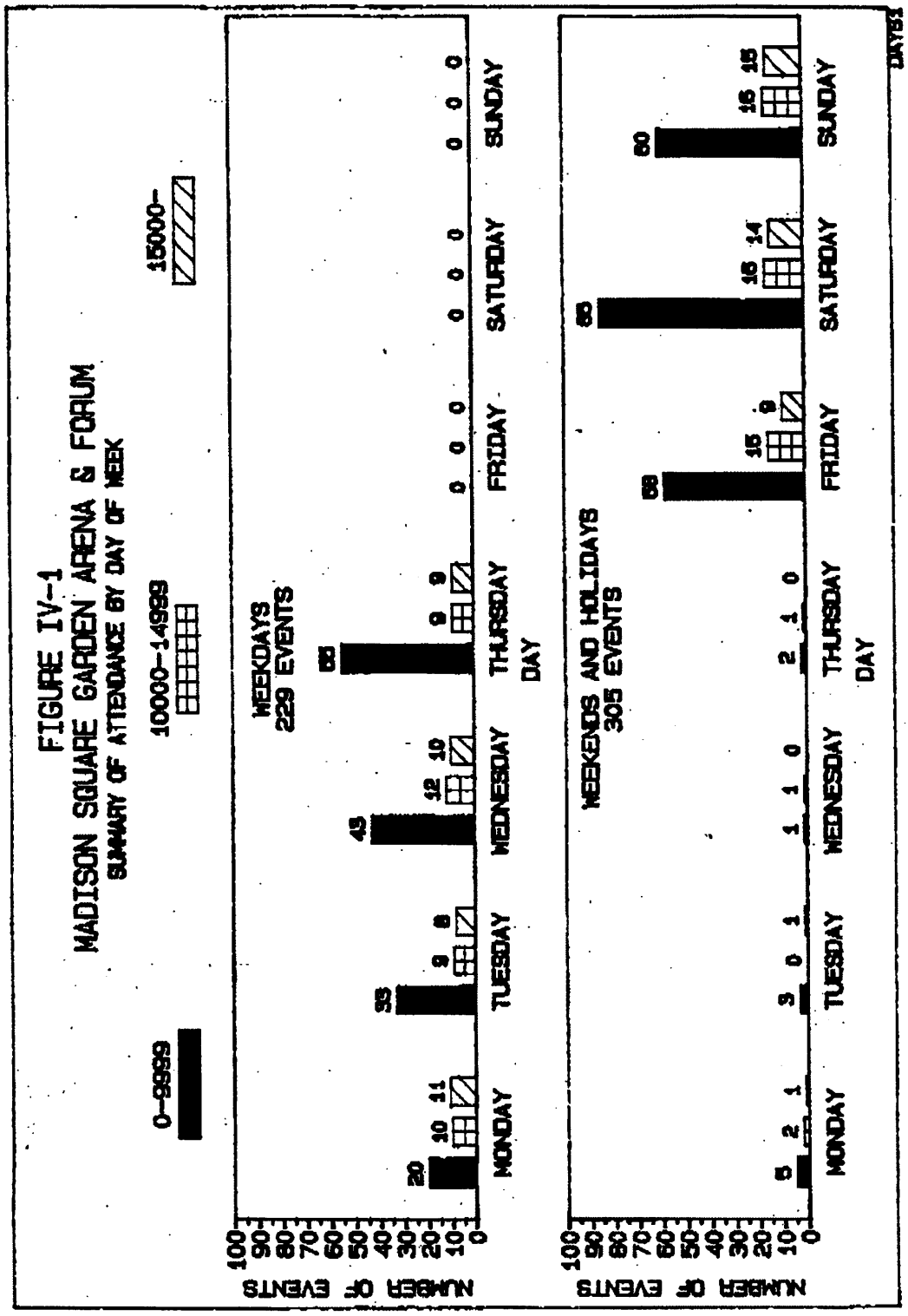


FIGURE IV-1
MADISON SQUARE GARDEN ARENA & FORUM
SUMMARY OF ATTENDANCE BY DAY OF WEEK
0-9999
10000-14999
15000-
WEEKDAYS
229 EVENTS
WEEKENDS AND HOLIDAYS
305 EVENTS
NUMBER OF EVENTS
MONDAY
TUESDAY
WEDNESDAY
THURSDAY
FRIDAY
SATURDAY
SUNDAY
DAY

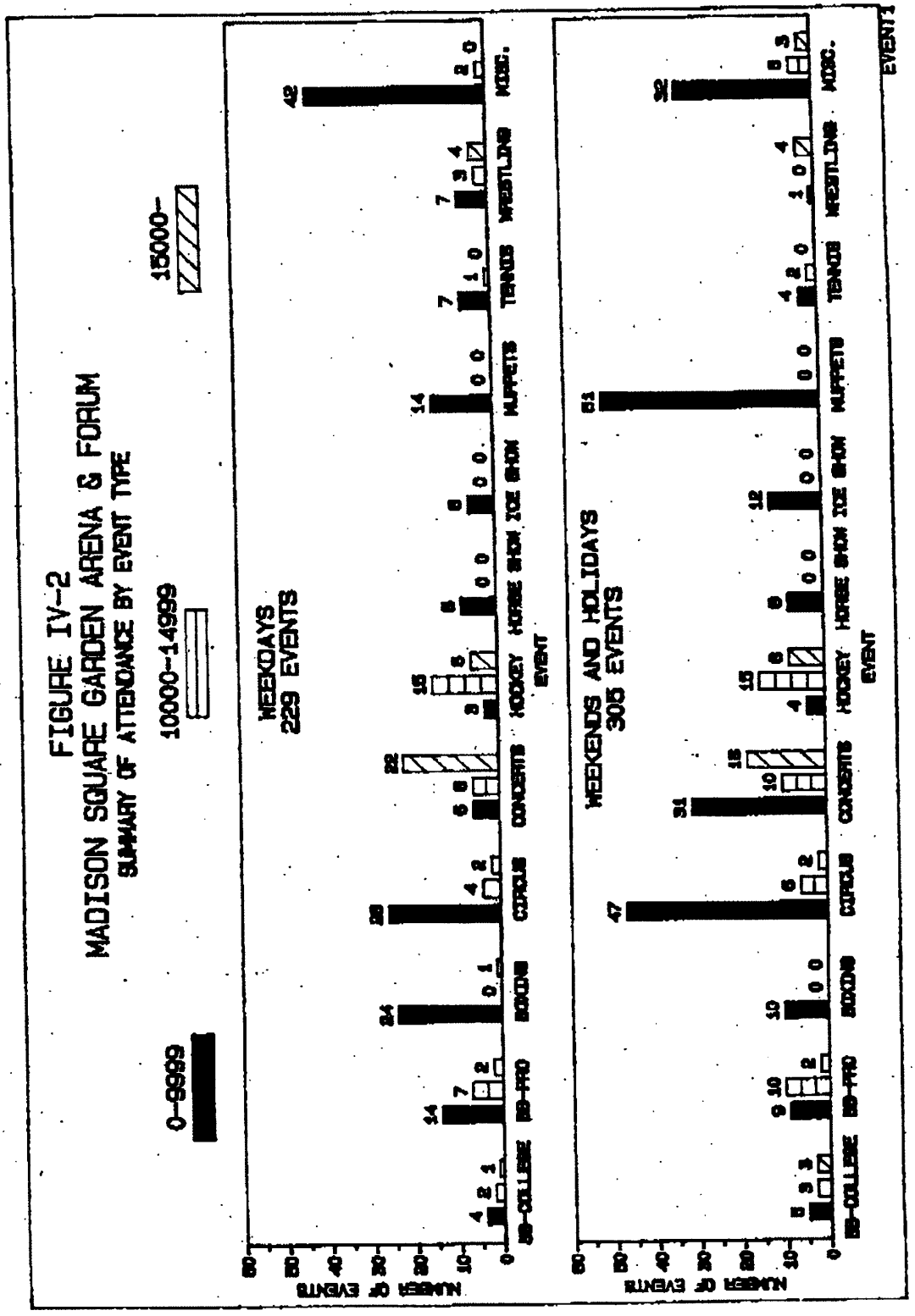


FIGURE IV-2
MADISON SQUARE GARDEN ARENA & FORUM
SUMMARY OF ATTENDANCE BY EVENT TYPE
0-9999
10000-14999
15000-
WEEKDAYS
229 EVENTS
WEEKENDS AND HOLIDAYS
305 EVENTS
NUMBER OF EVENTS
EVENT
BB-COLLEGE
BB-PRO
BOXING
CIRCUS
CONCERTS
HOCKEY
HORSE SHOW
ICE SHOW
MUPPETS
TENNIS
WRESTLING
MISC.

Some overlapping occurs between events held at the Arena and Forum. Events were defined as overlapping if their start times were within one hour of each other. Table IV-1 Summarizes the interfacing for events with the same start time, a one-half hour difference, and a one hour difference. A total of 56 overlaps occurred during the analysis year.

TABLE IV-1

ARENA/FORM INTERFACING

Total Volume Range[1]	Equal Start Times	1/2 Hour Difference	1 Hour Difference	Total
9 - 9,999	3	4	1	8
10,000 - 14,999	6	9	5	20
15,000 - 19,999	7	12	1	20
20,000 - 24,999	5	2	1	8
Total	21	27	8	56

1. Total volume equals Arena Volume plus Forum Volume.

Design Day Event Attendance

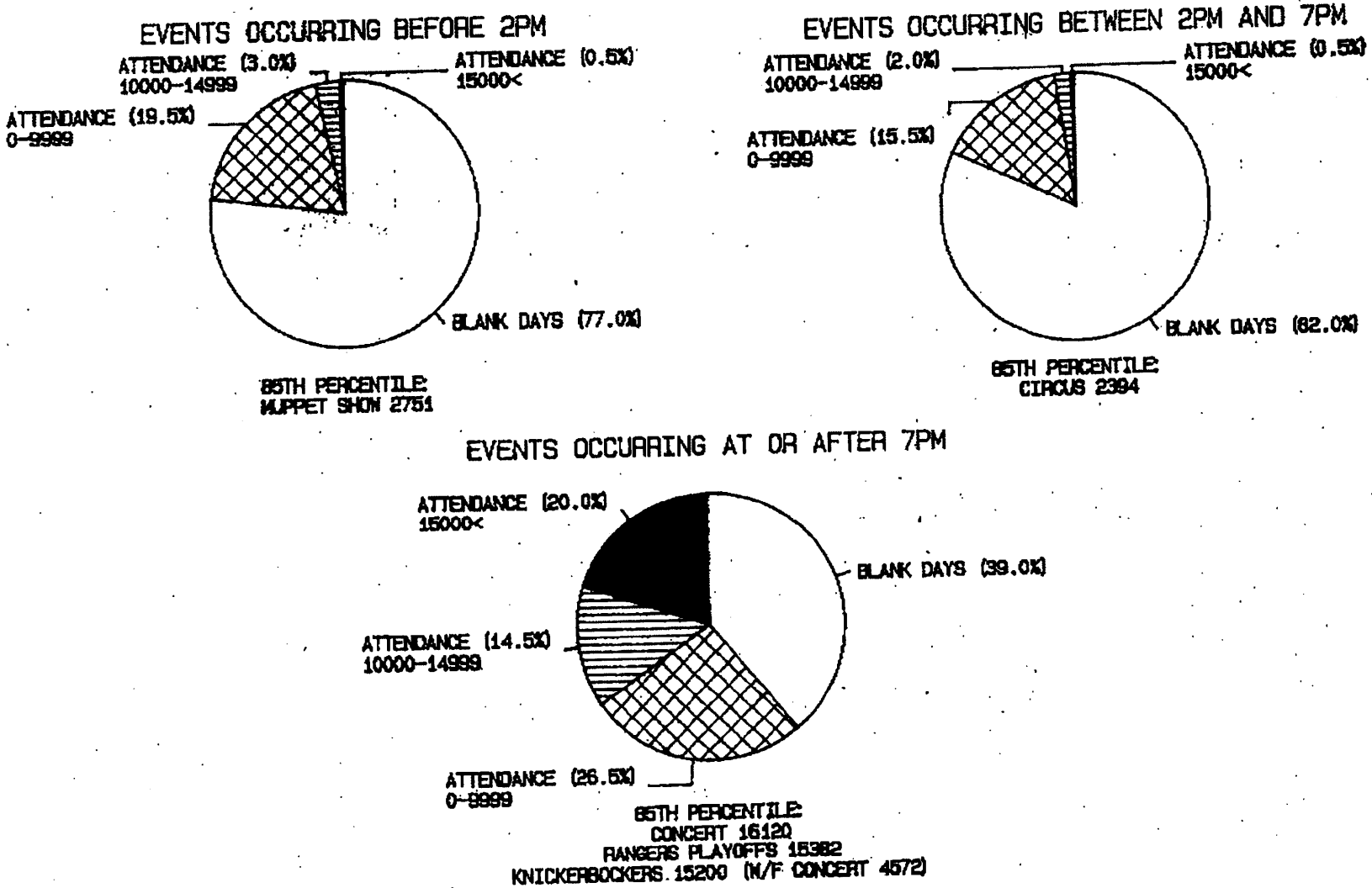
For analysis purposes a design day event must be chosen. An 85 percentile event has been selected which represents a level of attendance that occurs frequently but is higher in attendance than the great majority of events. Since attendance throughout each day and week may vary widely, the analysis year has been divided into six time periods:

- before 2 PM on a weekday
- before 2 PM on a weekend
- between 2 PM and 7 PM on a weekday
- between 2 PM and 7 PM on a weekend
- 7 PM and later on a weekday
- 7 PM and later on a weekend

Total attendance was sorted for these time periods and events which began within one hour of each other at the Arena and Forum were combined, with their combined attendance considered as one event.

The 85th percentile for each time period was then determined. Figures IV-3 and IV-4 show the distribution of attendance and the 85th percentile events for each weekday and weekend time period. For the 7 PM and later weekday and weekend time periods, in addition to identifying the 85th percentile event, the concert, Ranger hockey game and Knickerbocker basketball game nearest in attendance was selected. These data are summarized in Table IV-2.

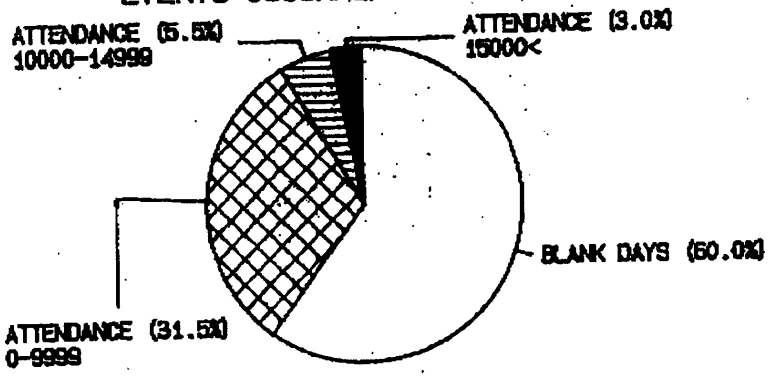
FIGURE IV-3
MADISON SQUARE GARDEN ARENA & FORUM
EXISTING WEEDAYS - 200 DAYS



PIE1

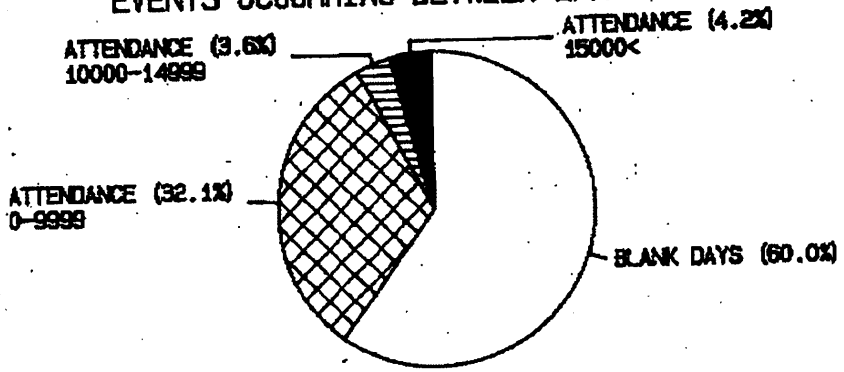
FIGURE IV-4
MADISON SQUARE GARDEN ARENA & FORUM
EXISTING WEEKENDS & HOLIDAYS - 165 DAYS

EVENTS OCCURRING BEFORE 2PM



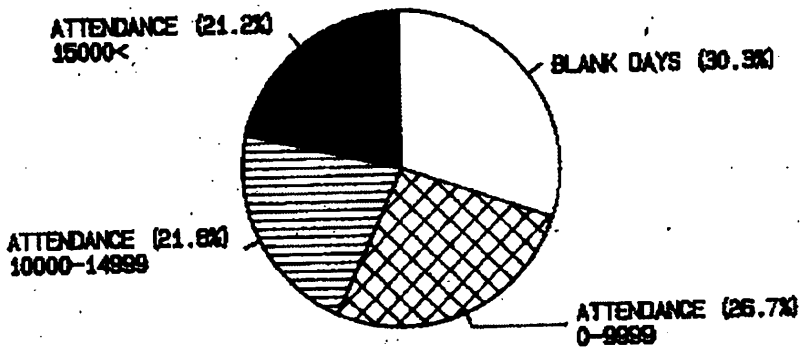
85TH PERCENTILE:
ICE CAPADES 5313

EVENTS OCCURRING BETWEEN 2PM AND 7PM



85TH PERCENTILE:
FORUM CONCERT 4370

EVENTS OCCURRING AT OR AFTER 7PM



85TH PERCENTILE:
CONCERT 17208
RANGERS 16626
KNICKERBOCKERS 15067 (W/ MUPPETS 2400)

PIE2

Table IV-2

Summary of 85th Percentile Events at the
Existing MSG Arena & Felt Forum

Time Period	Day Type	Attendance	Event
Before 2 PM	Weekday	2,751	Muppet Show
2 PM - 7 PM	Weekday	2,394	Circus
7 PM and after	Weekday	16,120	Concert
	Weekday	15,382	Ranger Hockey
	Weekday	15,200	Knickerbocker Basketball
Before 2 PM	Weekend	5,313	Ice Capades
2 PM - 7 PM	Weekend	4,370	Forum Concert
7 PM and later	Weekend	17,208	Concert
	Weekend	16,828	Ranger Hockey
	Weekend	15,087	Knickerbocker Basketball (with Muppet Show 2,400)

Volumes Surveys

Based on examination of the attendance data, it is clear that the most significant events, those with the highest attendance, are concerts, Ranger hockey games, and Knickerbocker basketball games. Since the arrival and departure patterns, modal split, and origin/destination patterns had been based on estimates rather than actual data, several surveys were undertaken to determine these factors.

Three events were surveyed by Vollmer Associates: the "Cars" concert on October 29, 1987, the Knickerbockers vs. Celtics basketball game on November 9, 1987, and the Rangers vs. Devils hockey game on November 10, 1987. Table IV-3 shows the start and end times and the actual attendance of each of these events. Figure IV-5 shows a sample of the questionnaire that interviewers filled out. Interviews were conducted before the event and during intermission.

Table IV-3

DESCRIPTION OF EVENTS SURVEYED BY VOLLMER ASSOCIATES

Event	Scheduled Date	Start Time	End Time	Total Attendance
"Cars" Concert	10/29/87	8:00 PM	11:00 PM	9,262
Knickerbockers vs. Celtics	11/09/87	7:30 PM	10:00 PM	17,452
Rangers vs. Devils	11/10/87	7:35 PM	10:30 PM	14,199

FIGURE IV-5
MADISON SQUARE GARDEN ARENA EVENT QUESTIONAIRE

	How did you get here tonight?		How many people arrived with you?	Where are you coming from?	What time did you arrive here tonight?	Will you go home the same way?	
	Vehicle	Transit				Vehicle	Transit
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							
11							
12							
13							
14							
15							
	A=AUTO T=TAXI L=LIMO	LIRR NJT PATH SUBWAY-LINE? BUS-LINE?	ONLY SAME TRAVEL MODE	INTERSECTION IN MANHATTAN OR COUNTY OUTSIDE OF MANHATTAN	TO NEAREST QUARTER OF THE HOUR	A=AUTO T=TAXI L=LIMO	LIRR NJT PATH SUBWAY-LINE? BUS-LINE?

The event arrival distribution is summarized in Table IV-4. The "Cars" concert was a typical concert with a warm-up band opening the show at 8:00 p.m. and the main band beginning at about 9:15 p.m. Attendance at this concert was atypical since the Arena was at only 46 percent of its maximum capacity. This volume is considerably below the average concert attendance of 15,833 which is 78 percent of maximum capacity. Approximately 60 percent of the audience arrived before 8:00 p.m. while about 40 percent arrived after 8:00 p.m.

Modal split for arrival at the "Cars" concert is summarized in Table IV-5. Total vehicle usage is about 42 percent. Seven percent walked and about 51 percent used some form of mass transit. Table IV-6 summarizes the origin distribution of the audience surveyed at the "Cars" concert. Approximately 21 percent came from Manhattan with a total of about 54 percent having arrived from the five boroughs.

Survey responses for both the Knickerbocker and the Ranger games were very similar with approximately 75-80 percent of the audience arriving before the start of the game.

Modal split and origin distribution for the Knickerbocker basketball game are summarized in Tables IV-7 and IV-8. Approximately 39 percent arrived by vehicle, 10 percent walked, and 51 percent used mass transit. A higher percentage of trips to the Knickerbocker game than the "Cars" concert originated in Manhattan with about 39 percent. A total of about 64 percent originated from the five boroughs.

Tables IV-9 and IV-10 summarize the modal split and origin distribution of the Rangers game. Approximately 44 percent arrived by vehicle, 10 percent walked, and 46 percent used mass transit. The Rangers game attracted 35 percent of its audience from Manhattan and a total of 55 percent from the five boroughs.

Table IV-11 compares arrival and departure modal splits for the three events surveyed. Departure patterns for the "Cars" concert show a 6% increase in vehicles trips, a 2% decrease in walk trips, and a 4% decrease in mass transit trips over arrival patterns. The Knicks game shows a similar shift in modal split with a 10% increase in vehicle trips, a 4% decrease in walk trips, and a 6% decrease in mass transit trips. No change occurs in the mass transit trips at the Rangers game. The 5% increase that occurs for vehicle trips is offset by a 5% decrease in walk trips.

TABLE IV-4
EVENT ARRIVAL DISTRIBUTION
WEEKDAY

Time	The "Cars" Concert		Knickerbockers vs. Celtics		Rangers vs. Devils	
	Survey Results	Turnstile Counts (1)	Survey Results	Turnstile Counts	Survey Results	Turnstile Counts
5 PM	2%	-	1%	-	1%	-
5:00	1%	-	1%	-	1%	-
5:15	-	-	0%	-	1%	-
5:30	1%	-	1%	-	3%	-
5:45	-	-	1%	-	0%	-
5-6 PM	2%	-	3%	-	5%	-
6:00	4%	-	3%	1%	5%	0%
6:15	1%	-	2%	3%	2%	5%
6:30	3%	-	10%	6%	10%	3%
6:45	1%	-	11%	9%	9%	9%
6-7 PM	9%	-	26%	19%	26%	17%
7:00	10%	-	27%	22%	22%	20%
7:15	7%	-	22%	34%	22%	25%
7:30	19%	-	13%	17%	16%	25%
7:45	14%	-	5%	8%	5%	13%
7-8 PM	50%	-	67%	81%	65%	83%
8:00	17%	-	2%	-	2%	-
8:15	8%	-	1%	-	1%	-
8:30	5%	-	0%	-	0%	-
8:45	3%	-	0%	-	0%	-
8-9 PM	33%	-	3%	-	3%	-
9 PM	4%	-	0%	-	0%	-
Total	100%		100%	100%	100%	100%

(1) Not Surveyed.

TABLE IV-5
MODAL DISTRIBUTION BY ORIGIN
THE "CARS" CONCERT 10/29/87

Mode	North Bronx	South Brooklyn	North Conn.	East L.I.	Manhattan	West N.J.	East Queens	North Rockland	South S.I.	North Westchester	Total %
Auto	46%	44%	39%	22%	12%	42%	49%	83%	72%	18%	32%
Taxi	9%	3%	5%	2%	28%	1%	1%	-	10%	8%	9%
Limo	-	1%	-	2%	1%	1%	2%	-	-	-	1%
Walk	3%	-	34%	-	21%	2%	1%	-	-	8%	7%
Bus	3%	-	-	-	4%	1%	-	17%	-	60%	10%
Subway	39%	52%	22%	2%	34%	2%	37%	-	18%	6%	22%
LIRR	-	-	-	72%	-	-	10%	-	-	-	12%
NJT	-	-	-	-	-	35%	-	-	-	-	5%
Path	-	-	-	-	-	16%	-	-	-	-	2%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Volume [1]	99 (36) 4.6%	250 (96) 11.7%	41 (13) 1.9%	331 (116) 15.4%	447 (188) 20.8%	299 (111) 13.9%	301 (116) 14.0%	18 (7) .8%	57 (19) 2.7%	305 (46) 14.2%	2,148 (748)

1. Total Group Volume (Survey Response Volume)

North: 21.5%
South: 14.4%
East: 29.4%
West: 13.9%
Manhattan: 20.8%

NYC 53.8%

TABLE IV-6
ORIGIN DISTRIBUTION BY MODE
THE "CARS" CONCERT 10/29/87

Mode	Bronx	Brooklyn	Conn.	L.I.	Manhattan	N.J.	Queens	Rockland	S.I.	West-chester	Total %	Volume[1]
Auto	7%	16%	2%	11%	8%	18%	22%	2%	6%	8%	100%	681 (249)
Taxi	6%	4%	1%	3%	67%	2%	1%	-	3%	13%	100%	186 (69)
Limo	-	16%	-	32%	16%	8%	28%	-	-	-	100%	25 (8)
Walk	2%	-	10%	-	65%	4%	1%	-	-	18%	100%	142 (59)
Bus	1%	-	-	-	8%	2%	-	1%	-	88%	100%	208 (19)
Subway	8%	27%	2%	1%	32%	1%	23%	-	2%	4%	100%	482 (192)
LIRR	-	-	-	89%	-	-	11%	-	-	-	100%	270 (99)
NJT	-	-	-	-	-	100%	-	-	-	-	100%	105 (34)
PATH	-	-	-	-	-	100%	-	-	-	-	100%	49 (19)
Total	4%	12%	2%	15%	21%	14%	14%	1%	3%	14%	100%	2,148 (748)

1. Total Group Volume
(Survey Response Volume)

TABLE IV-7
MODAL DISTRIBUTION BY ORIGIN
KNICKERBOCKERS VS. CELTICS 11/9/87

Mode	Bronx	Brooklyn	Conn.	L.I.	Manhattan	N.J.	Queens	Rockland	S.I.	West-chester	Total %
Auto	36%	50%	34%	30%	11%	62%	37%	15%	78%	30%	28%
Taxi	-	2%	2%	-	20%	3%	4%	-	8%	11%	9%
Limo	-	-	4%	2%	3%	-	1%	-	11%	-	2%
Walk	-	-	9%	-	24%	1%	-	2%	-	8%	10%
Bus	2%	-	39%	-	1%	-	-	83%	-	38%	11%
Subway	62%	48%	12%	5%	41%	1%	52%	-	3%	13%	30%
LIRR	-	-	-	63%	-	-	6%	-	-	-	6%
NJT	-	-	-	-	-	25%	-	-	-	-	3%
PATH	-	-	-	-	-	8%	-	-	-	-	1%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Volume[1]	84 (32) 3.7%	188 (78) 8.2%	125 (26) 5.4%	207 (83) 9.0%	891 (386) 38.8%	221 (88) 9.6%	272 (87) 11.8%	170 (16) 7.4%	36 (13) 1.6%	105 (31) 4.5%	2,299 (840)

1. Total Group Volume
(Survey Response Volume)

TABLE IV-8
ORIGIN DISTRIBUTION BY MODE
KNICKERBOCKERS VS. CELTICS 11/9/87

Mode	Bronx	Brooklyn	Conn.	L.I.	Manhattan	N.J.	Queens	Rockland	S.I.	West-chester	Total %	Volume[1]
Auto	5%	14%	6%	10%	16%	21%	15%	4%	4%	5%	100%	651 (239)
Taxi	-	1%	1%	1%	82%	3%	6%	-	1%	5%	100%	208 (95)
Limo	-	-	12%	10%	58%	-	10%	-	10%	-	100%	42 (9)
Walk	-	-	5%	-	90%	-	-	2%	-	3%	100%	237 (106)
Bus	1%	-	20%	-	5%	-	-	57%	-	17%	100%	246 (17)
Subway	7%	13%	2%	2%	54%	-	20%	-	-	2%	100%	696 (281)
LIRR	-	-	-	88%	-	-	12%	-	-	-	100%	145 (62)
NJT	-	-	-	-	-	100%	-	-	-	-	100%	56 (22)
PATH	-	-	-	-	-	100%	-	-	-	-	100%	18 (9)
Total	3%	8%	5%	9%	39%	10%	12%	7%	2%	5%	100%	2,299 (840)

1. Total Group Volume
(Survey Response Volume)

TABLE IV-9
MODAL DISTRIBUTION BY ORIGIN
RANGERS VS. DEVILS 11/10/87

Mode	Bronx	Brooklyn	Conn.	L.I.	Manhattan	N.J.	Queens	Rockland	S.I.	West-chester	Total %
Auto	60%	65%	53%	20%	14%	45%	46%	76%	81%	73%	36%
Taxi	4%	-	16%	-	14%	3%	1%	-	-	3%	6%
Limo	-	-	3%	-	4%	-	-	-	-	-	2%
Walk	-	-	7%	1%	23%	3%	2%	8%	-	10%	10%
Bus	5%	1%	-	-	2%	10%	2%	16%	3%	-	4%
Subway	31%	34%	21%	3%	43%	4%	37%	-	16%	14%	24%
LIRR	-	-	-	76%	-	-	12%	-	-	-	11%
NJT	-	-	-	-	-	25%	-	-	-	-	5%
Path	-	-	-	-	-	10%	-	-	-	-	2%
Total	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%	100%
Volume [1]	58 (30)	159 (66)	70 (27)	290 (124)	766 (358)	486 (210)	182 (82)	25 (10)	37 (16)	125 (51)	2,198 (974)

1. Total Group Volume
(Survey Response Volume)

TABLE IV-10
ORIGIN DISTRIBUTION BY MODE
RANGERS VS. DEVILS 11/10/87

Mode	Bronx	Brooklyn	Conn.	L.I.	Manhattan	N.J.	Queens	Rockland	S.I.	West-chester	Total %	Volume[1]
Auto	4%	13%	5%	8%	13%	28%	11%	2%	4%	12%	100%	780 (342)
Taxi	1%	-	8%	-	75%	12%	1%	-	-	3%	100%	138 (64)
Limo	-	-	6%	-	94%	-	-	-	-	-	100%	35 (11)
Walk	-	-	2%	1%	82%	6%	2%	1%	-	6%	100%	213 (101)
Bus	4%	3%	-	-	20%	63%	4%	5%	1%	-	100%	80 (24)
Subway	3%	10%	3%	1%	62%	4%	13%	-	1%	3%	100%	538 (250)
LIRR	-	-	-	91%	-	-	9%	-	-	-	100%	243 (101)
NJT	-	-	-	-	-	100%	-	-	-	-	100%	120 (58)
PATH	-	-	-	-	-	100%	-	-	-	-	100%	51 (23)
Total	3%	7%	3%	13%	35%	22%	8%	1%	2%	6%	100%	2,198 (974)

1. Total Group Volume
(Survey Response Volume)

TABLE IV-11
ARRIVAL/DEPARTURE MODAL SPLITS
OF VOLLMER SURVEYS

Mode	The "Cars" Concerts		Knickerbockers vs. Celtics		Rangers vs. Devils	
	Arrival Patterns	Departure Patterns	Arrival Patterns	Departure Patterns	Arrival Patterns	Departure Patterns
Auto	32%	36%	28%	32%	36%	39%
Taxi	9%	11%	9%	16%	6%	9%
Limo	1%	1%	2%	1%	2%	1%
Walk	7%	5%	10%	6%	10%	5%
Bus	10%	2%	11%	2%	4%	3%
Subway	22%	23%	30%	29%	24%	21%
LIRR	12%	14%	6%	9%	11%	13%
NJT	5%	5%	3%	4%	5%	6%
PATH	2%	3%	1%	1%	2%	3%
Total	100%	100%	100%	100%	100%	100%
Volume 1/	2,148		2,299		2,198	
Responses 2/	(748)	(748)	(840)	(840)	(974)	(974)

1/ Total Group Volume

2/ (Survey Response Volume)

Other Surveys

Additional surveys of events held at Madison Square Garden were surveyed by Madison Square Garden Corporation and by Parsons Brinckerhoff Quade and Douglas ("PBQ&D") as part of the MTA's master planning efforts of the Caemmerer East and West Rail Yards.

On weekdays, additional surveys were conducted by PBQ&D at a Squeeze concert, a Knickerbocker basketball game, a tennis event and a wrestling event. The resulting mode split for arrivals at each of these events is summarized in the following table. Madison Square Garden Corporation also has conducted surveys of mode split at various events held at MSG. For the most part these surveys were limited in nature and focused most often at Hall of Fame box users. The three surveys of most use, two Saturday Knickerbocker basketball games and a Ranger Hockey Game, are also presented on the following table.

Summary of Existing MSG Modal Split

For weekday events, based on the data summarized in Tables IV-12, IV-13 and IV-14, modal split by origin was performed. Data for the concert, Knick and Ranger surveys were combined by borough/county of trip origin resulting in a weighted average mode split by trip origin.

Table IV-12
Weighted Average Mode Split by Trip Origin
(Percentage)

	Weekday		Trip Origin For Weekday		
Origin	Weighted Average Auto Percent	Taxi/Limo Percent	Concert	Knicks	Rangers
Bronx	46 - 37%	5	4	10	5
Brooklyn	51 - 8.2%	2	12	9	9
Connecticut	41 - 5.4%	10	2	5	3
Long Island	23 - 9.0%	2	15	7	13
Manhattan	12 - 31.6%	23	21	38	37
New Jersey	48 - 9.6%	2	14	13	16
Queens	44 - 11.8%	3	14	9	8
Rockland	28 - 7.4%	0	1	3	1
Staten Island	76 - 1.6%	10	3	1	2
Other	33 - 4.5	7	14	5	6
	29.4% 100%	11.0%	100	100	100

As shown in the following summary table, the auto percent ranged between a low of 12 percent for Manhattan to a high of 76 percent for Staten Island. For taxi/limo the highest share, as expected was Manhattan origins with 23 percent of arrivals coming by these modes. All other origins showed values of 5 percent or less except the Staten Island, Connecticut and 'Other' origins which have taxi/limo percents of 10, 10 and 7, respectively.

Trip origins for weekday concerts, Knick and Ranger games are also summarized on the following page. These averages were determined using Vollmer and MSG survey data trip origin. For concerts, Manhattan was the most common destination with 21 percent. All five NYC Boroughs accounted for 54 percent. For Knick games, 38 percent of the trip origins were Manhattan with all five boroughs accounting for 67 percent of all origins. For weekday Ranger games, Manhattan was once again the highest origin with 37 percent. All five NYC Boroughs accounted for 61 percent of all origins.

Using the above, the estimated mode split for a weekday concert, Knickerbocker basketball and Ranger hockey game was determined. These estimates are presented in the attached table.

For weekend events the available database is not as detailed as the weekday information and, therefore, only the average overall modal split could be determined. Based on all the available survey data, these estimated auto and taxi/limo percentages are presented alongside the weekday mode split information.

IV-13
Existing Arrival/Departure
Auto-Taxi Mode Split for MSG Events
(Percentage)

	Weekday						Saturday		Sunday	
	Concert		Knicks		Rangers		Knicks		Rangers	
Mode	Arr.	Dep.	Arr.	Dep.	Arr.	Dep.	Arr.	Dep.	Arr.	Dep.
Auto	35	39	31	35	31	35	39	39	55	55
Taxi/Limo	8	11	11	14	11		9	7	7	5

Estimated Future New MSG Modal Split

Future trips to new MSG will increase slightly since the garden will be relocated two-and-one-half blocks to the west and, therefore, not as well situated with respect to mass transit.

For weekday auto trips, it is estimated that auto arrivals will increase by two basis percentage points resulting in a new arrival share closer to the existing departure share. The departure share, which for existing is four basis points higher than the arrival share is expected to increase by only one basis percentage point since average trips lengths would be increased by fewer than ten minutes.

For weekday taxi/limo trips, the Manhattan share of trips is expected to increase from 23 percent to 26 percent (an absolute increase of 15 percent). This increase, weighted by trip origin, results in a basis percentage increase of

one point for concerts, Knick and Ranger games. For departure, since the project will be further from midtown activity, the percentage of taxi users are expected to decrease. It is expected that one-half of the persons arriving by taxi will leave by taxi.

Weekend arrival and departure auto shares are estimated to increase by two basis percentage points. For taxis, an increase of two basis percentage points (twice the weekday arrival increase) is estimated. As on weekdays, since taxis would continue to be less available, the taxi departures are estimated at half of the arrival percentage.

Table IV-14
Future Estimate Arrival/Departure
Auto-Taxi Mode Split for New MSG Events
(Percentage)

	Weekday						Saturday		Sunday	
	Concert		Knicks		Rangers		Knicks		Rangers	
Mode	Arr.	Dep.	Arr.	Dep.	Arr.	Dep.	Arr.	Dep.	Arr.	Dep.
Auto	37	40	33	36	33	36	41	41	57	57
Taxi	9	5	12	6	12	6	10	5	7	4

New Arena and Forum Attendance

The new Madison Square Garden Arena will have an increased seating capacity for all events. Table IV-12 compares the new Arena with the existing facility.

Table IV-15

Capacity Comparison of Existing Facilities and Future Facilities

	Concert	Rangers Hockey	Knickerbocker Basketball	Forum
Existing	15,000-20,250 seats	17,690 seats	19,190 seats	5,000 seats
Future	16,500-21,500 seats	20,000 seats	21,000 seats	7,000 seats
% Increase(1)	6.2%	13.1%	9.4%	40.0%

(1) Concert capacity varies depending on the stage and set configuration for the person/group performing. This figure represents the maximum capacity percent increase.

Table IV-16

Summary of MSG
Arrival Modal Split
Surveys Conducted by Others
(in percent)

	Weekday		Weekday		Weekend				
	Friday				Saturday		Sunday		
Mode	Concert (1)	Knicks (1)	Tennis (1)	Wrestling (1)	Knicks (1)	Knicks (2)	Knicks (2)	Rangers (1)	Rangers (2)
Auto	29	22	25	37	39	25	43	37	53
Taxi/Limo	6	7	6	6	9	11	3	9	4
Bus	3	1	6	3	3	19	11	3	3
Subway/rail	57	57	47	51	43	40	42	27	33
Walk	5	13	16	3	6	5	1	4	7
Total	100	100	100	100	100	100	100	100	100

NOTES: (1) Conducted by PBQ & D.
(2) Conducted by MSG Corporation.

The increased seating capacity will have no effect on over 80 percent of the events at the Arena. If an event is not a sellout today, it is not expected to sell any more tickets at the new facility. Only events whose ticket sales approach the maximum seating will change.

In order to estimate future attendance, a sellout was defined as an event at the Arena whose ticket sales were greater than or equal to 95 percent of the existing Arena capacity and an event at the Forum whose attendance reached 90 percent or more of the maximum 5,000 seats. Future ticket sales were calculated by prorating existing sales based on the increased seating capacity for each type of event. Future attendance was calculated by applying the ratio of existing attendance to existing ticket sales to the future ticket sales.

Table IV-17 shows all events from the analysis year whose attendance would increase at the new Arena and Forum. The 83 events shown represent approximately 15 percent of the total event schedule. Of the 67 events at the Arena, more than half are Ranger hockey games whose audience has a large portion of season ticket holders causing ticket sales to be consistently high. The remainder of the Arena events is comprised of concerts, Knickerbocker basketball, wrestling, and the circus. A total of 16 events are expected to increase at the Forum.

TABLE IV-17

ESTIMATED CHANGES IN ATTENDANCE & TICKET SALES FOR THE NEW ARENA & FORUM

Event	Existing Attendance	Existing Ticket Sales	Future Attendance	Future Ticket Sales
Concert:	16,917	19,609	17,961	20,819
	17,819	19,639	18,919	20,851
	17,938	19,531	19,045	20,737
	18,092	19,528	19,209	20,733
	18,289	19,874	19,418	21,101
	18,340	19,429	19,472	20,628
	18,373	19,823	19,507	21,047
	18,387	19,523	19,522	20,728
	18,561	19,639	19,707	20,851
	18,805	19,788	19,966	21,009
	18,814	19,498	19,975	20,702
	18,882	19,623	20,048	20,834
	19,029	19,525	20,204	20,730
	19,082	19,813	20,260	21,036
Ranger Hockey:	8,158	17,070	9,223	19,299
	10,571	17,334	11,951	19,598
	10,659	17,385	12,051	19,655
	11,226	17,284	12,692	19,541
	11,227	17,310	12,693	19,570
	11,305	17,339	12,781	19,603
	11,339	16,959	12,820	19,174
	11,388	16,932	12,875	19,143
	11,647	16,828	13,168	19,025
	11,832	17,324	13,377	19,586
	12,033	17,359	13,604	19,626
	12,057	17,941	13,631	20,284
	12,246	17,337	13,845	19,601
	12,383	17,348	14,000	19,613
	12,520	17,377	14,155	19,646
	12,673	17,300	14,328	19,559
	12,747	17,326	14,412	19,588
	13,702	17,311	15,491	19,572
	14,225	17,239	16,083	19,490
	14,265	17,320	16,128	19,582
	14,483	17,289	16,374	19,547
	14,520	17,285	16,416	19,542
	14,694	17,333	16,613	19,596
	15,145	17,317	17,123	19,578
	15,382	17,209	17,391	19,456 P
	15,919	17,557	17,998	19,850 P
	16,587	17,242	18,753	19,493 P
	16,641	17,246	18,814	19,498 P
	17,337	17,337	19,601	19,601
	17,464	17,134	19,744	19,371
	17,589	17,351	19,886	19,617
	17,589	17,362	19,886	19,629
	17,589	17,355	19,886	19,621
	17,589	17,351	19,886	19,617
	17,589	17,316	19,886	19,577
	17,589	17,351	19,886	19,617

TABLE IV-17
ESTIMATED CHANGES IN ATTENDANCE & TICKET SALES FOR THE NEW ARENA & FORUM
(continued)

Event	Existing Attendance	Existing Ticket Sales	Future Attendance	Future Ticket Sales
Knickerbocker Basketball:	13,822	18,353	15,126	20,084
	14,909	18,430	16,315	20,168
	15,060	18,236	16,480	19,956
	15,087	18,722	16,510	20,488
College Basketball:	14,648	18,938	16,030	20,724
	14,745	18,938	16,136	20,724
	15,107	18,938	16,532	20,724
	16,384	18,544	17,929	20,293
	16,752	18,938	18,332	20,724
	17,283	18,938	18,913	20,724
Wrestling:[1]	15,599	19,732	16,799	21,250
	18,207	19,731	19,608	21,249
	18,933	19,621	20,390	21,131
	19,283	19,742	20,767	21,261
	19,286	19,740	20,770	21,259
Circus:[2]	16,993	17,464	18,944	19,469
	17,020	17,530	18,974	19,543
Forum:	4,500	4,500	6,300	6,300
	4,500	4,500	6,300	6,300
	4,500	4,500	6,300	6,300
	4,500	4,500	6,300	6,300
	4,500	4,500	6,300	6,300
	4,500	4,500	6,300	6,300
	4,500	4,500	6,300	6,300
	4,500	4,500	6,300	6,300
	4,500	4,500	6,300	6,300
	4,500	4,500	6,300	6,300
	4,500	4,500	6,300	6,300
	4,500	4,500	6,300	6,300
	4,500	4,500	6,300	6,300
	4,500	4,500	6,300	6,300
	4,572	4,917	6,401	6,884
	4,921	4,581	6,889	6,413

1. Existing Wrestling seating capacity is 20,428. The new capacity will be approximately 22,000.
2. Existing Circus seating capacity is 17,940. The new capacity will be approximately 20,000.

P = Ranger Hockey Playoffs.

Future Design Day Event Attendance

Future design day event data were determined using the same procedure as described earlier with the future attendance data derived above. The 85th percentile event was identified for each time period and has been presented on Table IV-18, along with projected data for the new facility.

Table IV-18

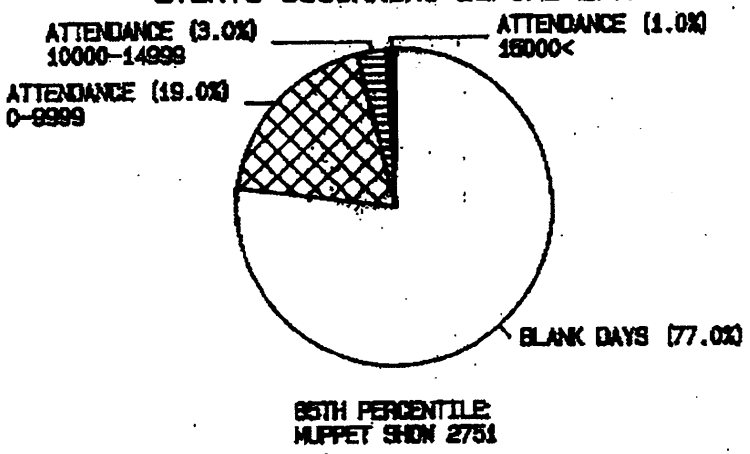
Summary of 85th Percentile Events at the Existing and Future MSG Arena and Forum Facilities

		Existing		Future	
Time Period	Day Type	Attendance	Event	Attendance	Event
Before 2 PM	Weekday	2,751	Muppet Show	2,751	Muppet Show
2 PM - 7 PM	Weekday	2,394	Circus	2,394	USSR Moiseyev Dance
7 PM and later	Weekday	16,120	Concert	16,597	Concert
	Weekday	15,382	Ranger Hockey	16,374	Ranger Hockey
	Weekday	15,200	Knickerbocker Basketball (w/F Concert 4,572)	15,200	Knickerbocker Basketball (w/F Concert 4,572)
Before 2 PM	Weekend	5,313	Ice Capades	5,501	Circus
2 PM - 7 PM	Weekend	4,370	Circus	5,045	Circus
7 PM and later	Weekend	17,208	Concert	17,208	Concert
	Weekend	16,828	Ranger Hockey	16,828	Ranger Hockey
	Weekend	15,087	Knickerbocker Basketball (w/Muppet Show 2,400)	16,510	Knickerbocker Basketball (w/Muppet Show 2,400)

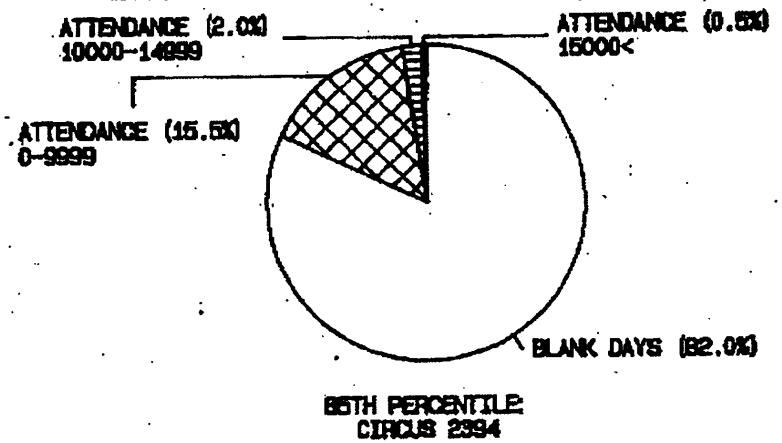
In addition Figures IV-6 and IV-7 have been prepared illustrating the breakdown of event sizes on weekdays and weekends. As indicated through review of the attendance data, the only events which now approach capacity and whose attendance is therefore expected to increase are held 7 PM or later when future 85th percentile attendance is expected to reach 16,597 on weekdays and 17,208 on weekends. Since MSG's greatest impact will be exhibited for events held at 7 PM or later, only this analysis period will be examined. During other times, minimal, or no increase is expected with little change in existing traffic and pedestrian activity. It is not expected that any significant change in modal choice or arrival/departure patterns will occur with the new facility.

FIGURE IV-6
MADISON SQUARE GARDEN ARENA & FORUM
FUTURE WEEKDAYS - 200 DAYS

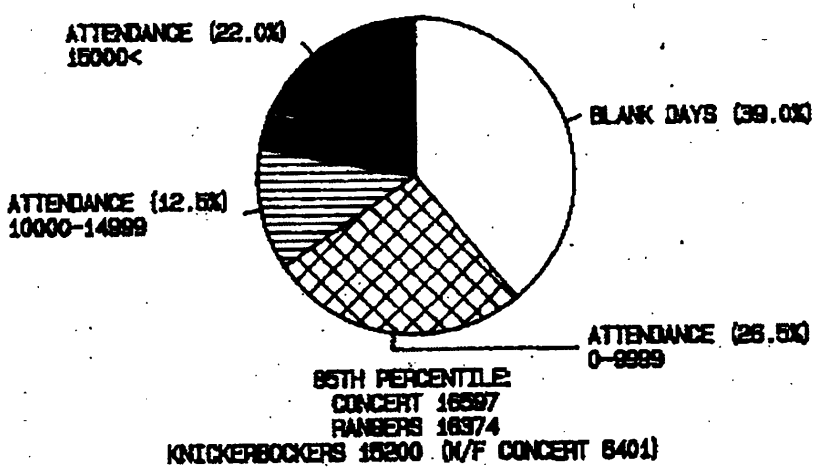
EVENTS OCCURRING BEFORE 2PM



EVENTS OCCURRING BETWEEN 2PM AND 7PM



EVENTS OCCURRING AT OR AFTER 7PM



PIE3

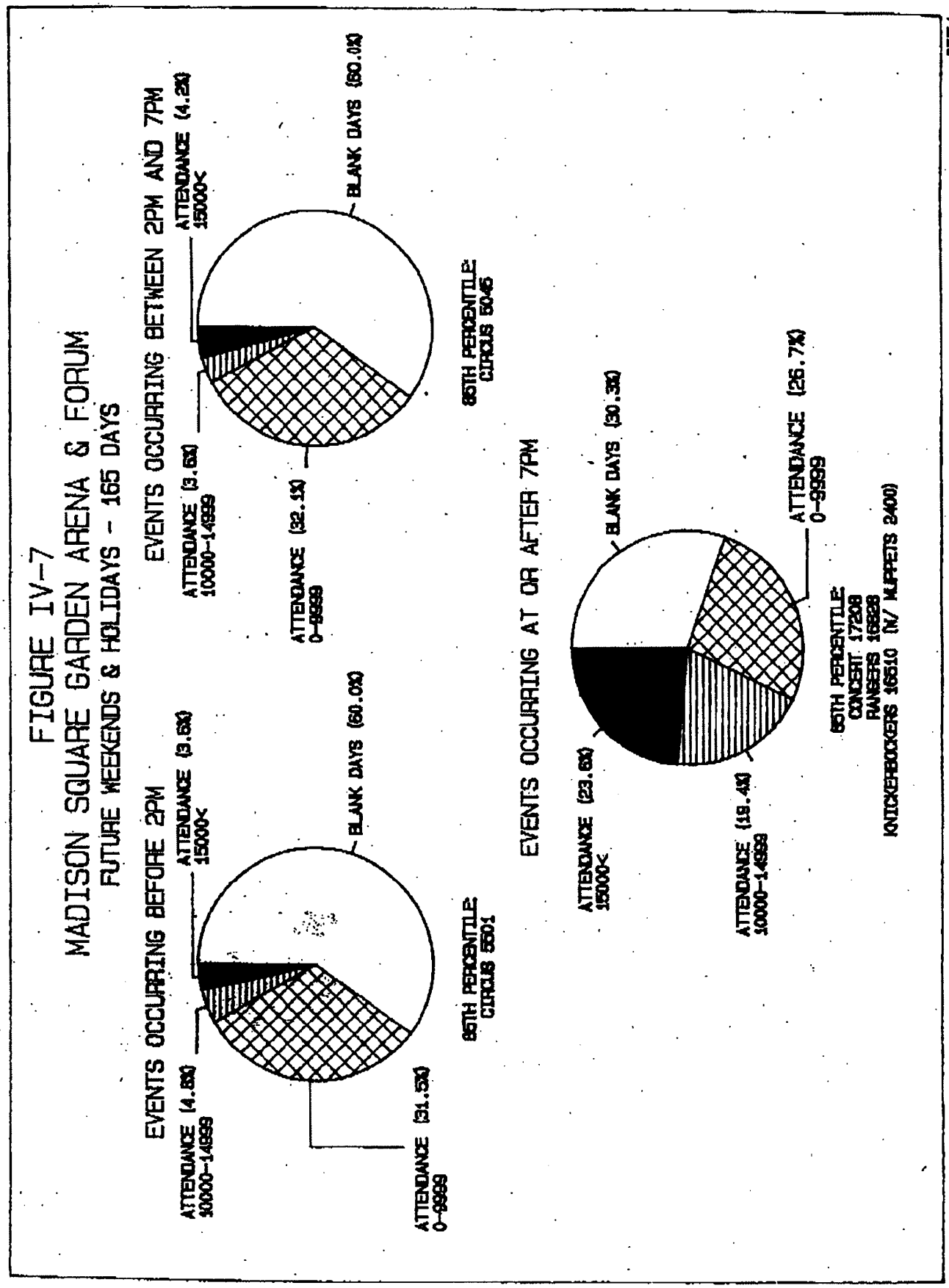


FIGURE IV-7
MADISON SQUARE GARDEN ARENA & FORUM
FUTURE WEEKENDS & HOLIDAYS - 165 DAYS
EVENTS OCCURRING BEFORE 2PM
ATTENDANCE (3.6%) 15000<
BLANK DAYS (60.0%)
85TH PERCENTILE: CIRCUS 5501
ATTENDANCE (31.5%) 0-9999
ATTENDANCE (4.8%) 10000-14999
EVENTS OCCURRING BETWEEN 2PM AND 7PM
ATTENDANCE (4.2%) 15000<
BLANK DAYS (60.0%)
85TH PERCENTILE: CIRCUS 5045
ATTENDANCE (32.1%) 0-9999
ATTENDANCE (3.6%) 10000-14999
EVENTS OCCURRING AT OR AFTER 7PM
BLANK DAYS (30.3%)
ATTENDANCE (26.7%) 0-9999
85TH PERCENTILE: CONCERT 17208 RANGERS 16828 KNICKERBOCKERS 16510 (W/ MUPPETS 2400)
ATTENDANCE (19.4%) 10000-14999
ATTENDANCE (23.6%) 15000<
PIE4

TABLE IV-20

MADISON SQUARE GARDEN - CONVENTION CENTER SCHEDULING ANALYSIS
MSG EVENTS - PROJECTED CONVENTION CENTER SHOWS (APRIL-DECEMBER 1986)[1/]

DAYS WITH EVENT OVERLAPPING[2/]

Month	MSG[3/] With Circus	MSG[3/] Without Circus	Conv. Center[4/]	Overlapping[5/] MSG Event Days With Circus	Overlapping[5/] MSG Event Days Without Circus
January	-	-	N.A.	-	-
February	-	-	N.A.	-	-
March	-	-	N.A.	-	-
April	29	9	12	10	1
May	28	1	17	14	0
June	14	11	21	2	1
July	3	3	21	0	0
August	5	5	16	0	0
September	16	16	21	3	3
October	21	21	18	4	4
November	25	25	16	5	5
December	22	22	16	7	7
TOTAL	163	113	158	45	21

TABLE IV-21

MADISON SQUARE GARDEN - CONVENTION CENTER SCHEDULING ANALYSIS
MSG EVENTS - SCHEDULED NEW YORK COLISEUM SHOWS (1984-1985)[1]

EVENT OVERLAPPING[2]

Month	MSG[3] With Circus	MSG[3] Without Circus	Coliseum[4]	Overlapping[5] MSG Events With Circus	Overlapping[5] MSG Events Without Circus
January	29	29	21	16	16
February	38	38	19	13	13
March	35	35	18	11	11
April	33	9	19	20	3
May	28	1	8	9	0
June	17	11	31	2	0
July	3	3	12	0	0
August	5	5	16	0	0
September	20	20	17	5	5
October	29	29	18	7	7
November	32	32	26	8	8
December	22	22	6	0	0
TOTAL	291	234	211	91	63

TABLE IV-22

MADISON SQUARE GARDEN - CONVENTION CENTER SCHEDULING ANALYSIS
MSG EVENTS - SCHEDULED NEW YORK COLISEUM SHOWS (1984-1985)[1]

DAYS WITH EVENT OVERLAPPING[2]

Month	MSG[3] With Circus	MSG[3] Without Circus	Coliseum[4]	Overlapping[5] MSG Event Days With Circus	Overlapping[5] MSG Event Days Without Circus
January	25	25	21	14	14
February	26	26	17	8	8
March	30	30	17	8	8
April	29	9	13	11	3
May	28	1	8	6	0
June	14	11	20	2	0
July	3	3	11	0	0
August	5	5	15	0	0
September	16	16	15	3	3
October	21	21	13	4	4
November	25	25	16	4	4
December	22	22	5	0	0
TOTAL	244	194	171	60	44

MADISON SQUARE GARDEN - CONVENTION CENTER
SCHEDULING ANALYSES

FOOTNOTES

1. The analysis set forth in Tables IV-15 and IV-16 utilizes (i) Madison Square Garden's actual event schedule for arena events from September 1984 - July 1985 and (ii) all shows (trade and public) "booked into" the Convention Center as of July 1, 1985 for its inaugural year of operations (April - December 1986). The analysis set forth in Tables IV-17 and IV-18 utilizes the same Garden events with the actual shows appearing at the N.Y. Coliseum during its 1984-85 season.

To provide compatibility, the 1986 Convention Center events are listed on the same day of the week (and date) as if such events occurred in 1984-85. This causes the days of 1986 events to change 1-3 days (i.e., June 4, 1986 is a Wednesday, June 4, 1985 is a Tuesday -- this schedule lists the events as occurring on Tuesday).

2. Events and Event Days. Both the Convention Center and Madison Square Garden might have more than one event during a 24-hour day. The Convention Center seeks to book several shows simultaneously, since only the 2-3 largest national shows will utilize the entire facility. The Garden might have tennis in the afternoon and a hockey game at night. Additionally, circus and tennis tournaments have multiple events in a day. The Circus, for example, might have 2 or 3 shows per day. For purposes of this table, each show is considered a separate event.

Event Days set forth the number of days during which one or more events might be open to the public.

3. MSG Events. MSG Events include all arena events except for 6 "filler events" -- Pace University commencement, Police Graduation and its rehearsal, an evangelist meeting, a union meeting and a high school basketball game.

4. Convention Center Shows. Convention Center (and Coliseum) shows are of two types -- trade and public. Trade shows are projected to begin at 9-10 A.M. and continue to 4-5 P.M., with peak arrivals at the beginning time and departures from 4-6 P.M. Arrivals and departures for public shows, which are normally on weekends, continue throughout the day and evenings, with peak arrivals and departures on Saturday and Sunday being in daytime.

5. Events. "Overlapping" Events and Event Days are listed when a Convention Center (Coliseum) show (trade show departures ending at 6 P.M.; public shows arrivals and departures assumed to be throughout the day and evening until 11 P.M.) overlap with a Garden event (arrivals at an event projected to begin one hour prior to the starting time of an event).

REVIEW
of

NO.7 SUBWAY EXTENSION
HUDSON YARDS REZONING and
DEVELOPMENT PROGRAM

DRAFT
GENERIC ENVIRONMENTAL IMPACT
STATEMENT

Prepared by

ORA
Orth - Rodgers & Associates, Inc.
TRANSPORTATION ENGINEERS and PLANNERS

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TABLE OF CONTENTS

Executive Summary 1

I. Introduction and Purpose 1

II. Deficiencies and Errors of Note in the DGEIS 3

A. Introduction 3

B. Fundamental Errors 3

C. Gross Omissions 4

D. Reasonable Worst Case Not Used 4

E. Network Wide Impacts/Spectacular Impacts Not Identified Or Glossed Over 5

F. Parking and Impacts to Other Uses/Users 7

G. Inadequacy of study area 8

H. Old/Outdated Data 8

I. Wrong Peak Hours 9

J. Tenuous Infrastructure 9

K. Mathematical Errors 10

L. River Crossing Capacities 11

M. Impacts on Vital City Operations 15

N. Transit Impacts 16

III. Transportation Characteristics of the Proposed Development Program 17

B. Madison Square Garden 19

C. Multi-Use Facility – The Jets Stadium 28

IV. Street Traffic Analysis 32

A. Peak Periods Analyzed 32

B. Background Growth Rate 32

C. Hudson River Crossings 33

D. Impacts on River Crossings 33

E. Levels of Service Analysis 36

F. Analysis of the Street Grid as a System 40

G. Emergency Vehicle Access 46

V. Transit 53

A. Methodology 53

B. Subway 53

C. Commuter Rail 54

D. Bus Issues 54

E. Ferry Issues 56

VI. Parking Conditions 60

A. Calculation of June 2003 Base Demand 60

B. Calculation of December 2003 Parking Demand 63

C. Projected Development 66

D. DGEIS Scenario 66

E. Analysis of Parking Components 68

F. Assessment of Cumulative Impacts 70

G. Parking for Visitors to Jets Game Assuming No Convention Center Event 75

H. Alternative Time Periods 75

I. Contribution to Gridlock 76

J. Parking Conclusions 76

LIST OF TABLES

Table II. 1 Potential Worst Case Attendance Hudson Yards Area 5
Table II. 2 Modal Split Comparison, DGEIS versus ORA 9
Table II. 3 East River "Free" Bridges, AM – To Manhattan 11
Table II. 4 East River "Free" Bridges, PM – From Manhattan 12
Table II. 5 Harlem River "Free" Bridges, AM – To Manhattan 12
Table II. 6 Harlem River "Free" Bridges, PM – From Manhattan 13
Table II. 7 Tolled Crossing Bridges and Tunnels, AM – To Manhattan 14
Table II. 8 Tolled Crossing Bridges and Tunnels, PM – From Manhattan 15
Table III.1 Modal Split Breakdown by Event and Time of Day 21
Table III.2 Comparison Between 2003-04 and 1987 Surveys Transit usage by attendees at an MSG event 27
Table III.3 Comparison Between 2003-4 and 1987 Surveys Auto usage by attendees at an MSG event 27
Table III.4 Vehicle Occupancy Rates by Event 28
Table III.5 Modal Split in Other Cities for Sports Venues 30
Table IV.1 Weeknight Peak Inbound Hudson River Crossings 33
Table IV.2 PM Peak Outbound Hudson River Crossings 33
Table IV.3 Volumes at River Crossings for Sunday Westside Jets Games Ending at 4 pm (4:30-5:30 pm) - vehicles/hour 35
Table IV.4 Volumes at River Crossings for Sunday Westside Jets Games Ending at 7 pm (7:30-8:30 pm) - vehicles/hour 35
Table IV.5 Volumes at River Crossings for Sunday Westside Jets Games Ending at 4 pm (4:30-5:30 pm) - vehicles/hour (MSG Estimates) 35
Table IV.6 Volumes at River Crossings for Sunday Westside Jets Games Ending at 7 pm (7:30-8:30 pm) - vehicles/hour (MSG Estimates) 35
Table IV.7 Weekday PM Peak Hour Pedestrian Volumes at Intersections Adjacent to Madison Square Garden 41
Table IV.8 Pedestrian Distribution 42
Table V.1 Ferry Service to New Jersey from 38th Street 57
Table VI.1 June 2003 Parking Demand Summary 61
Table VI.2 December 2003 Parking Demand Summary 63
Table VI.3 December 2003 Walking Distance to Venues 64

Table VI.4 Parking Demand Summary (2025 DGEIS Scenario) 66
Table VI.5 Parking Demand Summary Assumed Cumulative Impacts DGEIS Modal Split 70
Table VI.6 Walking Distance to Venues Cumulative Impact Scenario DGEIS Modal Split 72
Table VI.7 Parking Demand Summary Cumulative Impact Scenario 48% Auto Usage at 2.75 Persons per Vehicle 73
Table VI.8 Walking Distance to Venues Cumulative Impact Scenario 48% Auto Usage at 2.75 Persons per Vehicle 73

LIST OF FIGURES

Figure III.1 – Percentile Analysis for Javits Center 18
Figure III.2 – Weeknight Travel Mode to MSG 20
Figure III.3 – Sunday Travel Mode to MSG 20
Figure III.4 – Circus Travel Mode to MSG 21
Figure III.5 – Sunday Night Sports Events Origin 22
Figure III.6 – Sunday PM Sports Events Origin 23
Figure III.7 – Non-Sports Event Origins 23
Figure III.8 – Weeknight Sports Events Transit Usage 24
Figure III.9 – Sunday Sports Events Transit Usage 25
Figure III.10 – Non-sport Events Transit Usage 26
Figure III.11 – Parking Demand-Mode Split and Vehicle Occupancy 31
Figure IV.1 – Normal Weekday Existing Rush Hour vs. Normal Sunday Volumes 4:30-5:30 pm and 7:30-8:30 pm 34
Figure IV.2 – Study Area Levels of Service AM Peak Hour Build Option 36
Figure IV.3 – Study Area Levels of Service Midday Peak Hour Build Option 37
Figure IV.4 – Study Area Levels of Service PM Peak Hour Build Option 38
Figure IV.5 – Study Area Levels of Service Sunday Special Event Peak Hour Build Option 39
Figure IV.6 – Period A (Minutes before people start exiting the venue) 47
Figure IV.7 – Period B (15 minutes after people started exiting the venue) 48
Figure IV.8 – Period C (30 minutes after people started exiting the venue) 49
Figure IV.9 – Period D (The venue is emptied) 50
Figure IV.10 – Weekday PM Peak Hour 2025 with Mitigations 51
Figure V.1 – New York Harbor Ferry Routes 57
Figure V.2 – Passengers after blackout 58
Figure VI.1 – Parking Utilization for Year 2003, June Sunday Afternoon 62
Figure VI.2 – Parking Utilization for Year 2003, December Sunday Afternoon (EIS) 65
Figure VI.3 – Parking Utilization for Year 2025, December Sunday Afternoon (EIS) 67

Figure VI.4 – Parking Area of Influence (2025), December Sunday Afternoon (EIS) 71
Figure VI.5 – Parking Area of Influence (2025), December Sunday Afternoon (ORA) 74

Executive Summary

A traffic engineering and parking analysis of the **No. 7 Subway Extension - Hudson Yards Rezoning and Development Program Draft Generic Environmental Impact Statement** ("DGEIS") was conducted by Orth-Rodgers & Associates, Inc (ORA). The details of this study are contained in the body of this report. The key findings of this analysis follow:

- The number of cars generated by a Jets football game is underestimated by a factor of more than two. The DGEIS estimates 7,500 cars; ORA estimates 17,400 vehicles after correcting for unreasonably high projections of transit usage and vehicle occupancy rates.
- The number of Jets fans projected to use transit is 70%. This is not a realistic projection. No other sports arena in the country comes close to that share. In fact, at Madison Square Garden (MSG), which has better access to mass transit than any other sports facility in the country, only about half the patrons arrive by transit. A realistic transit share for the Jets stadium is 42%. This accounts for the fact that the Jets stadium would be served by one rail line (when and if the No. 7 Train Extension is completed), not the more than a dozen subways and commuter lines that service MSG, and reflects the actual arrival characteristics of MSG patrons.
- The number if Jets fans per car is too high. The DGEIS estimated 3.0 persons per car. ORA recommends using 2.5 persons per car, which is the average for a Sunday sports event at the Garden.
- The DGEIS identifies numerous failing intersections, with delays in excess of five minutes, but fails to take the obvious next step of studying the street network to show the full traffic impacts as gridlock cascades from one failing intersection to another. The DGEIS, even with its flawed assumptions, discloses over 100 failing intersections at various peak hours and indicates that some intersections would have traffic volumes at five to ten times their capacity. Standard traffic engineering practice dictates that with this level of congestion, the DGEIS should include an evaluation of traffic in the entire area rather than merely an assessment of individual intersections. This report uses a street-network-based model to show that the failure at these intersections causes gridlock and that the DGEIS mitigation measures fail to prevent network-wide congestion – even if the flawed assumptions in the DGEIS are used.
- An analysis of the street network, using accurate projections of the number of cars generated by a Jets game, shows that gridlock would extend from SOHO to 70th Street for two hours after a game and congestion would extend from the Battery to the George Washington Bridge and from the East River Crossings to the Hudson River.
- While Broadway theaters can post Standing Room Only signs for oversold shows there is no equivalent for parking lots. There will be no available parking in the

Theater District for theatergoers on game days. Hotels, restaurants and other entertainment venues will only be able to accommodate walkers and transit riders. Drivers looking for spaces will contribute to gridlock conditions. In fact, if reasonable assumptions of auto usage by Jets fans are used, some 6,000 fans will be looking for a parking space outside a reasonable walking distance in the theater district, in Chelsea, as far north as Times Square and as far east as Madison Avenue.

- Pedestrians will be less safe at all times, crossing the West Side Highway (Twelfth Avenue) as the sidewalk bulges built to protect pedestrians are removed at 42nd Street, 48th Street, and 50th Street. In addition to a longer crossing distance they will face one more lane of faster moving traffic.
- There are basic mathematical errors in the DGEIS that render its findings meaningless. For example, the capacities at the East River bridges and Harlem River bridges are double their actual capacities as calculated by the New York City Department of Transportation. In fact, one conclusion that can be drawn from the DGEIS tables is that there is no congestion at any bridge or tunnel to Manhattan even during the peak hours. Another mathematical error that appears several times is that hundreds of taxis arrive at the stadium but never leave.
- The reasonable worst-case combination of events was not studied. For example, in the peak hours during a Jets game, the DGEIS fails to include the traffic generated by the Convention Center ballroom (the largest in New York City), the busiest Javits shows that occur during the football season like the Boat Show, and the passenger ship terminal, which is bustling on Sunday afternoons.
- There are many omissions that render the DGEIS invalid. Charter buses, estimated to carry 5,000 fans, disappear -- no boarding or staging areas are provided. The platform from the stadium over the West Street (Twelfth Avenue), which is needed to avoid conflicts between thousands of fans and thousand of cars, is considered only as an alternative in the DGEIS.
- The Jets stadium would curtail street activities that are part of the fun and fabric of city life. Major street fairs, mass bike rides, the marathon and other events occur on every Sunday from September through November. The DGEIS assumes full capacity of all roads during game days, meaning no closures for other events.
- The transit system will require massive capital investments and operating subsidies to make the stadium traffic work. Subway station entrances and staircases would have to be widened and platforms modified. Extra commuter rail would have to be drawn into service, according to the DGEIS, just to carry one load of passengers in the pre-game and one out post-game. The extra capital and operating costs are not presented in the DGEIS.
- The wrong data was used. June traffic volumes and parking data were used as the background condition even though football, hockey and NBA basketball are all played in the fall and winter. Old data is used, such as 1998 bridge and tunnel volumes even through more recent data (and higher volumes reflecting the economy and tourism increase since 1998) are readily available. Some traffic

counts were more than three years old – typically EISs are required to use data that is not more than three years old.

- It is not reasonable to assume that all the infrastructure construction needed to make the project work could be completed by 2010 as predicted in the DGEIS. Even if it were, it would cripple the west side neighborhoods for years with simultaneous road and sidewalk construction and massive storage areas required for equipment, materials and debris. Final designs are not even completed for the 7 Train extension, Route 9A, the Javits Expansion, pedestrian underpasses, subway stair and station modifications, the Highline, pedestrian bridges, and stadium-related infrastructure. Considering government procurement practices and history, it is doubtful that the No. 7 Train extension could be built by 2015, let alone 2010.

- The DGEIS assumes that on Jets game days, every lane of every road will be available, every bridge and tunnel will be construction-free, there will be no accidents, no transit delays and no sleet, snow or ice. There is no margin for error. Overburdening the transportation system in this way is imprudent. The DGEIS does not consider the effects that the gridlock from Jets games would have on the response times of police, fire and other vehicles responding to emergencies.

In conclusion, the transportation analysis in the DGEIS does not meet professional standards for a study of a major development project, has serious omissions and errors, does not present a reasonable worst case analysis, seriously underestimates transportation impacts, and does not provide a reasonable basis for a decision on whether to proceed with the Hudson Yards Development.

I. Introduction and Purpose

Orth-Rodgers & Associates, Inc. (ORA) has been retained by Madison Square Garden to assess the traffic and parking impacts of the proposal to develop the Hudson Yards area of Manhattan, and to review the traffic transportation sections of the Draft Generic Environmental Impact Statement (DGEIS) for the project. The proposed development plan is a major undertaking that will permanently alter the transportation and parking situation in Midtown Manhattan and the West Side.

The development proposal for the Hudson Yards Area, described in the DGEIS, includes the following elements:

- Extension of the No. 7 Subway Line from Times Square to serve the Hudson Yards Area;
- 29 million square feet of office space;
- 12,600 housing units;
- Expansion of the Javits Convention Center to include construction of more than one million square feet of new exhibition space, meeting rooms, banquet halls, and other facilities;
- Development of a new headquarters hotel with up to approximately 1,500 rooms;
- A new Multi-Use Facility with approximately 30,000 square feet of permanent meeting room space and the capability to convert into a number of different uses and configurations, including a stadium configuration with a seating capacity of approximately 75,000 (the new home for the New York Jets Football Team) , an exposition configuration including 180,000 square feet of exhibition space, or a plenary hall configuration that provides a maximum seating capacity of approximately 40,000; and,
- Accommodations for other facilities, new or replacement transportation facilities for pedestrian movement, vehicle storage, and other public purposes.

The DGEIS established a primary and secondary study area for the traffic and parking analysis. The primary area consists of the area bounded generally by West 57th Street, West 47th Street and West 42nd Street on the north, West 28th Street on the south, Sixth Avenue on the east and Route 9A, 12th Street on the west. The primary study area consists of 180 intersections and five unsignalized study intersections. A secondary study area extends the northern boundary to West 59th Street on the north, Chambers Street on the south, and Second Avenue on the east. The secondary study area was established to include the approach routes to the primary study area. In fact, overall system-wide traffic operations in both the study areas were largely ignored to concentrate on individual intersections without regard to the impact of congested intersections backing up to and blocking other intersections in the street grid.

Orth-Rodgers has conducted a detailed assessment of the traffic, transit and parking impacts of the proposed development. This study uses data presented in the DGEIS and other readily available data. Corrections were made to the DGEIS analysis, including

changes to faulty assumptions and corrections to mathematical and other errors. Orth-Rodgers and Associates, Inc. (ORA) used traffic engineering tools and other analytical methods that are the industry standards and that are commonly used in similar studies throughout the country to analyze transportation systems in major cities. In many cases, the analysis in the DGEIS failed to use these standard, established techniques in concert with sound engineering judgment for disclosing the traffic and parking impacts of major development projects in a major city like New York City.

In performing this review, ORA completed the following tasks:

- Field views of current traffic and parking conditions on a typical weekday and on a weekend;
- Review of the Hudson Yards Environmental Impact Study including the Scoping Document and all publicly available appendices;[1]
- Development of a base map using Geographic Information Systems technology for the entire study area to assess the impact upon parking supply;
- Construction of a SIMTRAFFIC Simulation Model to assess performance of the street network;
- Assessment mode of transportation of patrons and customers of the proposed development;
- Test the conclusions of the DGEIS against the findings of this analysis and prepare conclusions.
- Review of modal split analysis at other relevant sports facilities.

[1] A FOIA request for technical information has been submitted by counsel for Madison Square Garden but as of this writing has not been fully complied with by the Project Sponsors.

II. Deficiencies and Errors of Note in the DGEIS

A. Introduction

The traffic, transit and parking analysis in the Hudson Yards DGEIS contains significant deficiencies and errors. This section is not an all-encompassing checklist; but it describes the issues that affect the ability of an independent observer to make an impartial assessment of the Plan and the findings in the DGEIS and its impacts. Many of the items noted in this chapter are investigated further in the chapters of this report that follow and form the basis of our conclusion that the DGEIS is not an acceptable document upon which to make a well-founded decision.

B. Fundamental Errors

Transit share and vehicle occupancy as predicted in the DGEIS for the Multi-Use Facility – the Jets Stadium – are based upon a very optimistic scenario. Of the 75,000 fans that would see a Jets game, the DGEIS estimates that some 52,500 fans would arrive by public transit and some 22,500 fans would arrive in 7,500 automobiles, assuming that on average, each automobile carries an average of 3 people. These assumptions represent wishful thinking. They are not the basis for a worst-case analysis.

If the experiences of stadiums elsewhere are taken into consideration, the number of vehicles added to the streets of Manhattan would be more than three times the volume predicted in the DGEIS. This is a fundamental issue and it drives all of the calculations of impact prepared by the Project Sponsors. The document contains no sensitivity analyses to test its assumptions (a standard practice for planners) and relies upon this untested and unrealized projection repeatedly throughout the document. Consider the following:

- A 70% transit share has never been achieved for any football event anywhere in the United States or Canada. In fact, it has never been achieved for any sporting event in New York City, including the Knicks and Rangers at Madison Square Garden. The data from other football stadiums and New York City venues indicate that transit share could be too high by a factor of two as outlined in this report. Yet if the Project Sponsors claim that it is reasonable for the modal split to improve another 10 percentage points to 80% with the No. 7 Line extension project, it is also reasonable to discount the MSG modal split by the same 10% to say that 42% will arrive by transit to account for the increased walking distance to be covered by Jets fans in the absence of the No. 7 Line. (Note that this report considers the transit share as routinely achieved by events at MSG, adjusted to account for the distance from the proposed stadium to Penn Station to be a reasonable worst case scenario as it is based upon data collected from attendees at actual events, not Jets fans asked how they would arrive at a game at a stadium not build yet).
- The occupancy of 3.0 people per car has not been achieved at Giants Stadium. At Madison Square Garden, where parking costs are exorbitantly high, encouraging car-pooling, the Sunday sports occupancy rate averaged 2.5. Assuming an

occupancy rate of 2.5 passengers per vehicle and a transit share rate of 42%, the amount of vehicles generated by the stadium would be 17,400.

- The Jets study assumes that 80% of the vehicles will depart in the one hour following the game (the critical hour for traffic analysis) while 90% was cited in an earlier Jets report prepared by Eng-Wong Taub. Using the 90% number would increase the peak hour generation shown in the EIS by 12 ½%.

C. Gross Omissions

The DGEIS for a project as complex as Hudson Yards should be able to address all impacts at the draft document stage rather than leave major decisions to the Final EIS. Areas where further analysis is needed include the following:

- Transit: In 2025, subway station mitigation measures, such as widening of subway station elements (staircases, passageways and corridors), as well as providing additional bus service, are identified "conceptually" but require further analysis.
- Traffic: In 2010 and 2025, traffic improvement measures to mitigate stadium-generated traffic, such as standard traffic engineering improvements, lane channelization improvements, the elimination of on-street parking, corridor operational changes, and implementation of turn restrictions or intelligent transportation systems would need to be "further evaluated between the Draft and Final GEIS." In addition, all mitigation measures would require agency cooperation and are not guaranteed, in which case impacts would remain unmitigated. The DGEIS promises to "return delay to future without the proposed action levels" but fails to show how this can be done.
- Charter bus and taxi loading/unloading and drop off/pick up areas are not accounted for at the proposed stadium.
- No consideration is given to the circulation of fans on the streets of Manhattan or traffic resulting from fans searching for parking spaces as close as possible to the proposed facility. When the usage of available parking approaches 90% as predicted in the DGEIS for a football Sunday, parkers circulate and this results in additional congestions. The DGEIS assumes parkers know exactly where to park and do not circulate or off passengers at the stadium.

D. Reasonable Worst Case Not Used

When considering the attendance at other venues that hold events at the same time as a Jets game, the DGEIS meticulously calculates the 85th percentile event claiming it to be a reasonable worst-case scenario. It does not consider that the attendance used is not reasonable and minimizes the potential impacts of multiple events. Javits Center events are particularly important because the Javits Center is active on 38 Sundays every year.

- The DGEIS analyzed sold out conditions at the proposed Jets Stadium, but used 85th percentile attendance for Javits Center. The 85th percentile may be valid for normal distributions but when it leads to values that are 60% less than the peak

attendance it should not be used. We suggest using the industry standard of 90% of the peak flow for a Javits event.

- By picking the 85th percentile, an event with 28,000 daily patrons was studied. Yet, in excess of 60,000 a day attended the Boat Show, which spans two weekends during the Jets season. The Auto Show with 100,000 people in attendance could occur at the same time as a basketball game with 40,000 people in attendance. The build projected 85th percentile Sunday at Javits is lower than the lowest weekend recorded for the Auto Show in 1999.
- A 6,000-person ballroom at the proposed expanded Javits Center is not analyzed as part of traffic analysis nor is the passenger ship terminal and other events and venues. The DGEIS seems to ignore the 6,000-person ballroom, estimating that just 97 people would leave the convention center between 8:00 PM and 9:00 PM. Certainly for a 6:00 PM on a weeknight start, there would be a few thousand at least leaving or even arriving between 8:00 PM to 9:00 PM. Curiously, no taxi traffic is generated for the Convention Center ballroom between 8:00 PM and 9:00 PM.
- Page 1 of the Traffic Chapter quotes: "Highly conservative combinations of events and vehicular trip assumptions were factored into the analysis methodology to ensure the analysis determined potential impacts of the reasonable worse case scenario." In fact, "highly conservative combination of events" would actually include: Boat Show, Jets game, other venues having holiday shows, Javits' ballroom packed etc.

Table II. 1 Potential Worst Case Attendance Hudson Yards Area

Venue	DGEIS Attendance	True Worst Case Attendance
Javits	28,000	*68,000 (Boat Show)*
Jets	70,000	75,000
Javits Ballroom	0	6,000
MSG	19,000 (Knicks)	23,000 (with Xmas Show)
TOTAL	117,000	172,000 (+47%)

As shown in Table II.1, the attendance for a reasonable worst-case scenario is 47% higher than what was assumed in the DGEIS.

- During the weeknight event "No Convention Center Events are expected to occur at that time." No evening events for a trade show or even evening hours at a public show is far from a reasonable expectation. A ban on evening banquets, evening exhibit hours or meetings would be quite a burden on event planners.

E. Network Wide Impacts/Spectacular Impacts Not Identified Or Glossed Over

- The DGEIS identifies many critical intersections as having delays exceeding 300 seconds (5 minutes). A five-minute delay clearly will impact other intersections in the network yet this is not analyzed. The authors claim that delays calculated at greater than 300 seconds are unreliable yet they do not say why. The simple fact is that these delays are indicative of gridlock and the document ignores that fact.

- If greater than 80 seconds delay is "saturation.... unacceptable to most drivers" what is greater than 300 seconds? It should be described as a cascading gridlock. No attempt was made in the document to determine this system-wide issue.
- The West 34th Street corridor between 8th to 11th Avenues would be at a standstill. Even in the DGEIS, every 34th Street intersection from 8th to 12th Avenues would be level of service "F" – effectively creating a ¾ mile long wall of traffic blocking north-south movement. This would create a wall of traffic certain to spillover to adjacent intersections causing a cascade of gridlock throughout midtown, Chelsea, the theater district, Upper West Side and blocking traffic into and out of the Lincoln Tunnel.
- Second Ave. southbound at 60th St. will get 9% less green time (5 seconds) each signal cycle. Traffic backs already up for blocks on Second Ave. today (page 68).
- The DGEIS does not consider that the streets of Manhattan are a vital component of city life and used by citizen groups, civic and ethnic associations for parades, races, street fairs and other activities. Every week and during the football season, Manhattan streets and avenues are closed to traffic for these events. The following are the scheduled activities for Manhattan for the weekend of September 12, 2004. These illustrates a number of the kind of events that have major traffic implications that are not considered in the DGEIS:

Events Scheduled for September 12th, 2004 in New York Metropolitan Area

1. Jets game at 1 pm
2. Mets game at 1 pm
3. Broadway on Broadway at 11:30 am
   Broadway and Seventh Avenue, between West 43rd Street and West 48th Street
4. Transportation Alternatives NYC Bike Tour 6am – 6 pm
5. US Open Tennis starting at noon in Flushing Meadows
6. 4 Cruises
7. Big Apple Fest (various locations)
8. Central Park Summerstage at 1 pm
9. Celebrate 350 years of Jews in America Festival at South Street Seaport starting at 1 pm
10. Washington Square Outdoor Exhibit at noon
11. NY Liberty game at Radio City Music Hall at 4 pm
12. National Merchandise Trade Show at Javits Center from 9:30 - 5:30 pm
13. Pathways to Beauty and Well Being Public show at Javits Center from 10:30 am - 5 pm

14. Interdependence Day Festival 2004 – Kick off of 11 Days of Global Unity at the CUNY Graduate Center from noon – 6:30 pm
15. Race for the Cure

    9:30 AM – 2:00 PM

    Starts at Central Park West and West 77th Street; proceeds north on CPW to West 90th Street, then enters Central Park
16. Friends of Dag Hammarskjold Plaza Festival

    11:00 AM – 6:00 PM

    Second Avenue, between East 43rd Street and East 53rd Street
17. Washington Heights BID Children's Health Festival

    11:00 AM – 6:00 PM

    St. Nicholas Avenue, between West 181st Street and West 191st Street
18. International Immigrants Parade

    2:00 PM – 6:00 PM

    Formation: East 39th Street through East 41st Street, between Park Avenue and Fifth Avenue

    Route: East 41st Street/Madison Avenue; south on Madison Avenue to East 27th Street

In ignoring the normal level of City-approved street activities, the DGEIS Sunday peak analysis is flawed. The DGEIS does not commit the City to deny activities such as those listed above when they conflict with the Jets. This is a key issue given the amount of new traffic the proposed development plan and the proposed stadium will add to not only the far west side but to the entire midtown section of Manhattan.

F. Parking and Impacts to Other Uses/Users

In addition to the added congestion, the proposed Jets Stadium will change the parking picture significantly. Earlier in this chapter, the discussion of modal split described an undercount of traffic, which will extend beyond the study area. This underestimation by a factor of two to three times will have a similar impact on the number of parking spaces required for Jets fans. The increased demands on the parking supply driven by the underestimation of demand will cause parkers to search far beyond the study area for a parking space in evening traffic congestion and using all available spaces. This will impact the theater district and residential neighborhoods far beyond the study area.

According to the DGEIS, 91% of parking will be utilized by Jets fans during a Sunday afternoon game in an area from the Village to 59th Street; from the Hudson River to 5th Avenue. In fact, parking facilities will be at capacity in a larger area and there will be virtually no parking available for the Sunday theater matinees and events at Madison Square Garden later in the afternoon or for restaurant goers. Thus, both area businesses and the visitors who frequent them would suffer – and this does not include the underestimation of vehicles due to the utilization of a very optimistic modal split and vehicle occupancy.

The DGEIS relies on June parking data, even though the Jets will not play in June, the theater district is relatively quiet in June and events at Madison Square Garden do not sell out as often in June. The DGEIS should have used the data collected during the football season when traffic is heavier and parking in shorter supply.

Further, the parking usage data was collected at different times so it is not possible to determine what events were taking place, a major defect in the underpinnings of any parking study.

No new parking spaces are allocated for the Convention Center Expansion or for the proposed Jets Stadium. No other stadium designed to host the NFL has been constructed without some dedicated on-site parking. DGEIS fails to consider the possibility of constructing parking facilities that would be dedicated to Jets fans and Convention visitors during peak periods.

G. Inadequacy of study area

The study area intersections analyzed for the weeknight and Sunday special events conditions are far too limited to account for potential impacts. Although the DGEIS analyzes impacts at 239 intersections for the rezoning action, it studies only a fraction of the intersections (50 locations) for the proposed Stadium. Most of these intersections are located within the immediate proximity of the proposed Stadium and the Javits Center, while only a handful of intersections are analyzed at critical locations south of 30th Street, east of 8th Avenue and north of 41st Street.

H. Old/Outdated Data

The DGEIS made use of data that is old or outdated and for which more up-to-date data is available. The failure to use accurate, available, recent data results in an underestimation of traffic and other impacts. Some of the major examples follow:

- The river crossing numbers in the DEIS are not up-to-date. The DGEIS uses 1998 Manhattan River Crossing data from the New York City Department of Transportation when the 2000 report had been available since July of 2001 (New York City Bridge Traffic Volumes 2000). Had the DGEIS used the more up-to-date numbers they would have found a significant increase at the Hudson River Crossings during the critical time periods; P.M. peak outbound and weeknight peak inbound.
- 1987 MSG Survey for modal split cited but MSG did a 2003 survey, which was made available to the EIS team and is even cited in the report for other statistics.
- Traffic counts are from 2000 or earlier. CEQR requires data be within three years – some updates were made but still most data is old.
- 1999 data from the Javits Center was used instead of more recent data from 2000 or later.
- The DGEIS states that 2000 Census data is not available. The 2000 Census Journey to Work data has been available since 2003 and has been in use by transportation planners in other areas.

- DGEIS modal split data is old, outdated, or erroneous. Table II.2 shows the modal split information presented in the DGEIS compared against the independent verification performed by ORA. There are significant differences between the DGEIS data and the data collected by ORA. In each case, the transit usage data shown in the DGEIS is significantly higher than the reality.

Table II. 2 Modal Split Comparison, DGEIS versus ORA

Team	Facility	Capacity	Modal Split (DGEIS)	Modal Split (ORA)
Baltimore Ravens	M&T Bank Stadium	68,915	23%	13% to 16%
Boston Red Sox	Fenway park	34,218	34% to 56%	20%
Atlanta Falcons	Georgia Dome	71,228	50% to 55%	25%
St. Louis Cardinals	Busch Stadium	50,000	35%	14.3%
St. Louis Rams	Trans World Dome	65,321	30%	22.5%
Toronto Blue Jays	Skydome	51,500	55% to 60%	28%

I. Wrong Peak Hours

The DGEIS studies an 8pm to 9pm peak hour for a Monday night football game. A Jets game starting at 9pm on a Monday or Friday (historically some Jet pre-season games take place on Friday nights at 7pm) would mean many arrivals prior to 7pm and even for pre-game dinner by 6pm. The simultaneous events nearby MSG - the Ballrooms at Javits, Chelsea Piers, and the theaters – start between 6:30pm and 8pm. The 6pm – 7pm or 7pm – 8pm Monday and Friday night periods must be studied if the DGEIS is to consider peak traffic volumes. Events at the study area venues combine in various manners and that impacts traffic and parking.

J. Tenuous Infrastructure

The DEIS assumes that a number of infrastructure projects will be completed by the project build year of 2010. However it is unlikely that many, if not all, of the cited projects will be in service by the build year. These include the following:

- No. 7 Line Extension – without the No. 7 Line Extension, there would be decreased transit usage and increased congestion.
- Pedestrian Bridge over Route 9A – without the bridges there would be a negative impact on pedestrian safety and considerable reduction in capacity of an already overcrowded artery.
- The relocation of the tow pound (truck activity would be busiest on game days). Tow truck queues are not accounted for in EIS. The tow pound would be moved to 29th and 30th Streets between 11th and 12th Avenues. In addition, District 6 and District 5 Sanitation facilities would be combined onto this block. This would significantly affect traffic as trucks queue up for entry to a secure (in tow pound case) facility. However, the DGEIS states on p31, "no additional traffic volumes or traffic-related impacts are associated with this element."
- 2nd Avenue Subway. This project, while separate, is competing for the same funds as the No. 7 Line Extension. The purpose of this project is to reduce overcrowding on the Lexington Avenue line.

The most significant of these infrastructure improvements in terms of its effects on traffic and parking issue is the No. 7 Line. It is also the most unlikely to be completed in the five-year period assumed in the DGEIS. The 7 Train Extension would involve construction of a tunnel and a new station. It has been a while since the MTA has extended a subway line in a project of this scope. The duration of those projects indicate that the 7 Train Extension will likely take at least 10 to 15 years to complete:

- 63rd Street Extension started in 1969 and opened in 1989 – 20 years of construction
- Archer Avenue Connection started in 1972 and opened in 1988 – 16 years of construction.

K. Mathematical Errors

The following items relate to errors that have a significant impact on the calculations of the DGEIS. They are illustrated of the kinds of mistakes that recur in the DGEIS

- Taxi trip assignment does not make sense: 732 taxis arrive at the stadium during a weeknight from 8pm to 9pm but 0 leave.
- Growth rate calculation does not appear to be calculated correctly on page 28. The correct growth rate should be 11.60 % for 2025, not 11.32%. The DGEIS grows it to 2010 correctly, rounds it off, and then starts growing it again. The difference becomes significant at the high volume rates and saturation flow rates. Essentially for every thousand vehicles, the DGEIS underestimates by about 25 vehicles by year 2025.
- Page 68, Table 19-32: Madison Avenue southbound traffic will get 3 seconds less green. THERE IS NO SOUTHBOUND TRAFFIC ON MADISON AVENUE! If this refers to northbound, traffic is already jammed on Madison Ave. at 34th Street, reducing the available green time by 3 seconds or 7% will worsen traffic flow back to Madison Square Park.
- In the DGEIS analysis, 41st St. is considered open between 8th and 9th Avenues. In reality it is closed.
- 11th Avenue was converted from 2-way to one-way southbound between 44th Street and 42nd Street in October 2003. But, this change is not reflected in the DGEIS
- Table 19-4. Earlier on P16 it says, "Visitation of all other shows is expected to increase by 84 percent-approximately the same factor as the increase in exhibition floor space." But, in Table 19-4 net increases are just 52.9% on weekdays and 63.8% on weekends. The DGEIS uses statistics to reduce the impact of the large shows at the Javits and as a result seriously underestimates the potential impact of a Jets Game and a major show at the Javits. The DGEIS states that in 1999, there were 38 shows on Sunday and one of the shows, the PC Show had a Sunday attendance of over 95,000 people.

- Due to the location of the Javits, taxis are a significant mode of transportation relied on by attendees. Yet, the DGEIS appears to assume no increase in taxi trips to the Javits Center as a result of its doubling in size.
- According to the DGEIS, by 2010 there will be no traffic jams at any of Manhattan's bridges and tunnels during the a.m. and p.m. peak hours or at any other time. In fact, according to Table 19-28 on page 19-60, traffic will be free-flowing at the Manhattan, Williamsburg and Queensboro bridges and even moving well at the Lincoln, Holland and Midtown tunnels. This is due to an across-the-board mathematical error in calculating capacities at the river crossings. Further investigation shows that they ignored the agreed upon capacity of the river crossings as maintained by the New York City Department of Transportation (NYCDOT). This is described fully in the next section below.

L. River Crossing Capacities

East River 'Free' Bridges, AM – To Manhattan

The inbound capacities shown for the East River Bridges are more than double those calculated by NYCDOT in 1977. Since 1977 the capacity at the Queensboro Bridge has been reduced with one fewer lane on the main roadway and one outer roadway reserved for bikes and pedestrians. The other three bridges are unchanged. The DGEIS understates the capacities of the East River Free Bridges into Manhattan by 107%.

Table II. 3 East River "Free" Bridges, AM – To Manhattan

	A.M. Traffic (To Manhattan)			
Facility	NYCDOT	DEIS	Difference	% Difference
Brooklyn Bridge	4595	6600	+2005	+43.6%
Manhattan Bridge	4175	11000	+6825	+163.5%
Williamsburg Bridge	2910	8800	+5890	+202.4%
Queensborough Bridge	7450	13200	+5750	+77.2%
Total	**19130**	**39600**	**+20470**	**+107.0%**

East River 'Free' Bridges, PM – From Manhattan

The outbound capacities at the East River Bridges, as shown in the DEIS, were under estimated by almost 78%.

Table II. 4 East River "Free" Bridges, PM – From Manhattan

	P.M. (From Manhattan)			
Facility	NYCDOT	DEIS	Difference	% Difference
Brooklyn Bridge	4320	6600	+2280	+52.8%
Manhattan Bridge	4650	11000	+6350	+136.6%
Williamsburg Bridge	4510	8800	+4290	+95.1%
Queensborough Bridge	7570	11000	+3430	+45.3%
Total	**21050**	**37400**	**+16350**	**+77.7%**

Harlem River 'Free' Bridges, AM – To Manhattan

Similarly, at the nine Harlem River Bridges, capacities have been overestimated by a factor of nearly three.

Table II. 5 Harlem River "Free" Bridges, AM – To Manhattan

	A.M. Traffic (To Manhattan)				
Facility	NYCDOT	Combined Total	DEIS	Difference	% Difference
Willis Avenue Bridge	---	3715	8800	+5085	+136.9%
Third Avenue Bridge	3715				
Madison Avenue Bridge	1610	4505	13200	+8695	+193.0%
145th Street Bridge	1325				
Macombs Dam Bridge	1570				
Washington Bridge	1350	1350	6600	+5250	+388.9%
Alexander Hamilton Bridge	3980	3980	8800	+4820	+121.1%
University Heights Bridge	1605	2980	11000	+8020	+269.1%
Broadway Bridge	1375				
Total	**16530**		**48400**	**+31870**	**+192.8%**

Harlem River 'Free' Bridges, PM – From Manhattan

Outbound capacities at the Harlem River bridges have been over-estimated by a factor of two.

Table II. 6 Harlem River "Free" Bridges, PM – From Manhattan

	P.M. (From Manhattan)				
Facility	NYCDOT	Combined Total	DEIS	Difference	% Difference
Willis Avenue Bridge	5430	5430	8800	+3370	+62.1%
Third Avenue Bridge	---				
Madison Avenue Bridge	1680	5270	13200	+7930	+150.5%
145th Street Bridge	1560				
Macombs Dam Bridge	2030				
Washington Bridge	3130	3130	6600	+3470	+110.9%
Alexander Hamilton Bridge	6260	6260	8800	+2540	+40.6%
University Heights Bridge	1550	3370	11000	+7630	+226.4%
Broadway Bridge	1820				
Total	**23460**		**48400**	**+24940**	**+106.3%**

Tolled Crossing Bridges and Tunnels, AM – To Manhattan

The capacities for the 'tolled' facilities could not be reached even if all toll plazas were removed. A reasonable lane capacity at the tunnels is about 1,600 vehicles per hour, and at the bridges 1,700 vehicles per hour. The DGEIS overestimates capacity of these crossings by over 87%.

Table II. 7 Tolled Crossing Bridges and Tunnels, AM – To Manhattan

	A.M. Traffic (To Manhattan)			
Facility	*Estimated Capacity 2004	DEIS	Difference	% Difference
Battery Tunnel	4800	6600	+1800	+37.5%
Midtown Tunnel	4800	6600	+1800	+37.5%
Triborough Bridge	5100	8800	+3700	+72.5%
Henry Hudson Bridge	6800	8800	+2000	+29.4%
George Washington Bridge	11900	15400	+3500	+29.4%
Lincoln Tunnel	6400	8800	+2400	+37.5%
Holland Tunnel	3200	4400	+1200	+37.5%
Total	**43000**	**59400**	**+16400**	**+38.1%**
Total AM Inbound Traffic	***78660***	***147400***	***68740***	***87.4%***

*The estimated capacity is maximum achievable with no tolls

Tolled Crossing Bridges and Tunnels, PM – From Manhattan

The DGEIS overestimates the capacity of this direction by over 64%.

Table II. 8 Tolled Crossing Bridges and Tunnels, PM – From Manhattan

	P.M. Traffic (From Manhattan)			
Facility	*Estimated 2004 Capacities	DEIS	Difference	% Difference
Battery Tunnel	3200	4400	+1200	+37.5%
Midtown Tunnel	3200	4400	+1200	+37.5%
Triborough Bridge	6800	8800	+2000	+29.4%
Henry Hudson Bridge	5100	6600	+1500	+29.4%
George Washington Bridge	11900	15400	+3500	+29.4%
Lincoln Tunnel	6400	8800	+2400	+37.5%
Holland Tunnel	3200	4400	+1200	+37.5%
Total	**39800**	**52800**	+13000	+32.7%
Total PM Outbound Traffic	***84310***	***138600***	***+54290***	***+64.4%***

*The estimated capacity is maximum achievable with no tolls.

M. Impacts on Vital City Operations

The DGEIS fails to consider the effect of the action on a number of facilities and municipal operations that are critical to the functioning of the City's commercial core and neighborhoods, including the following:

- There is no assessment in the peak hour analysis of how gridlock conditions in Midtown will effect the response time of police, fire and other emergency response vehicles, including ambulances.
- There is no analysis of the impact of relocating the Federal Express Facility on 34th Street between 10th and 11th Avenues to another location. This facility provides an essential service to the central Midtown business district. No Manhattan location has been identified for a replacement facility. The likely result will be a relocation of the facility to a New Jersey to a site closer to the Newark Airport. There is no analysis of how substantial numbers of FedEx vehicles crossing the Hudson River during the morning rush hour would affect traffic conditions.

- There is no analysis of where the buses now parked on the lot between 29th and 30th Streets along West Street would be parked when they are displaced by new uses.
-

N. Transit Impacts

- The DGEIS fails to adequately disclose the capacity and impacts of the proposed action on the transit system. In particular, there is no accurate assessment of the cost and extent of the enhancement to Sunday afternoon mass transit service necessary to accommodate Jets fans attending a game. Significant investments would be required for subway, commuter rail, bus and ferry service. Chapter V of this report details the many defects in the DGEIS transit analysis

Evaluation of Errors and Omissions

Taken together, these major errors and omissions strike to the heart of whether this DGEIS is adequate for review and adequate for public evaluation. The fundamental errors and omissions outlined above do not balance high side versus low side. Together they all serve to reduce the magnitude of the impact. The DGEIS does not disclose the true impacts and does not describe a reasonable worst case.

This is not a document from which a reasonable decision can be made. This is not a document that describes the true picture of what will occur if the Plan goes through.

The remainder of this report uses the data assembled to paint a more realistic picture of what the Project's impacts and how it would affect the lives of New Yorkers.

III. Transportation Characteristics of the Proposed Development Program

The proposed development program includes 29 million square feet of new office space; 12,600 housing units; expansion of the Javits Convention Center to include construction of more than one million square feet of new exhibition space, meeting rooms, banquet halls, and other facilities; development of a new headquarters hotel with up to approximately 1,500 rooms; a new Multi-Use Facility with approximately 30,000 square feet of permanent meeting room space and the capability to convert into a number of different uses and configurations, including a stadium configuration with a seating capacity of approximately 75,000 (the new home for the New York Jets Football Team) that can be converted to an exposition configuration including 180,000 square feet of exhibition space or a plenary hall configuration that provides a maximum seating capacity of approximately 40,000.

During the weekday peak hours, according to the DGEIS, some 7,250 peak hour trips are generated by the development with little or no traffic generated by the Convention Center or the proposed stadium. According to the DGEIS, during the evening peak hour, the convention center is estimated to add only 30 new trips even though the projected attendance will increase in excess of 50%.

The DGEIS used the 85th Percentile as the basis to establish the reasonable worst-case scenario for estimating the traffic generation of event traffic for Madison Square Garden, the Javits Convention Center and the proposed Jets Stadium. At first blush, this seems reasonable as traffic engineers typically project future traffic based upon the 30th highest hour of traffic or the 85th percentile traffic volume. This is usually acceptable from an economics of construction point of view but not from a point of view of an event planner. For example, The Knicks and Rangers – and the Jets typically sell out. Yet the DGEIS discounts a Jets game attendance to 70,000 from 75,000. While 5,000 fans may not seem significant, it is when considering the Javits Center where the largest current event has an attendance of 95,000 yet the 85th percentile event has a 28,000 person attendance. Reviewing the venues in some detail, it will be shown that the DGEIS fails to provide a reasonable worst-case scenario as it purports to do.

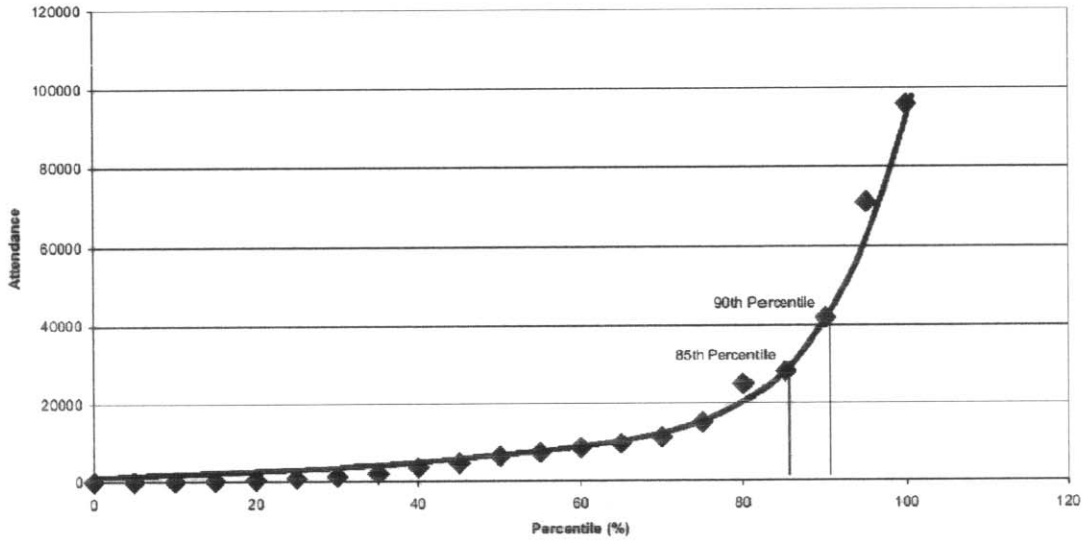
A. Convention Center Expansion

Currently of the 365 events[2] analyzed by the DGEIS at the existing convention center, the 85th percentile event for the calendar year of 1999 would have an attendance of 28,233. Of the 36 events with an attendance greater than that event, it is noted that Event No. 1 had an attendance over 95,700. When planning for parking demand (unlike traffic demand), the most commonly used reasonable worst case is the 90th percentile – typically used in Shopping Center studies to represent the Christmas shopping season and in office buildings to represent the ratio of parking demand to floor area[3]. The reason the 90th percentile parking demand was selected was not economic; rather, it was based upon the

[2] Appendix S.1, October 24, 2003 Memorandum from E. Metzger. Convention Center Expansion Transportation Planning Assumptions, Table 1, Ranked Daily Attendance of 1999 Convention Center Events, October 24, 2003 Memorandum from E. Metzger.
[3] ULI – the Urban Land Institute, Shared Parking, Washington, D.C., 1983, pp 13, 16, 17.

ability of a patron or office worker to find a parking space. It does not represent the maximum parking demand but it represents a reasonable worst case for parking. The 90th percentile demand level describes the condition in which a motorist attempting to find a parking space does not find a space immediately upon arrival. ORA believes that the 90th percentile attendance should be used to assess event attendance.

Figure III.1 – Percentile Analysis for Javits Center



Sunday will be a key day to assess cumulative impacts of the proposed development plan for Hudson Yards. On Sundays in 1999, there were 38 events. Of the 38 events, there were five public shows and 33 trade shows. The event with the greatest attendance was the International Auto Show, a public show. Sunday attendance was 81,056. The 85th percentile attendance was 36,041. The 90th percentile attendance was 43,113, not an insignificant increase of 20%.

The Boat Show, a public show that occurs over a two-weekend period during football season, attracts 67,000 people on a Saturday and 43,000 people on a Sunday. This event, one that is well attended would be a reasonable worst-case scenario. It is very close to the 90th percentile event for a Sunday. It should also be noted that on a Saturday, the 90th percentile event had an attendance of almost 37,000. The DGEIS reports two Saturday attendance figures for the Boat Show – 67,516 and 36,821. Again, the Boat Show, at the lower attendance, is very close to the 90th percentile show and at the upper attendance figure, is close to the 93rd percentile show.

When the 90th percentile attendance is factored to the future using the 63.8% growth factor, the projected design attendance becomes 70,619, an increase in attendance of over the projected 85th percentile design attendance in the DGEIS of 62,684 people, an increase of 13%.

On a weekday, there were 167 events, of which only 20 were public shows. The highest attendance was a public show, the PC Expo with an attendance of 62,126 people. The DGEIS establishes the 85th percentile attendance at 26,550 people. The 90th percentile attendance, however, would be 31,337 people, an increase of 4,787 people but still about

half of the highest attendance. If the 85th and 90th percentile attendance was projected to the future using the factor of 52.9%, the projected attendance is 43,107 and 47,914 people. The difference is about 4,800 people.

The use of the 90th percentile design event as the reasonable worst-case scenario represents a solid foundation to design the required parking and attendance. It is based upon how commercial sites are actually designed for the people that use and expect a reasonably convenient use of the site. In the case of the Javits, the 90th percentile mirrors the Boat Show and the characteristics of that show should have been considered as the design show.

B. Madison Square Garden

Madison Square Garden (MSG) hosts the New York Knicks and the New York Rangers. It serves as a home to the Ringling Brothers circus and many concerts shows and Christmas events. During the summer, it also is home to the New York Liberty. In 2003 and early 2004, surveys were conducted of MSG patrons, who were asked about their mode of travel to and from MSG. Ten (10) interviewers per event conducted the intercepts and completed at least 50 interviews each. A total of 5,046 interviews were conducted at nine events between March 16, 2003 and February 22, 2004. An industry standard of a 4.4% margin of error for a sample of approximately 500 was achieved by each individual event survey. All margins of error fell within the acceptable ranges for surveys of this type. For this sample of approximately 500 surveyed attendees per event, the accuracy is within ± 4.1% at a 95% Confidence Level. The findings were compiled in a report prepared by the Sam Schwartz Company, LLC[4]. This report represents the statistically strongest set of data that Orth-Rodgers & Associates, Inc. has worked with in this subject area. The DGEIS did not use this data even though it is the most accurate and relevant data available for use in predicting the modal split for a Jets game.

The results of these interviews lead to the conclusions in the paragraphs below.

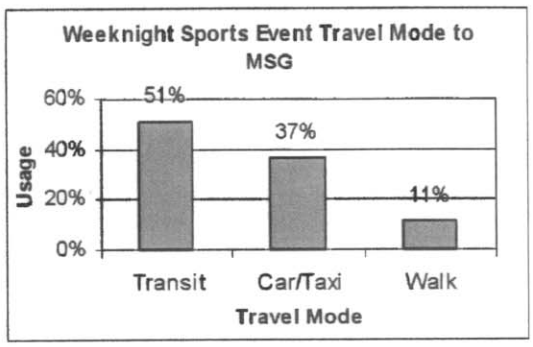
1. Mode of Travel to MSG

How the patrons of Madison Square Garden arrive and depart the venue is instructive when considering the proposed Jets Stadium.

Surveys at two of the Rangers games took place on weekday evenings (Wednesday, March 26, 2003 at 7:30 pm against the Pittsburgh Penguins and Friday, April 4, 2003 at 7:30 pm against the New Jersey Devils), and one took place on a Sunday (November 23, 2003 at 5:00 pm against the Ottawa Senators). Knicks surveys were performed on two Sundays (March 16, 2003 at 7:00 pm against the Milwaukee Bucks and February 22, 2004 at 1:00 pm against the Cleveland Cavaliers) and on two weekday evenings (Monday, March 24, 2003 at 7:30 pm against the Toronto Raptors and Friday, March 28, 2003 at 8:00 pm against the New Jersey Nets). The circus survey was conducted on a Saturday afternoon (March 29, 2003 at 3:30 pm) and the concert survey occurred on a weekday evening (Tuesday, May 20, 2003 at 8:00 pm).

[4] Sam Schwartz Company, LLC, Madison Square Garden Modal Split Analysis, June 22, 2004. Permission was received from the authors and MSG to excerpt extensively from the text.

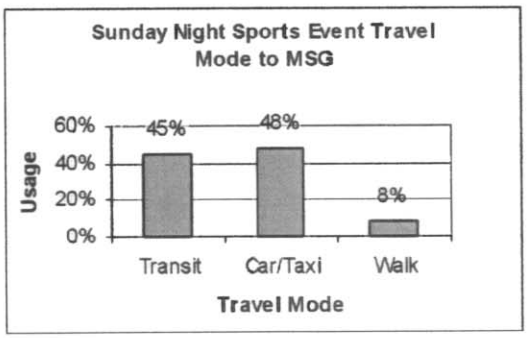
Figure III.2 – Weeknight Travel Mode to MSG

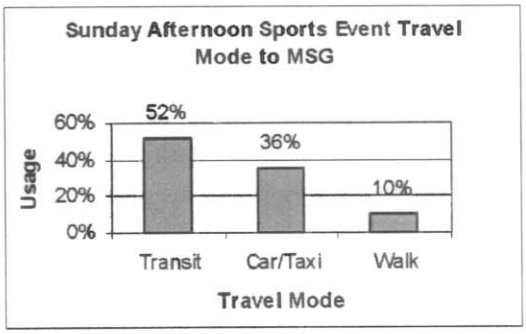


Sample size: 2,318[5]

At a Sunday night event, transit usage drops to 45%, while car/taxi usage rises to 48%, and walking comprises 8%. At a Sunday afternoon event, transit usage increases to 52%, while car/taxi usage drops to 36%, and walking comprises 10%.

Figure III.3 – Sunday Travel Mode to MSG





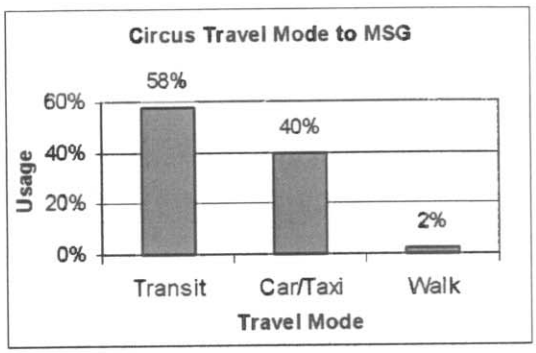
Sample size: 1,049

Sample size: 622

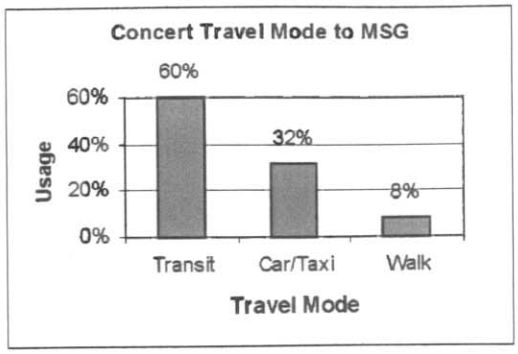
At non-sports events, the circus and concert drew the most people by transit (59%) and, in the case of the circus, a high number by car (40%). This seeming contradiction is explained by the fact that almost no one, just 2%, walked to the circus. The concert has just under a third arriving by car/taxi.

[5] Totals will not add to 100% due to rounding.

Figure III.4 – Circus Travel Mode to MSG



Sample size: 527



Sample size: 530

MSG attendees average a 52% transit share to all events. Public transit was the most popular mode of travel to MSG at every event except a weekend evening Knicks game (March 16, 2003). The Knicks average transit use on weeknights is 50%, Rangers fans average 53%, and concert attendees average 60%. On average, 22% of event attendees used the subway system to travel to MSG, 12% used the Long Island Rail Road, 9% used New Jersey Transit, 4% used Metro North Rail Road, and 3% used PATH trains. Significant portions of weekday event attendees walk directly to MSG. An average of 13% of Knicks fans walk to weeknight events, 10% of Rangers fans, and 8% of concert attendees. Just 2% of circus goers walked to the event.

Less than half of all weeknight event attendees use private vehicles or taxis for transportation to and from MSG. However, private automobile and taxi usage was highest for weekend sporting events. The only surveyed event that drew a minority of transit users was a Sunday evening Knicks game (March 16, 2003) that had a transit usage of 40% and a private automobile/taxi usage rate of 51%. In contrast, weekday Knicks games average 37% automobile usage. It is likely that higher rate of attendees arriving at MSG directly from their workplaces in Manhattan on weekdays account for the higher transit share for the weekday evening Knicks games.

Table III.1 Modal Split Breakdown by Event and Time of Day

TRAVEL MODE				Sample Size	Margin of Error (+/-)	Transit	Walk	Car/Taxi	Other
Rangers	Wednesday	7:30 pm	3/26/2003	569	4.1%	51%	12%	36%	1%
	Friday	7:30 pm	4/4/2003	597	4.0%	54%	8%	37%	1%
	Sunday	5:00 pm	11/23/2003	595	4.0%	50%	5%	44%	2%
Knicks	Monday	7:30 pm	3/24/2003	566	4.1%	50%	13%	36%	1%
	Friday	8:00 pm	3/28/2003	586	4.0%	50%	12%	38%	0%
	Sunday	7:00 pm	3/16/2003	454	4.6%	40%	10%	51%	0%
	Sunday	1:00 pm	2/22/2004	622	3.9%	52%	10%	36%	2%
Circus	Saturday	3:30 pm	3/29/2003	527	4.3%	58%	2%	40%	1%
Concert	Tuesday	8:00 pm	5/20/2003	530	4.3%	60%	8%	32%	1%
Overall Average				561	4.1%	52%	9%	39%	1%

Slightly more than 50% of Madison Square Garden patrons use public transit to arrive at the arena, making it the most common mode of travel. This is so for a number of reasons, the primary reason being MSG's unique and convenient location above

Pennsylvania Station, a major regional transit hub. However, the transit and auto/taxi shares tend to fluctuate based on the following factors: type of event, geographic origin of attendees, time of day, and weeknight/weekend event occurrence. Even with such good transit access, almost 40% of fans still use a car or taxi as their mode of travel to MSG. Given this long history of data, a reasonable conclusion would be that any major venue within a short distance and with similar event types would more than likely have a mode of arrival similar to Madison Square Garden.

2. Trip Origins of MSG Attendees

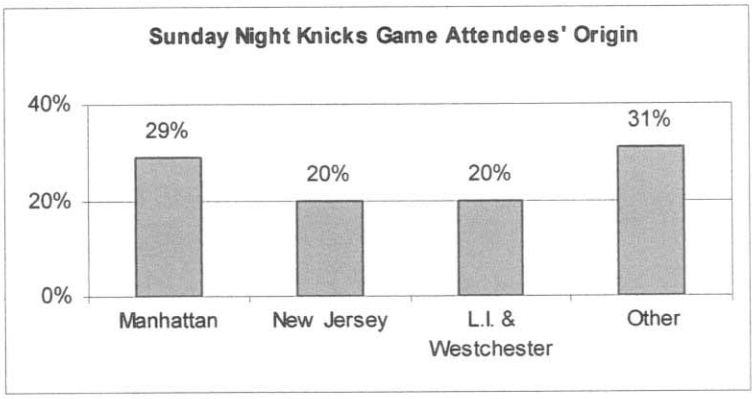
Weeknight Sports Events

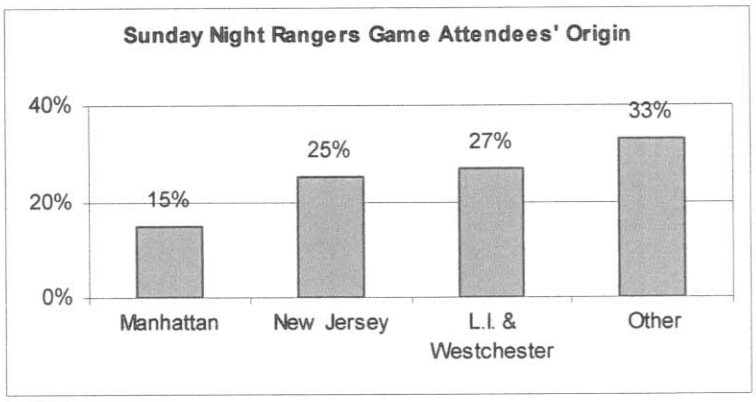
Over 40% of Knicks fans and about a third of Rangers fans come from Manhattan. After Manhattan, New Jersey is the single largest origin of trips with 15% of Knicks fans and 24% of Rangers fans crossing the Hudson River. More than half the sports fans are from New York City's five boroughs.

Sunday Sports Events

On a weekend night 29% of Knicks fans and 15% of Rangers fans come from Manhattan. One-fifth of Sunday night Knicks fans and more than one-fourth of Sunday Rangers fans come from New Jersey. Long Island and Westchester contribute another 20% of Knicks attendees and 27% of Rangers fans.

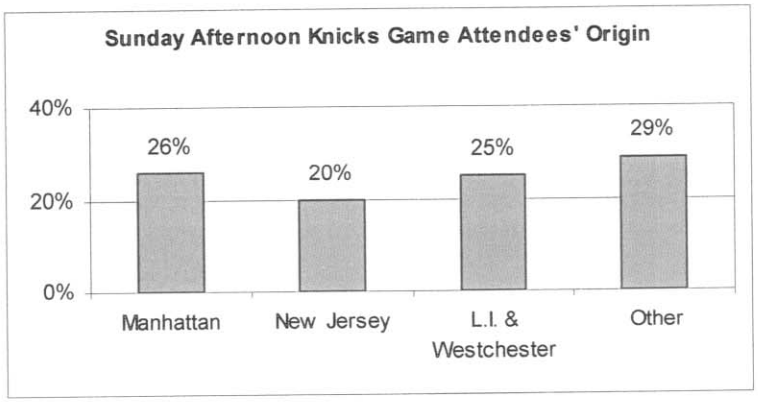
Figure III.5 – Sunday Night Sports Events Origin





During a Sunday afternoon game, 26% of Knicks fans come from Manhattan. Almost one-fifth of Sunday afternoon Knicks fans come from New Jersey. Long Island and Westchester contribute another 25% of Knicks attendees.

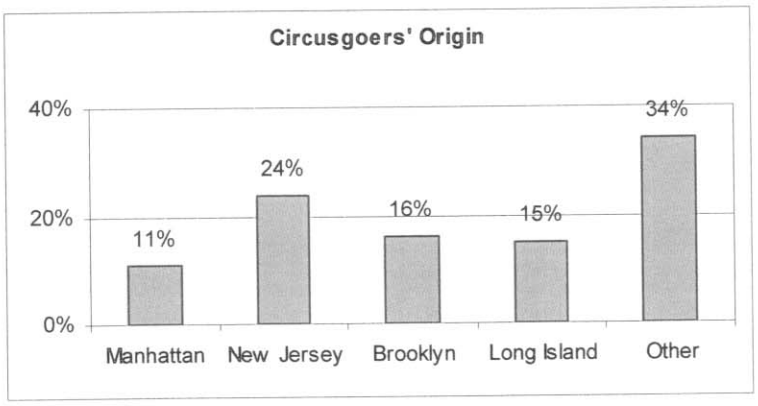
Figure III.6 – Sunday PM Sports Events Origin



Non-Sports Events

29% of concertgoers start out in Manhattan. Only 11% of circus goers originate in Manhattan. The single largest origin for circus goers is New Jersey with 24%. Brooklyn is second at 16% just ahead of Long Island with 15%.

Figure III.7 – Non-Sports Event Origins

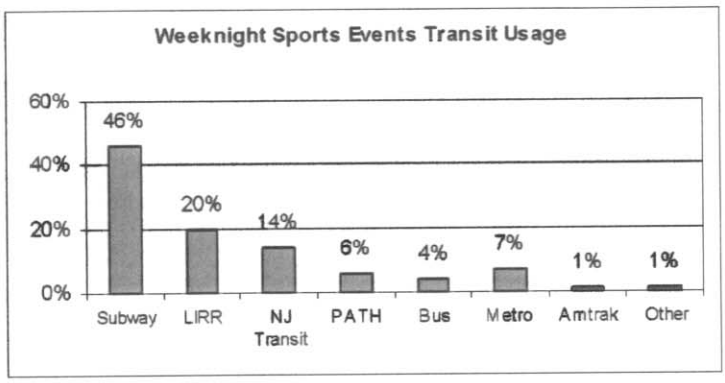


3. Transit Usage by MSG Attendees

Weeknight Sports Events

For those arriving by transit, 46% take the subway, 20% take the Long Island Railroad (LIRR), 14% take New Jersey Transit, 6% take Port Authority Trans-Hudson (PATH) trains, 4% take the bus, 7% take Metro-North, 1% take Amtrak and 1% take other transit.

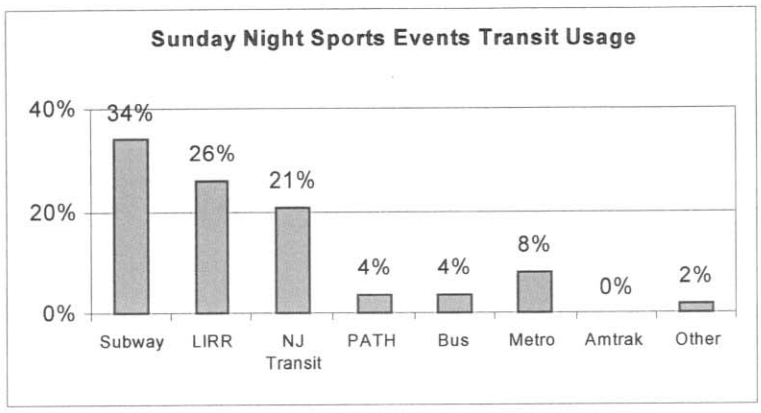
Figure III.8 – Weeknight Sports Events Transit Usage

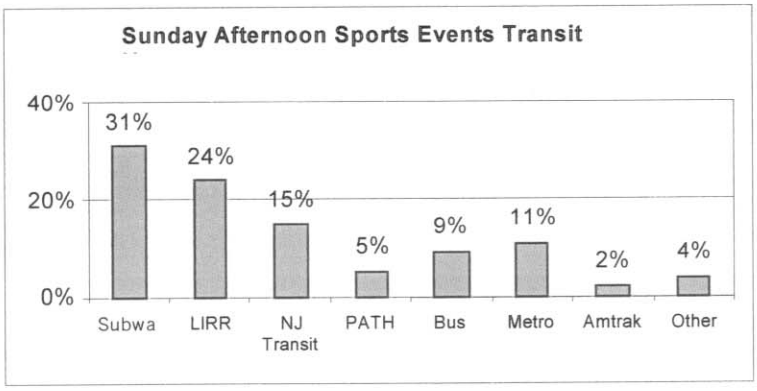


Sunday Sports Events

On Sunday nights, 34% of transit users take the subway to get to MSG, 26% use the LIRR, 21% take New Jersey Transit, 4% take PATH trains, 4% take the bus, 8% take Metro-North, 0% take Amtrak and 2% take other. During a Sunday afternoon event, 31% of transit users take the subway to get to MSG, 24% use the LIRR, 15% take New Jersey Transit, 5% take PATH trains, 9% take the bus, 11% take Metro-North, 2% take Amtrak and 4% take other.

Figure III.9 – Sunday Sports Events Transit Usage

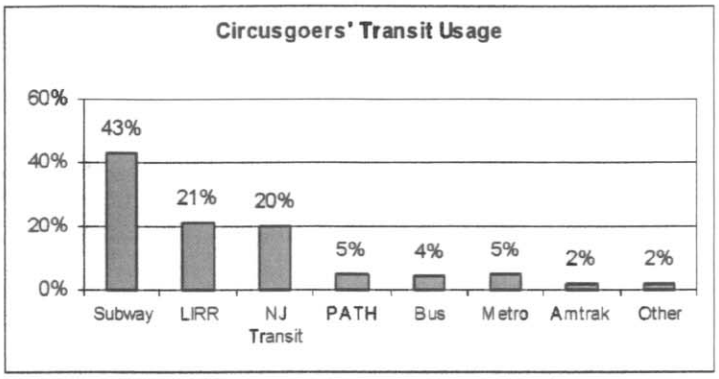


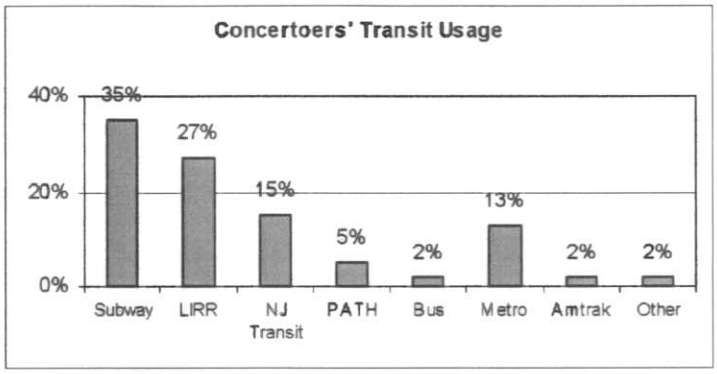


Non-Sports Events

Of Circus attendees, 43% of transit users use the subway, while 21% use the LIRR, 20% use New Jersey Transit, 5% use PATH trains, 4% take the bus, 5% take Metro-North, 2% take Amtrak and 2% take other. Concertgoers who use transit take the subway at a rate of 35%, the LIRR at a rate of 27%, New Jersey Transit at a rate of 15%, PATH trains at a rate of 5%, the bus at a rate of 2%, Metro-North at a rate of 13%, Amtrak at a rate of 2% and other at a rate of 2%.

Figure III.10 – Non-sport Events Transit Usage





4. Comparisons with Previous Studies

In 1987 there were three separate survey efforts conducted of MSG patrons. Vollmer, retained by MSG, conducted surveys as part of a study to consider relocating MSG, Parsons, Brinkerhoff, Quade and Douglas (PB) surveyed attendees on behalf of the Metropolitan Transportation Authority (MTA) in its analysis of potential uses for the West Side Rail Yards.

Vollmer surveyed three events in 1987: the "Cars" concert on Thursday, October 29 at 8:00 pm, a Knicks game against the Boston Celtics on Monday, November 9 at 7:30 pm, and a Rangers game against the New Jersey Devils on Tuesday, November 10 at 7:35 pm. Interviews were conducted before the event and during intermission.

Parsons Brinkerhoff surveyed six events in 1987: a "Squeeze" concert on a Friday night, two Knicks games (one weeknight game and weekend game), a weeknight tennis match, a weeknight wrestling match and a Sunday Rangers game.

MSG itself performed surveys on three events in 1987: a Saturday Knicks game, a Sunday Knicks game and a Sunday Rangers game. No weeknight events were analyzed. It should be noted that MSG's surveys were limited in nature and focused most often at Hall of Fame Box users.

Tables III.2 and III.3 summarize the results. The principal findings of those studies are as follows:

- Weeknight sports patrons in 2003-4 vs. 1987 used transit at similar levels to arrive at MSG: 50-53% in 2003-4 and 46-58% in 1987. Auto usage in 2003-4 was 37%; in 1987 it ranged from 39-44%.
- On weekends 46-50% of sports fans in 2003-4 used transit to go to MSG while in 1987 the range was 30-53%. Auto usage in 2003-4 was 44% while in 1987 it was 46-66%.
- In 2003-4, 60% of concertgoers used transit to arrive at MSG; transit rates were 51-60% in 1987.
- The highest transit share for any Sunday sports event was 53% reported by MSG in 1987 for a Knicks game. The highest car share was 66% reported by PB in 1987 for a Rangers game.
- On weeknights the highest transit share for a sports event was 58% reported by PB in 1987 for a Knicks game. The highest auto share on a weeknight was 44% reported by Vollmer in 1987.
- The surveys from the 1980's and the 2003-2004 show a remarkable consistency over time in the modal split for MSG patrons. They all record a significantly higher automobile share and a lower transit share than is projected in the DGEIS for fans going to Jets games.

Table III.2 Comparison Between 2003-04 and 1987 Surveys
Transit usage by attendees at an MSG event

Event	MSG 2003-4	Vollmer 1987	PB 1987	MSG 1987
Knicks Weeknight	50%	51%	58%	–*
Rangers Weeknight	53%	46%	–	–
Knicks Weekend	46%	–	46%	–
Knicks Sunday	46%	–	–	53%
Rangers Sunday	50%	–	30%	36%
Concert	60%	51%	60%	–

* Indicates that no survey was performed for such event.

Table III.3 Comparison Between 2003-4 and 1987 Surveys
Auto usage by attendees at an MSG event

Event	MSG 2003-4	Vollmer 1987	PB 1987	MSG 1987
Knicks Weeknight	37%	39%	29%	–*
Rangers Weeknight	37%	44%	–	–
Knicks Weekend	44%	–	48%	–
Knicks Sunday	44%	–	–	46%
Rangers Sunday	44%	–	66%	57%
Concert	32%	42%	35%	–

* Indicates that no survey was performed for such event.

5. Vehicle Occupancy

The most relevant source for an analysis of vehicle occupancy are those from a nearby sports venue with similar characteristics – a sports event at MSG.

The average vehicle occupancy for the Knicks is 2.24 persons per vehicle and the average for the Rangers is 2.54 persons per vehicle. The highest vehicle occupancy is on a Sunday for both the Knicks and the Rangers at 2.76 persons per vehicle. These numbers are all significantly less than the 3.0 vehicle occupancy rate used in the DGEIS.

Table III.4 Vehicle Occupancy Rates by Event

Event	Date / Time			Total Attendance	% of Users	Total Users	Average Occupancy	Estimated Vehicles
Rangers	Wed	7:30 pm	3/26/2003	18,284	36%	6,582	2.40	2,745
	Fri	7:30 pm	4/4/2003	18,283	37%	6,765	2.48	2,731
	Sun	5:00 pm	11/23/2003	19,605	44%	8,626	2.76	3,121
Knicks	Mon	7:30 pm	3/24/2003	19,074	36%	6,867	1.85	3,708
	Fri	8:00 pm	3/28/2003	20,003	38%	7,601	2.17	3,499
	Sun	7:00 pm	3/16/2003	19,605	51%	9,999	2.76	3,624
	Sun	1:00 pm	2/22/2004	18,581	36%	6,689	2.19	3,055
Circus	Sat	3:30 pm	3/29/2003	12,802	40%	5,121	3.72	1,377
Concert	Tue	8:00 pm	5/20/2003	20,000	32%	6,400	2.46	2,599

*Taxi and limo drivers are not factored into vehicle occupancy rates.

C. Multi-Use Facility – The Jets Stadium

The Modal Split, or the how Jets fans will arrive at the proposed Multi-Use Facility is a key element in the DGEIS. The DGEIS relies upon two telephone surveys of Jets season ticket holders in which 600 fans were asked how they would travel to a game at a stadium to be located at a West Midtown Manhattan site. The DGEIS does not provide a copy of the survey instrument or the "cross tabulations" so that ORA could not independently analyze the surveys.

The surveys conducted for the DGEIS inquired as to what someone *would* do several years hence. The DGEIS discounts all other evidence as not applicable – including the far more extensive surveys of attendees at events at Madison Square Garden that inquired as to how attendees *actually* traveled to the facility.

The best data for planning a new venue near an existing venue is to use the existing venue as a starting point in the analysis. The multiple surveys conducted for nine events at MSG between March 2003 and February 2004 include, among the events surveyed three sporting events on Sunday. The results told a consistent story of how people traveled to MSG:

- For a weeknight sports event – by transit – 37%
- For a Sunday afternoon sports event – by transit – 52%

- For a Sunday evening sports event – by transit – 45%
- Even non-sports events registered transit arrivals at 59% for the circus and at 60% for a concert.

Despite this base of knowledge, the DGEIS assumed a transit arrival rate of 70% -- 18% higher than a Sunday afternoon sports event at MSG, the highest transit percentage of an event at MSG. The DGEIS simply ignores the fact that MSG sits immediately atop one of the busiest transit hubs in the country. For many years after it opens, and until the No. 7 Line is extended, the proposed Jets Stadium will be one half mile away from the nearest public transportation hub – Penn Station. It is only logical that a stadium one half mile away from a major transit hub would not generate a higher percentage of transit ridership than an arena located atop the transit hub. In fact common sense should dictate a significantly lower transit ridership rate.

In the face of this evidence, the DGEIS then projects an increase to 80% transit usage after the No. 7 Line is extended to a point adjacent to the Multi-Purpose Facility. It should be noted that the stadium would be open years in advance of the No. 7 Line Extension. Similar transit projects in New York City take years, if not decades to construct. The Second Avenue Subway is a prime example, having been on the drawing boards for more than two decades. The construction documents for the No. 7 Line Extension have not even been started and even when they are, the design process is long and arduous. Similarly, the actual construction would take years. The staging of the construction must minimize disruption to New Yorkers and this typically adds years to the construction effort.

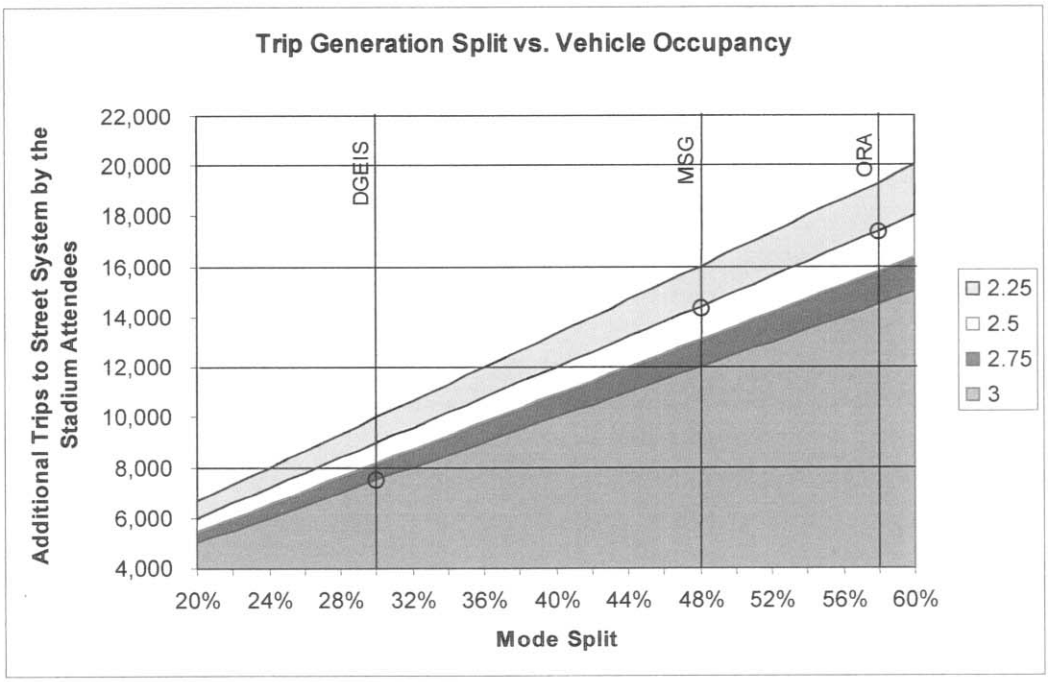
While it is fair to argue that there is no other city in the world like New York City and that the "transit mentality" of New Yorkers may be unique in the U. S., it is instructive to look at the experience of stadiums within other large cities. Table III.5 illustrates the experience of other cities. As noted earlier, ORA staff contacted many of the venues in the DGEIS and found that the data in the DGEIS for several of the venues to be old or incorrect. Accordingly, this table contains only the results that are up to date and verified. None of the venues in the table have approached the modal split estimates in the DGEIS and few have approached the modal splits actually experienced by Madison Square Garden.

Table III.5 Modal Split in Other Cities for Sports Venues

Team	Facility	Capacity	Modal Split	Data Source
Baltimore Ravens	M&T Bank Stadium	68,915	13% to 16% (transit)	Rich Sollin from Maryland Transit Administration
Atlanta Falcons	Georgia Dome	71,228	25% (transit)	George Saunders @ MARTA – (404) 848-5188
Cincinnati Bengals	Paul Brown Stadium	60,389	4% (transit)	EWT Jets Study
Cleveland Browns	Cleveland Browns Stadium	72,000	17% (transit) 83% (auto)	EWT Jets Study, Regional Transportation Study
Pittsburgh Steelers	Heinz Field	65,000	14% (transit)	EWT Jets Study
Seattle Seahawks	Qwest Field	67,000	18% (transit) 2002 Sunday noon game: 20% (transit) 80% (auto)	Mobilizing The Region Issue 464, June 28, 2004, EWT Jets Study Seattle DOT, Transportation Solutions Incorporated
Philadelphia Eagles	Lincoln Financial Field	68,532	15% (transit)	EWT Jets Study
Oakland Raiders	Network Coliseum	63,026	18-25% (transit)	BART, Metropolitan Transportation Commission
Boston Red Sox	Fenway Park	34,218	20% (transit)	MBTA
New England Patriots	Gillette Stadium	68,000	0.6% (transit)	MBTA
San Francisco Giants	SBC Park	41,059	52% (transit) 46% (auto)	Mobilizing The Region Issue 464, June 28, 2004
St. Louis Cardinals	Busch Stadium	50,000	14.3% (transit)	Dave Beal @ METRO (314) 982-1400 x 1535
St. Louis Rams	Trans World Dome	65,321	22.5% (transit)	National Association of Regional Councils "Bi-State Development Agency Metro link Light Rail System"
Toronto Blue Jays	Skydome	51,500	28% (transit0 72% (auto)	David Kauffman @Works and Emergency Services (416) 397-9292
Toronto Maple Leafs	Air Canada Centre	18,800	30% (transit) 70% (auto)	David Kauffman @Works and Emergency Services (416) 397-9292
US Open	Arthur Ashe Stadium	22,547	44.8% (transit) 41% (auto) 1.3% (rental car) 12.9% (taxi/limo)	Mobilizing The Region Issue 464, June 28, 2004
New York Mets	Shea Stadium	55,601	16-17% (transit) 14% (transit) 82% (auto)	Mobilizing The Region Issue 464, June28, 2004, Mets EIS1996 Mets Patron Modal Split
New York Yankees	Yankee Stadium	57,545	30% (transit)	Mobilizing The Region Issue 464, June 28, 2004
New York Jets/Giants	Giants Stadium	80,242	4% (transit)	EWT Jets Study
New York Knicks/Rangers	Madison Square Garden	19,763/ 18,200	50% (transit) 40% (auto/taxi) 10% (walk)	SSC Madison Square Garden Modal Split Study, 2004

The proposed stadium is to be constructed one half mile from Penn Station. This means that the modal split would be *lower* by about the difference the DGEIS claims for the *improvement* in transit ridership of the No. 7 Line Extension. In short, it is the opinion of Orth-Rodgers & Associates, Inc. that 42% of the Jets fans (approx. 10% less than Knicks or Rangers fans) would take public transportation to the game, not 70%. This means that about 58% of the fans will arrive by car with a modal split of 2.5 persons per vehicle – about what the Knicks and Rangers fans average. In short, the number of vehicles on the streets of Manhattan will be about 17,400 vehicles – more than twice the number of vehicles projected in the DGEIS.

Figure III.11 – Parking Demand-Mode Split and Vehicle Occupancy



The figure shows that a one percent change in modal split causes a 250-vehicle change in trip generation. If the vehicle occupancy is changed from 3.0 to 2.75, an additional 682 spaces are required and a change to 2.5 vehicle occupancy from 3.0 persons per vehicle causes a 1,500 vehicle change. It is no wonder why the project sponsors chose an overly optimistic set of traffic characteristics unmatched by another arena for the analysis. Even a small change in modal split or in vehicle occupancy has a dramatic impact on how many vehicles come to the proposed stadium. Failure to examine the impact of the a range of modal splits and vehicle occupancies is a major omission that, as seen in the subsequent chapters, hides the actual impact of the proposed stadium.

IV. Street Traffic Analysis

The data used for the traffic analysis was either collected by the DGEIS team in June and July of 2003 or data from the Far West Midtown Transportation Study and was collected during November 2000. Some data was collected between January and March 2001. The DGEIS corrects this data to 2003 and collects Sunday during data during June 2003 at some 50 intersections.

A. Peak Periods Analyzed

The DGEIS analyzed four weekday peak periods – AM (8:00 AM to 9:00 AM), Midday (Noon to 1:00 PM), PM 5:00 PM to 6:00 PM) and Weeknight Special Event (8:00 PM to 9:00 PM). In addition, a Sunday Special Event Peak (4:00 PM to 5:00 PM) was also analyzed. The Sunday peak was chosen as the end or the beginning of a Jets game. It also coincides with the beginning of either a Knicks or a Rangers game and exiting activity at the Javits Convention Center. For the purposes of this review, two cases were examined in detail – the weekday PM peak hour and the Sunday Event Peak.

The purpose of performing this work was to determine the extent of the traffic impact on the network of the proposed development program. During weekday and weekend field reviews of the study area, there were numerous long back-ups of traffic not noted in the traffic analysis in the DGEIS. For example, during a Sunday afternoon field view, southbound backups extending several blocks on West Avenue (12th Avenue) were observed from 34th Street. In addition, 34th Street was congested between 6th Avenue and 10th Avenue in the eastbound direction. 42nd Street was congested between Times Square and 11th Avenue in both directions. In the cases of 34th and 42nd Streets, the causes were not just the amount of traffic but the presence of pedestrians, a fact not acknowledged in the DGEIS. Where there were mid-block entrances to parking facilities, access was by means of "courtesy" gaps. A courtesy gap occurs when another motorist stops and permits a motorist to enter the traffic stream.

On the Avenues, 11th Avenue and 10th Avenue were congested in the vicinity of 34th Street. The short blocks and friction from the parked vehicles reduced the capacity of the lanes adjacent to the curbs – also a fact not acknowledged in the DGEIS.

B. Background Growth Rate

In working with the counted volumes and assessing the background growth rate, it is noted that there are inconsistencies as to how the background growth rate was applied. These inconsistencies manifest in two ways. First, the rate is calculated incorrectly. Rather than applying the 0.5% annual growth rate by compounding it to 2025, the authors compounded it to 2010 and then rounded it off before continuing the growth to 2025. The net result is a difference in the net growth rate of 0.3%. This may appear to be small but the error reduces traffic by 25 vehicles for every 1,000 vehicles on the streets.

C. Hudson River Crossings

One of the key approach routes to the study area is the Lincoln Tunnel. The river crossing numbers in the DDGEIS are not up-to-date. For some unknown reason the DGEIS used 1998 Manhattan River Crossing data from the New York City Department of Transportation when the 2000 report had been available since July of 2001 (New York City Bridge Traffic Volumes 2000).

Had more up-to-date numbers been used, the analysis would have found a significant increase at the Hudson River Crossings during the critical time periods; weeknight peak inbound and P.M. peak outbound.

Table IV.1 Weeknight Peak Inbound Hudson River Crossings

Facility	1998	2000	Difference	%Difference
George Washington Bridge	5,597	5,598	1	0.018%
Lincoln Tunnel	1,911	2,292	381	19.9%
Holland Tunnel	1,854	2,151	297	16.0%
Total	9,362	10,041	679	7.3%

During the weeknight peak 7.3% more vehicles entered Manhattan in 2000 than 1998 for a total of 679 vehicles. However, a review of the Lincoln Tunnel in isolation reveals almost a 20% difference.

Table IV.2 PM Peak Outbound Hudson River Crossings

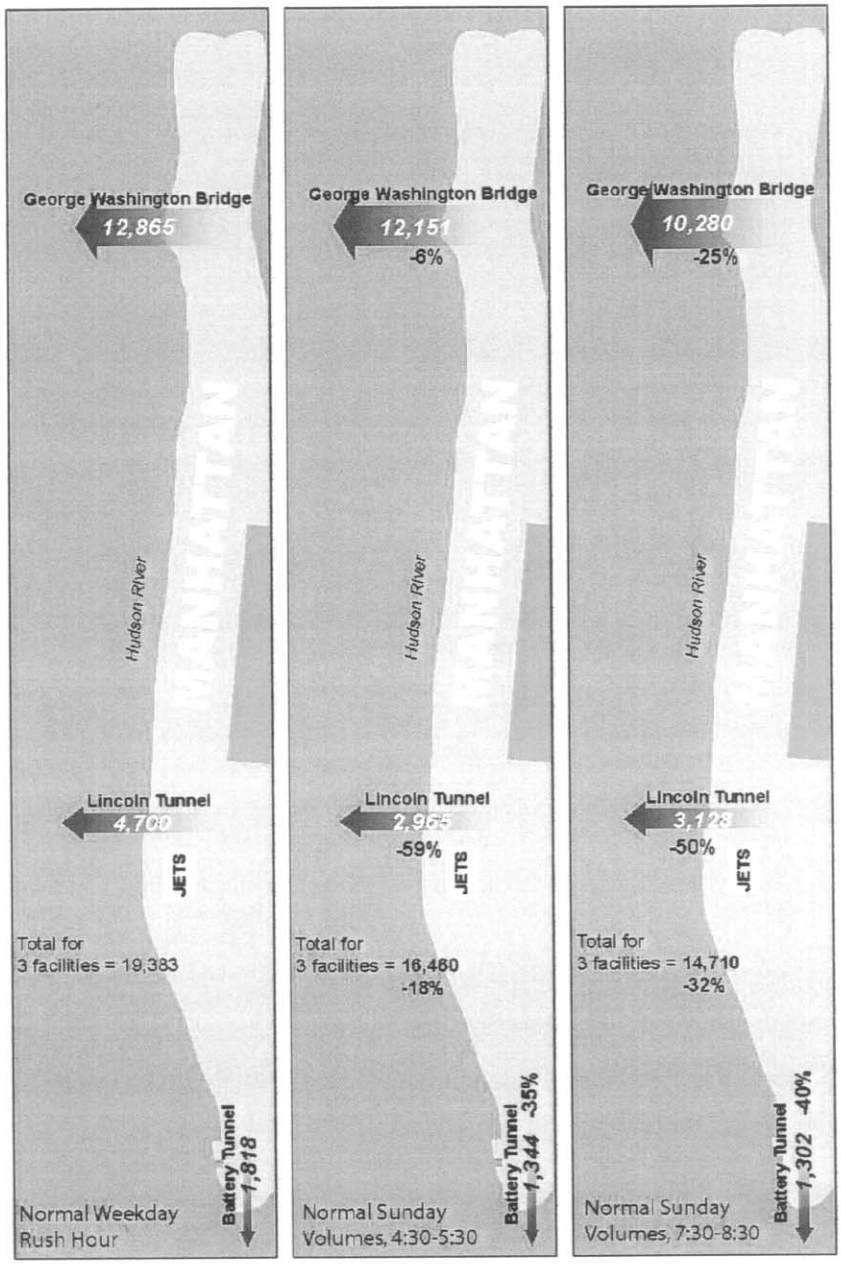
Facility	1998	2000	Difference	%Difference
George Washington Bridge	10,774	12,636	+1,862	+17.3%
Lincoln Tunnel	5,020	5,545	+525	+10.5%
Holland Tunnel	2,901	2,828	-73	2.5%
Total	18,695	21,009	+2,314	+12.4%

As shown above, outbound flow during the P.M. peak was 12.4% higher in 2000 than 1998 with 2,314 more vehicles crossing the Hudson River.

D. Impacts on River Crossings

The Jets Study only depicted volumes at three facilities: the George Washington Bridge (GWB), the Lincoln Tunnel and the Brooklyn Battery Tunnel (BBT) are estimated to carry 1,680 vehicles per hour (vph), 1,280 vph, and 800 vph, respectively. Shown below are typical weekday rush hour volumes and the existing Sunday traffic volumes for the likely post-game peak hours.

Figure IV.1 – Normal Weekday Existing Rush Hour vs. Normal Sunday Volumes 4:30-5:30 pm and 7:30-8:30 pm



However, even if the Jets' numbers were used and 90% of all vehicles were assigned to a one-hour period post-game, traffic demand at the river crossings (with the exception of the Lincoln Tunnel during both periods and the Brooklyn Battery Tunnel from 4:30 pm to 5:30 pm) would exceed the weekday peak hour by thousands of vehicles, translating into long queues of vehicles waiting to get to the tunnels or bridge (see Tables IV.3 and IV.4).

Table IV.3 Volumes at River Crossings for Sunday Westside Jets Games Ending at 4 pm (4:30-5:30 pm) - vehicles/hour

Facility	Weekday Rush Hour Volumes	Existing Sunday Volumes	Jets Estimated Vehicles	Total (Jets & Sunday Volumes)	Difference
GW Bridge	12,865	12,151	1,680	13,831	+966
Lincoln Tunnel	4,700	2,965	1,280	4,245	-455
Brooklyn Battery Tunnel	1,818	1,344	800	2,144	+326

Table IV.4 Volumes at River Crossings for Sunday Westside Jets Games Ending at 7 pm (7:30-8:30 pm) - vehicles/hour

Facility	Weekday Rush Hour Volumes	Existing Sunday Volumes	Jets Estimated Vehicles	Total (Jets & Sunday Volumes)	Difference
GW Bridge	12,865	10,280	1,680	11,960	-905
Lincoln Tunnel	4,700	3,128	1,280	4,408	-292
Brooklyn Battery Tunnel	1,818	1,302	800	2,102	+284

If MSG traffic characteristics were applied, using a 2.19 vehicle occupancy and 36% auto use rate for a Jets' game ending at 4 pm and a 2.76 vehicle occupancy and 48% auto use rate for a Jets' game ending at 7 pm, the peak hour demand at the GW Bridge would exceed weekday rush hour traffic by 2,006 vph from 4:30 to 5:30 pm and 293 vph from 7:30 and 8:30 pm. Game day volumes at the Lincoln Tunnel and BBT would exceed rush hour volumes by three hundred vehicles or more for both periods. In addition, construction activities usually reserved for weekends would further reduce capacity at critical crossings.

Table IV.5 Volumes at River Crossings for Sunday Westside Jets Games Ending at 4 pm (4:30-5:30 pm) - vehicles/hour (MSG Estimates)

Facility	Weekday Rush Hour	Existing Sunday Volumes	ORA Estimated Vehicles	Total (ORA & Sunday Volumes)	Difference
GW Bridge	12,865	12,151	3,835	15,986	+3,121
Lincoln Tunnel	4,700	2,965	2,921	5886	+1,186
Brooklyn Battery Tunnel	1,818	1,344	1,825	3,169	+1,351

Table IV.6 Volumes at River Crossings for Sunday Westside Jets Games Ending at 7 pm (7:30-8:30 pm) - vehicles/hour (MSG Estimates)

Facility	Weekday Rush Hour	Existing Sunday Volumes	ORA Estimate Vehicles	Total (ORA & Sunday Volumes)	Difference
GW Bridge	12,865	10,280	3,828	14,108	+1,243
Lincoln Tunnel	4,700	3,128	2,915	6,043	+1,343
Brooklyn Battery Tunnel	1,818	1,302	1,822	3,124	+1,822

Sources: Manhattan River Crossings 2000 for weekday rush hour; review of Port Authority 2002 and 2003 data for GWB and Lincoln Tunnel; and MTA Bridges and Tunnel for 2003 data for BB

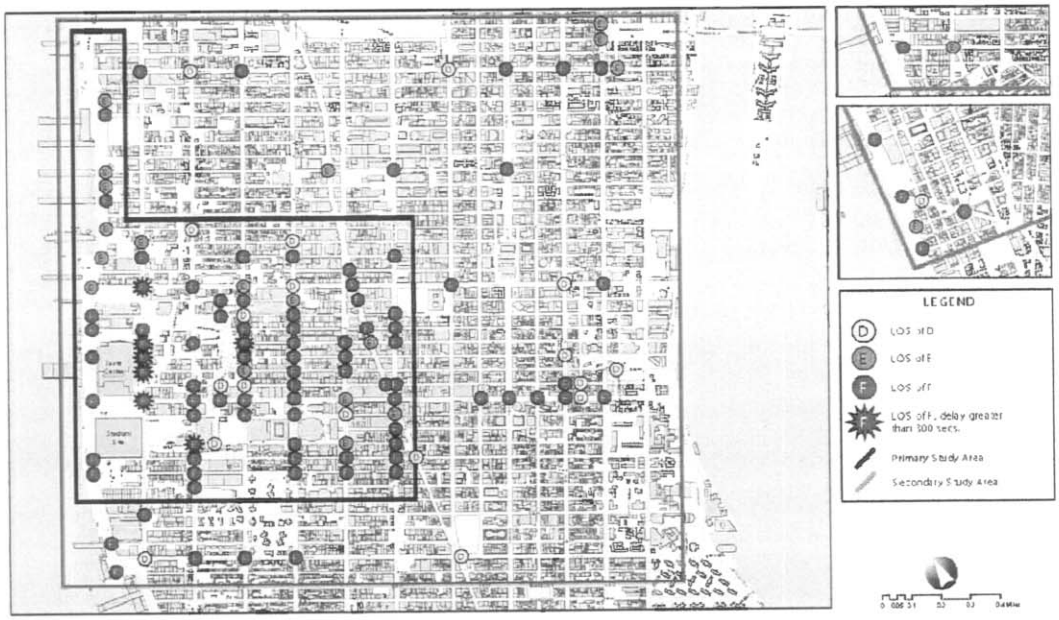
Even using the estimates from the Jets Study, post-game traffic will exceed a normal weekday hour by 837 vehicles. However, if MSG traffic characteristics are used, normal weekday peak hour traffic volumes are exceeded by 2,327 vehicles.

Using the estimates from the Jets Study, Post-game River crossing traffic will be less than a normal weekday hour by 913 vehicles. However, if MSG traffic characteristics are used, normal weekday peak hour traffic volumes are exceeded by 1,767 vehicles.

E. Levels of Service Analysis

The presentation of the levels of service (LOS) in the DGEIS illustrates a series of intersections operating poorly today and in the future. Overall, however, the location and pattern of intersections operating at an unacceptable level within the immediate study area is startling when considering the importance of the study area as a location where motorists enter and leave the city as well as the location of existing and proposed entertainment and cultural venues. Figures IV.2, IV.3, IV.4, and IV.5 illustrate the levels of service for intersections within the study area, as depicted in the DGEIS.

Figure IV.2 – Study Area Levels of Service
AM Peak Hour
Build Option

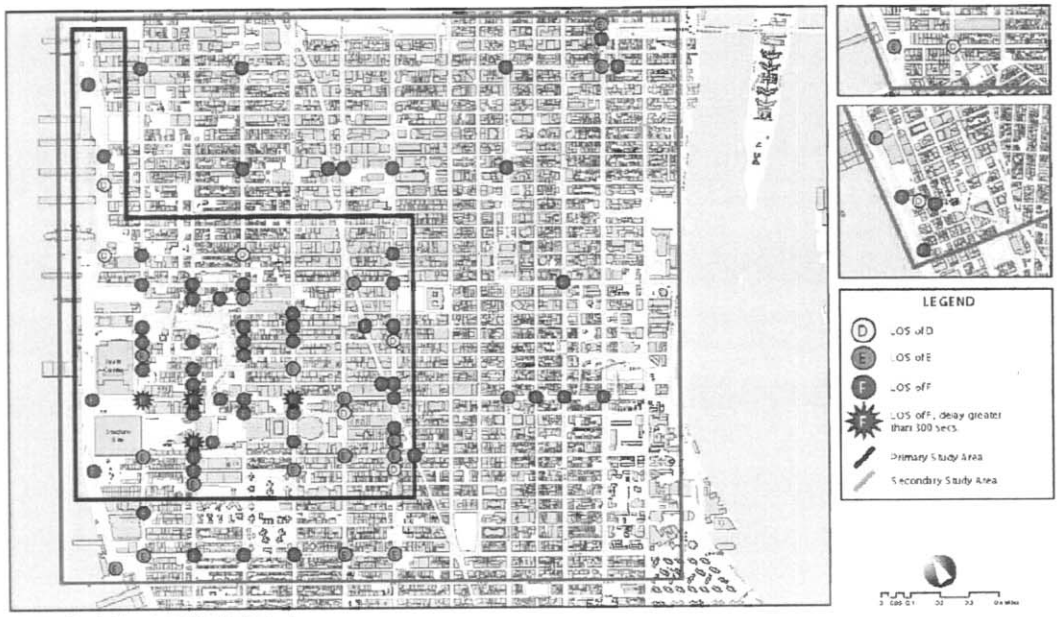


AM Peak Hour LOS (Build Option)

As shown in this figure, on West Avenue, 16 intersections operate at LOS E or F. On 34th Street, 13 intersections will operate at LOS E or F with one location in excess of 300 seconds of delay. On 42nd Street, seven intersections will operate at LOS E or F. On the Avenues, Sixth Avenue will have 10 intersections operating at LOS E or F and In all, 88

intersections will operate at LOS D, E and F in the AM Peak Hour in the study area.

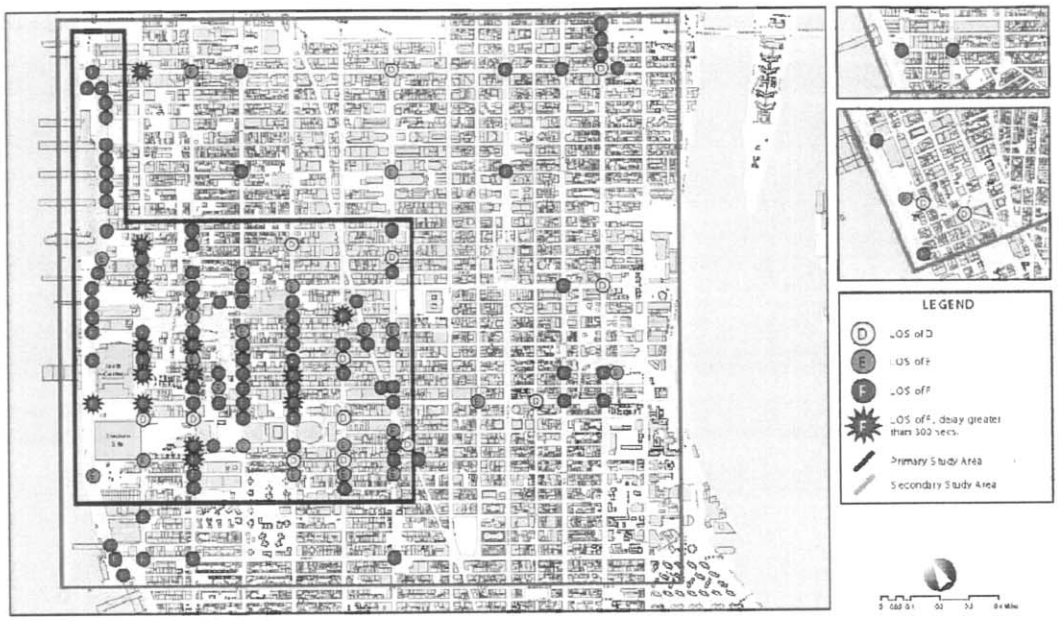
Figure IV.3 – Study Area Levels of Service
Midday Peak Hour
Build Option



Midday Peak Hour LOS (Build Option)

In the Midday Peak, 61 intersections are projected to operate at LOS D, E, or F in the study area. Four of the intersections are proposed to operate with delays in excess of 300 seconds. 34th Street is still a concern with 10 intersections projected to operate at LOS F, where at three locations the delays are over 300 seconds.

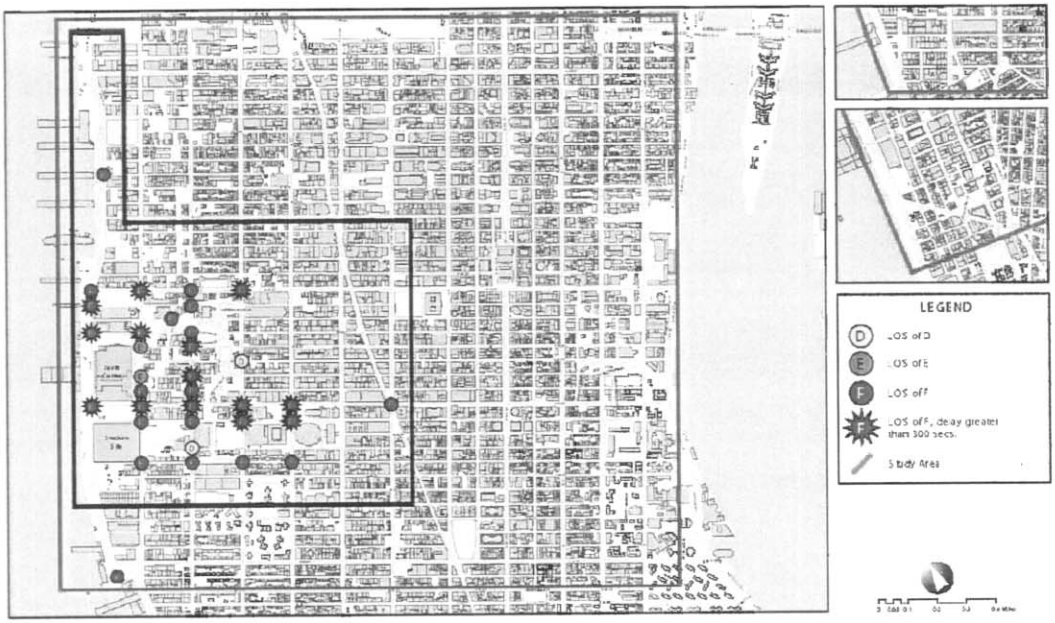
Figure IV.4 – Study Area Levels of Service
PM Peak Hour
Build Option



PM Peak Hour LOS (Build Option)

During the PM Peak, some 104 intersections are projected to operate at LOS D, E, and F in the study area. 13 critical intersections are projected to operate at LOS F with an excess of 300 seconds of delay. Majority of the avenues are projected to operate under unacceptable conditions. In particular 10th Avenue has 14 LOS-F intersections. In the east-west direction, all of the 34th street's intersections operate under LOS-F, with three of them are expected to have delays in excess of 300 seconds.

Figure IV.5 – Study Area Levels of Service
Sunday Special Event Peak Hour
Build Option



Sunday Special Event LOS (Build Option)

The Sunday Special Event Peak as shown in the figure assumes a Jets Game, an event at MSG and an event at the Javits Center. It should be noted that far fewer intersections were studied for this peak than for the others. However, the results are striking in their relevance. 14 intersections are projected to operate at LOS F with in excess of 300 seconds of delay. In addition, 15 more intersections are projected to operate at LOS F with delays less than 300 seconds. All but four of the impacted intersections for the Sunday Special Event Peak are projected to operate at unacceptable levels of service.

F. Analysis of the Street Grid as a System

The number of congested intersections should have been a clue to the authors of the DGEIS. It is well known to traffic engineers practicing in dense urban areas that street grids operate like an interconnected system, congest one intersection and the effects ripple throughout the street grid. As a result, traffic engineers have developed tools such as the cross-town arterial program in Manhattan to keep traffic flowing in a congested grid network and have installed sophisticated traffic signal control systems and intelligent transportation systems to manage congestion. It is also known that when volume to capacity ratios exceed 90% (typically LOS E and F conditions), vehicles begin to spill back extended distances, and in closely spaced grid systems, into and across upstream intersections. One such clue in the DGEIS is the number of congested intersections shown in the preceding figures.

While the City of New York's Environmental Quality Review Technical Manual does not *require* an analysis of the street grid as a system, it does not *discourage* it either. It simply suggests an intersection based approach yet it also suggests a travel time study be conducted (one apparently conducted for the project but not reported in the DGEIS). The purpose of travel time studies are, in part, to assess how traffic flows through the grid, in short, provide an analysis of how groups of intersection perform currently. While it is not possible to project the travel times to the future in congested grids as delays are not directly proportional to increases in traffic volumes, there are several methods commonly in use today by traffic engineers all over the world that perform such analyses. These tools are called micro-simulations. We see the failure to perform a micro-simulation of the study area to be a serious omission and have prepared a simulation of a portion of the study area for the build condition. The tool utilized by ORA is SIMTRAFFIC, a widely used micro-simulation model.

Because the DGEIS did not develop the data necessary to prepare a micro-simulation, ORA analyzed the data collected and observed traffic operations in the study area prior to constructing the micro-simulation model. The following paragraphs describe how the micro-simulation models were constructed and the results of the analysis.

1. Year 2025 Base Traffic Volumes

Sunday traffic volume data was not collected for all of the intersections of the study area. As such, ORA engineers analyzed the Sunday traffic count data included in the DGEIS and weekday traffic data to identify common traffic patterns. Accordingly, year 2025 traffic volumes were obtained using the Hudson Yards Rezoning and Development Program DGEIS Sunday Special Event Peak Period Figures 19-32, 19-55, and 19-126 (existing traffic volumes, 2010 future without the proposed action traffic volumes, and 2025 future without the proposed action traffic volumes respectively) as a base.

In order to obtain the missing Sunday Special Event Peak Period turning volumes the available turning movements provided in the Hudson Yards Rezoning and Development Program DGEIS were used to identify trends between weekday and weekend volumes.

2. Year 2025 Traffic Volumes with the Proposed Action

Year 2025 traffic volumes were obtained by adding the base Year 2025 traffic volumes obtained previously and the 2025 Future With The Proposed Action Incremental Traffic Volumes for a Sunday Special Event Peak Hour (Hudson Yards Rezoning and Development Program DGEIS Figure 19-148).

3. Pedestrian Distribution

The streets adjacent to the proposed stadium would face severe pedestrian congestion unless appropriate improvements are implemented. All exiting trips from the proposed stadium begin as pedestrian trips. This means that some 75,000 (10% of attendees) fans will leave the stadium immediately after the end of a close game. Assuming all fans desire to leave the stadium as fast as possible, these fans would probably be able to leave in a 30 minute period. According to the DGEIS, some 7,500 will exit and walk west to the ferry. That means that 67,500 fans will walk east to the subways, parking lots and to Pennsylvania Station, north to parking lots and the Port Authority Bus Terminal and south to parking lots. As the fans proceed away from the stadium, many will find their next mode of travel. It is instructive to review the number of pedestrians crossing the intersections surrounding Madison Square Garden.

Table IV.7 Weekday PM Peak Hour Pedestrian Volumes at Intersections Adjacent to Madison Square Garden

Location	Pedestrians per Hour
34th and 8th Ave	6,082
33rd and 8th Ave	3,341
31st and 8th Ave	5,060
33rd and 7th Ave	9,404
31st and 7th Ave	6,285
30th and 8th Ave	1,924
34th and 7th Ave	9,506
32nd and 7th Ave	2,218
30th and 7th Ave	2,671
TOTAL	24,090

As shown in the table, the total number of fans exiting the stadium west across Twelfth Avenue is 7,500 in the 30 minutes following the game. There are five intersections on Eleventh Avenue that will bear the brunt of the pedestrians leaving the stadium – 30th Street, 31st Street, 33rd Street and 34th Street as well as the Boulevard. Between the intersections, if the 67,500 fans are divided equally, some 13,500 fans will cross each intersection. Compared with Table IV.8, these pedestrian volumes are substantially higher and will detrimentally impact traffic.

The pedestrian distribution was based on the pedestrian flow maps developed by ORA. The distribution was based upon the shortest distance to the transit hubs (Port Authority Bus Terminal, Pennsylvania Station and the subways as based upon the distribution in the DGEIS, and to the parking lots. Pedestrians destined to their autos were distributed based upon the availability of parking facilities and the parking analysis described in the next section of this report. The pedestrian distribution assumes a sold-out game at the stadium

(i.e., 75,000 attendees) and exiting the stadium to the following destinations at the following percentage distributions:

Table IV.8 Pedestrian Distribution

To/From	Percentage
Penn Station Commuter Rail	21.0%
Port Authority Buses	2.7%
7th and 8th Avenues Subways: including those who need to get to the Staten Island Ferry)	3.5%
New York Waterway Ferry	10.6%
New York City Transit Buses	2.0%
#7 Subway Extension	22.3%
Other Subways (6th Avenue and Broadway lines)	0.5%
PATH	5.6%
Auto	28.8%
Taxis/Charter Buses	3.0%

Pedestrians exiting the Stadium were routed to their respective destinations using the shortest path from the Stadium to their destinations. Pedestrians traveling in a given direction were distributed evenly between the two crosswalks in the travel path (i.e., pedestrians crossing 10th Avenue in the West-East direction were evenly split between the north and south crosswalks).

4. Pedestrian Timings

In order to simulate the impact of crowds of pedestrians on intersection operations in the SIMTRAFFIC environment, pedestrian timings were calculated based on their distributions. An exclusive pedestrian phase was added into the timings of the intersection that would be affected. This was done as a way to mimic a police officer directing traffic at the intersection (i.e., police officer overriding the traffic signal to stop vehicles and allow pedestrians to cross freely). The DGEIS used the same convention.

The discharge rate of a crosswalk or how many pedestrians walking abreast can cross in any one green period or as directed by a traffic control officer is calculated based on the crosswalk width, walking speed, and pedestrian density. The total amount of dedicated pedestrian time is distributed evenly into each cycle. This allowed calculating the exclusive pedestrian timing.

5. Analysis of Sequential Impacts on Network Operation

In order to mimic what would happen during the exit hours of the proposed multi-use facility; the study area network is analyzed through a series of different parameters to reflect the conditions on the street network. Therefore, a Sunday Event Day in 2025 is analyzed. The proposed street network used in the analyses assumed implementation of the mitigations as stated in the DGEIS. The analysis was then conducted through four different successive periods of time. Therefore, it was possible to mimic the impact of the stadium-generated traffic on the street network within the study area.

The following are the four successive periods:

- **Period A (Minutes before people start exiting the venue):** This analysis period reflects the conditions when the stadium is still full. The study area street

network carries the base volumes and the phasing/timing of the signals operate as on a typical Sunday afternoon in 2025 (with mitigation). The impact of the stadium traffic on the street network is non-existent. This period is a prologue to what will happen right after people start exiting the venue. It serves the purpose of creating the base conditions that will be impacted by the stadium generated traffic elements (pedestrians and vehicles). This analysis period lasts for 30 minutes.

- **Period B (People start exiting the venue):** This analysis period covers the first 15 minutes of people exiting the venue. The vehicular traffic on the street network is kept at base level (same as the previous period) but the intersections impacted by pedestrians are modified to operate under new timing/phasing schemes. It mimics the presence of a police officer at those locations where traffic should be stopped in all directions to be able to accommodate the mass exodus of 75,000 people in 30 minutes. As stated previously, this situation is mimicked by introducing an all-pedestrian phase at these locations.
- **Period C (People exiting the venue and exiting the parking lots):** This analysis period also lasts for 15 minutes and it covers the second half of the 30 minutes exit time from the venue. Those who left during the previous period had sufficient time to reach their destination depending on their mode of travel (public transportation or private vehicle). Therefore it is appropriate to introduce additional vehicular traffic to the street network. However pedestrians are still present (people are still exiting the venue). To reflect these conditions the street network is loaded with what is referred as "the stadium traffic" but the pedestrian timing/phasing is kept operating at select locations.
- **Period D (The venue is emptied):** During this analysis period, people have exited the stadium, and the remnant quantity of pedestrians on the street is deemed negligible. Therefore the signal timing is modified back to what it was before the exiting started with mitigation. However, stadium traffic is kept on the street since the traffic exiting the parking lots and the ones that have already would still be on the street network.

6. Sequential Comparative Analyses of the Street Network

All four periods as explained above are analyzed from two different perspectives: Individual Intersections Level of Service and Network Wide Congestion Analysis. Figures IV-6 through IV-9 depict the network conditions during the period when pedestrian impact is the greatest.

In the following section, these two approaches of analysis explained in detail for each time period.

Period A:

During this period, the base volumes and base timing are in effect. The mitigations are implemented. There are parts of the network that show spillback conditions: It is mainly confined to the east side of the island around MSG. A spillback condition occurs when an intersection approaches and/or exceeds its operational capacity. Consequently, it is

not capable of processing the demand volume. Those vehicles that are not serviced through a cycle or two (depending on the timing and the size of the block) starts backing up into the upstream intersection. This situation causes the failure of those upstream intersections by hindering their operation. When this situation starts occurring at more than one approach at a particular intersection, spillbacks turn into gridlocks. A gridlock condition is when a network of intersections becomes impotent of operating and processing traffic. From intersection LOS perspective, Period A does not show major failure.

Period B:

This period encompasses a time period when people start exiting the venue. There is a mass exodus of attendees to the street network. The base volume is used to model the vehicular load on the street network. However, to account for the pedestrians, pedestrian timing is in effect. The impact of the pedestrian timing is immediate. There are a number of intersections that operate at LOS-F at least for one of the approaches. Within 15 minutes of applying the new timing scheme, spillbacks start to form, that later turn into gridlock. The failure of intersections along 34th Street and 9th Avenue are particularly striking. As the pedestrians proceed to their final destination in accordance with their distribution, the entire study area starts experiencing unprecedented operational failures. 12th Avenue is completely backed up at this point, as the spillbacks on other avenues start forming in the southbound and northbound directions. Out of 22 LOS-F intersections, six are experiencing in excess of 300 seconds of delay.

Period C:

This period is modeled by using the pedestrian timing and stadium volumes. People are still exiting the venue, and the impact of the pedestrians on the network is as evident as ever. Some of the event attendees who are destined to the parking lots have reached their destination and the street network is subject to full-scale stadium traffic. The ingress and egress to Lincoln Tunnel is blocked due to the complete operational failure of the surrounding intersections. Traffic is at standstill for the major part of the network while pedestrians reach their vehicles and transit stations. The number of intersections under LOS-F has increased to 30, eight of which are experiencing 300 second or more delay. The effect of the prolonged pedestrian movement on the network is obvious. All avenues in the study are not stopped in gridlock and not moving.

Period D:

During this period, the model goes back to base timing. Pedestrians have reached their destination and are no longer impacting the street network as in periods B and C. It should be noted that for the purposes of this model, the pedestrians are forced to exit and reach their destination within 30 minutes after the event ends. This, by any means, is a very conservative approach. Should this amount of time be stretched to further, the impact of the pedestrians would last and the gridlock would expand further. The model still employs the stadium traffic during this period. Going back to base timing betters the

operational aspect of individual intersections. The number of LOS-F intersections is reduced to 16. However, it should be noticed that the gridlock is worse than Period C, extending further south to 13th Street and eastward to Park Avenue and congestion all the way from the George Washington Bridge to the Battery, and across to the East River Crossings. This is a clear demonstration of how individual intersection analysis fails to demonstrate system wide failures. The gridlock that has formed with the start of Period A is present and has expanded further from Period C to Period D. Although the vehicular traffic are being served with larger temporal capacity (more green time for individual movements) at individual intersections, it will take about 5 times longer to dissipate the congested traffic than it took to form it. The preceding analysis clearly demonstrates the failure of the DGEIS to accurately describe the traffic conditions following a Jets game.

7. Analyses of the Street Network (Weekday PM Peak Period)

The analysis provided in the DGEIS depicts a number of intersections that are failing to operate under acceptable levels of service. This report took the individual intersection analyses a step further and provided with a model that shows that the failure at these predicted locations causes a serious gridlock. It should be noted that the SIMTRAFFIC model has the mitigations measures, as suggested in the DGEIS, integrated. Nevertheless, these measures fail to prevent the network-wide congestion/gridlock. Figure IV.10 illustrates the location of failing intersections and the extent of the gridlock/congestion during a typical weekday PM peak hour in 2025. Gridlock is projected to extend from 10th Street to 70th Street and east to Madison Avenue, with the Lincoln Tunnel entrances and exits blocked.

8. Summary of the SIMTRAFFIC Analysis

Upon first reading of the DGEIS, it became clear that the traffic analysis of individual intersections did not accurately describe the degree of failure because it ignored the interaction of the failing intersections on the adjacent intersections and on the entire street system. In running the SIMTRAFFIC model of the study area, the affect of the interaction of the failing intersections became obvious. Gridlock began almost immediately and spread rapidly throughout the entire study area with the unrealistic assumptions in the DGEIS. Because the availability of data was limited, particularly for the Sunday model, only the immediate study area could be modeled. But this area was enough to assess the street network beyond the immediate study area and combined with field views and observations of others, it was possible to extrapolate by extending the jammed streets block by block until the end of the gridlock was identified and then use the observations of others to identify the congested network that feeds into the gridlock streets.

Using its projections of automobile trips that would be generated by a Jets game (see Chapter 3, Section C), ORA has been able to extrapolate the congestion along the West Side Highway to the George Washington Bridge. The combination of the increased traffic from the study area and the typical Sunday conditions at the tight ramp alignments at the bridge is a recipe for congestion. Similarly, the gridlock extends into SOHO with

its narrow streets and tightly spaced blocks as vehicles travel south beyond the wide avenues.

Worst of all was the gridlock along 34th Street forcing vehicles to other parallel streets to travel cross-town to the East River Crossings and tunnels, congesting the remaining parts of the routes to the crossings.

In conclusion, the SIMTRAFFIC Analysis was revealing, providing concrete evidence of gridlock throughout the Hudson Yards study area, beyond the individual intersection failures documented in the DGEIS, as well as clear evidence that serious congestion would extend for a prolonged period far beyond the undersized study area in the DGEIS.

G. Emergency Vehicle Access

The proposed Hudson Yards development and, especially the proposed Jets Stadium will cause substantial levels of congestion and gridlock. This will impact the ability of emergency vehicles to respond to incidents and emergencies. This is particularly important as the Hudson Yards is a transportation hub for the entire northeast as evidenced by the recent tunnel fires and the type of events destined to make use of the venues. The DGEIS does not address the issue of emergency access to the proposed stadium or the impact of the congestion on emergency service to the existing established business and venues.

Figure IV.6

Period A: Minutes before people start exiting the venue

Legend

- Congestion
- LOS –F
- LOS – F > 300 sec.

Figure IV.7

Period B: People start exiting the venue

Legend

- Congestion
- LOS –F
- LOS – F > 300 sec.

Figure IV.7

Period B: People start exiting the venue

Legend

- Congestion
- LOS –F
- LOS – F > 300 sec.

Figure IV.8

Period C: People exiting the venue and exiting the parking lots

Legend

- Congestion
- LOS –F
- LOS – F > 300 sec.

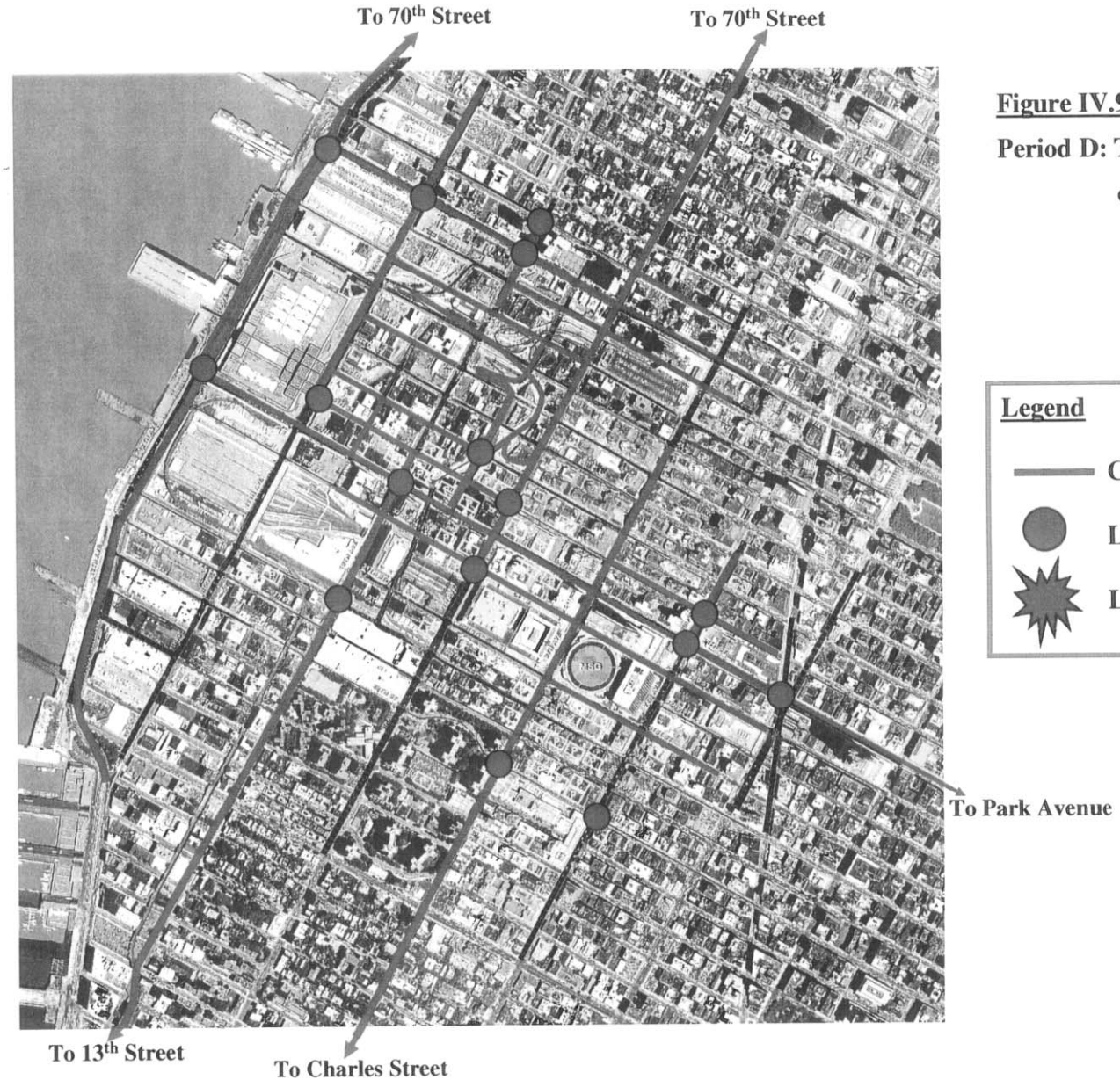


Figure IV.9

Period D: The venue is emptied

Legend

- Congestion
- LOS –F
- LOS – F > 300 sec.

Figure IV.10

Weekday PM Peak Hour

Legend

- Congestion
- LOS –F
- LOS – F > 300 sec.

V. Transit

A. Methodology

The methodology employed in the DGEIS discounts significant demands on the transit system that would otherwise have to be addressed or mitigated. On page 19-17, it states that modal splits were divided into primary and secondary modes of transportation. For example, someone taking the railroad to Penn Station, and then a bus to the stadium would be classified as Primary: railroad, Secondary: bus. It appears that the DGEIS, having done that, then discards any further consideration of secondary travel. Evidence of this is found on Table 20-91, which assigns only 424 additional riders to route M34. If none of these were Manhattan residents, it would comprise less than 4% of rail commuters, an improbable number. Failure to consider secondary travel is a major omission, the impact of which is to undercount impacts on the transit system.

B. Subway

Table 20-5 depicts the capacities used in the subway calculations. It shows the No.7 Line as operating 11-car trains. That was true in the base year of 2000, but it is no longer true today, nor will it be in 2025. Nevertheless, Appendix S 4-2 continues to calculate capacities on this line based on 11-car trains. The effect of this is that projected capacities are all overstated by 9%, and the volume/capacity ratios are all understated. The reason for the reduced train length is that service on this route was provided in the past by "World's Fair" cars. That fleet uniquely contained a sufficient number (about 30) of self-contained single unit cars. The entire remainder of NYCT's subway fleet consists of "married pairs", two cars that share common components and are incapable of operating singly. On the No.7 Line, the single cars were joined to sets of 5 married pairs to make 11-car trains. With the well-publicized (and recently-completed) scrapping of the Redbirds, those single cars no longer exist. At this time, NYCT has no plan for replacing them, nor is there a mention in the DGEIS of a plan for this as a remediation. Hence, the capacity calculations for the No.7 Line are seriously flawed.

In 2025, there would be many station elements with significant adverse impacts resulting in serious congestion. Some stairways would operate at volume/capacity ratios well over 2.0.(primarily the stairways at Times Sq-42nd Street and at Grand Central-42nd Street.) In the AM, three stairways could not be mitigated. In the PM, two stairways could not be mitigated and in the Sunday Event condition, there will be no unmitigated adverse impacts. The mitigation consists mainly of stairway widening, new stairways, new escalators or upgrade to high-speed escalators. However, as stated in the DGEIS, "These mitigation measures have been identified conceptually but would still require further analyses to determine their feasibility." In other words, they have not yet been deemed feasible. Some require stairway widening of 4 feet.

C. Commuter Rail

Although the DGEIS assigns 13,971 people to commuter rail service in the one hour after a Sunday special event, it fails to address the ability of the rail system (existing levels of train service) to accommodate these additional riders. In Table 20-87, the ability of the stations to handle these people is considered; not surprisingly, this is easily done with the low level of Sunday service. However, the omission of analysis of available train capacity may be significant, as suggested by the DGEIS's projection of additional rail riders. Applying the geographical split from the No.7 Line Project (E. Metzger, 12/1/03) to the DGEIS projection of rail use suggests 7,726 additional NJ Transit customers in an hour when 10 trains operate, 3,577 LIRR additional passengers in an hour when 7 trains operate, and 2,668 additional Metro North passengers in an hour when 9 trains operate. These impacts are too large to avoid review.

There is no discussion of line haul or scheduling/operational impacts to NJ Transit service or LIRR service. Stations are mentioned as having adequate capacity. Are they assuming the 3rd Hudson River tunnel is built? There is no mention of this.

The Final Scope (pages 28-29) states that the DGEIS will provide a transit assessment that will examine commuter rail impacts. It states that assessments of Sunday afternoon peak periods will be included and that estimates of rail riders will be made for these periods. In addition, it states that project passenger volumes will be determined and significant impacts identified and mitigated. Although the Traffic Analysis relies on the assumption that the majority of Jet's fans will use transit, there is no assessment of the commuter rail lines on a Sunday afternoon peak. The Long Island Railroad, NJ Transit and Metro North commuter rail lines are not examined at all under this condition. No assessment or analysis of the number of project passengers and the operating capacity was provided in the DGEIS for the Sunday afternoon peak to evaluate the impacts to the operations or the ability of these lines to accommodate these project passengers.

D. Bus Issues

In 2025, the DGEIS states that no unmitigated significant adverse impacts would occur to bus service if additional vehicles are added to the impacted routes. There are about five impacted routes in (in the AM, PM, Weeknight Special Event and Sunday Special Event conditions) both directions many times. The mitigation on some routes requires the addition of up to 28 additional vehicles on that route. Also, conversion to articulated buses is another mitigation. The DGEIS states that it is the NYCT general policy to provide additional bus service where demand warrants, taking into account financial and operational constraints. It states that these improvements and expansion of service would be developed as part of the MTA NYCT's capital program. No discussion is included on the operational impacts of adding these busses or the effects of additional articulated busses to the roadway network.

On page 20-109, the DGEIS considers the impact of a new Port Authority bus facility, but discounts it because it will be directly connected to the Bus Terminal, and not involve operation of buses on city streets. However, NYC Transit operates Quill Depot at 40th Street and 11th Avenue, adjacent to the Javits Center, and no consideration is given to

impacts on it. Quill Depot houses approx 270 buses, including most of those that will serve the new development. During peak study hours, as many as 37 buses pull in and out of that depot. Although it is due to be razed for the Javits expansion, current plans have it being relocated beneath the site, i.e. it will remain in the heart of the development. This is an omission from the DGEIS.

Baseline current ridership is derived from 2000-2002 Ride Check Surveys (Table 20-15). But this period includes 9/11 and the months thereafter when ridership levels were depressed, but schedules were not reduced. The result of this may be to show higher available capacity than really exists. Since that baseline is used for the DGEIS's 2025 ridership projections, it is possible that available capacity is overstated there, as well.

Available bus capacity is based off NYC Transit scheduling guidelines of 65 passengers per regular bus, and 93 per articulated bus. Yet a review of average load data on Tables 20-15 through 20-18 shows that current service levels are designed to provide loading generally at 70% or less of guidelines. This raises two major issues. First, if the actual practice of NYC Transit is considerably lower bus loading than its published guideline, is it reasonable for the DGEIS to use the guideline number, which is much more favorable to its consideration of impacts? Second, if the guidelines are real, then is it not likely that NYC Transit will reduce current service levels (thereby significantly reducing available capacity), as it has already stated it is prepared to do in order to close projected revenue shortfalls in 2005 and 2006?

On Table 20-91, and every other related table in the DGEIS, bus capacity along 34th Street is shown as a combined total of routes M16 and M34. However, because route M16 travels no further west than 8th Avenue, it really offers no service to the new stadium. Thus, the available service levels and capacities on 34th Street are overstated by 50% throughout the DGEIS. This is a major concern, because 34th Street is the corridor most subject to additional demand for bus service (Table 20-111).

On Table 20-111, the DGEIS shows that to accommodate additional demand in the PM peak period, a total of 87 additional buses will be required. All of the routes contributing to this currently operate from Quill Depot, in the heart of the study area. Even allowing for availability of 28 buses that are currently used in the morning, but not the evening, accommodation would have to be made for 68 more buses (59 plus 9 spares). The DGEIS fails to account for this. In current dollars, this entails an equipment cost of approximately $30 million, and additional depot storage space, estimated at $70 million, for a total of $100 million. The DGEIS fails to address where this money will come from, or any commitment to provide it. Without that, significant impacts of the development go unaddressed.

Related to this, any expansion of the Quill Depot will have a larger impact on traffic in the study area. This has not been considered in the DGEIS. Alternatively, additional buses could be stored elsewhere in Manhattan. However, there is no excess capacity in other Manhattan depots, so expansion would be required anyway. Such work would require an DGEIS of its own. This raises an interesting question; can one DGEIS provide mitigation that cannot occur without another DGEIS, without foreknowledge of whether the second DGEIS will permit the mitigation to occur?

On p19-2, the DGEIS identifies five intersections that have "unmitigated significant adverse impacts during the Sunday special event." On its own, this is critical. However, its impact goes further. Table 19-70 reports that on Sunday afternoon, after mitigation, the intersections along 34th Street at 11th, 10th, 9th, and 8th Avenues will respectively operate at LOS F, F, F, and E, with a cumulative delay of at least 16 minutes and 7 seconds for eastbound buses (as well as other traffic). Yet on Table 20-111, the DGEIS calls for adding 14 more buses to mitigate demand. It is unrealistic to assume that event-goers will endure what is likely to be a 40-minute ride to get from the stadium to Penn Station. It is not acceptable to add more traffic to an unmitigated adverse impact condition. The issue worsens when demand for bus access to Penn Station is increased to accommodate the demand of commuter rail users, which was completely omitted from all calculations in the DGEIS. According to Table 20-8, a total of 13,971 event-goers will seek to use commuter rail in the hour after a Sunday event. Using the geographical split included in Appendix S, 11,303 of them will be seeking to reach Penn Station. If half of them seek to use a bus (a conservative estimate in inclement weather), approximately 87 additional buses would have to travel eastbound along 34th Street during the one-hour peak period. The inability of an LOS F street to handle this, the question of whether NYC Transit could muster the necessary equipment and personnel, and the unanswered question of whether NYC Transit would be willing to assume the high expense and unprofitability of such a service are additional reasons to conclude that this DGEIS has failed to fully identify demand, or find a way to accommodate it, for post-event travel between the stadium and Penn Station.

E. Ferry Issues

As indicated previously, some 7,500 fans would exit the proposed stadium and walk to the Ferry Terminal. There are nine ferry routes from the West 38th Street Terminal, from the north to south in order: Port Imperial, Lincoln Harbor, Hoboken North, Hoboken South, Newport, Harborside, Colgate, Port Liberte, and Belford. Figure V.1 illustrates the routes of the ferries and Table IV.1 illustrates the facilities at each terminal.

Figure V.1 – New York Harbor Ferry Routes

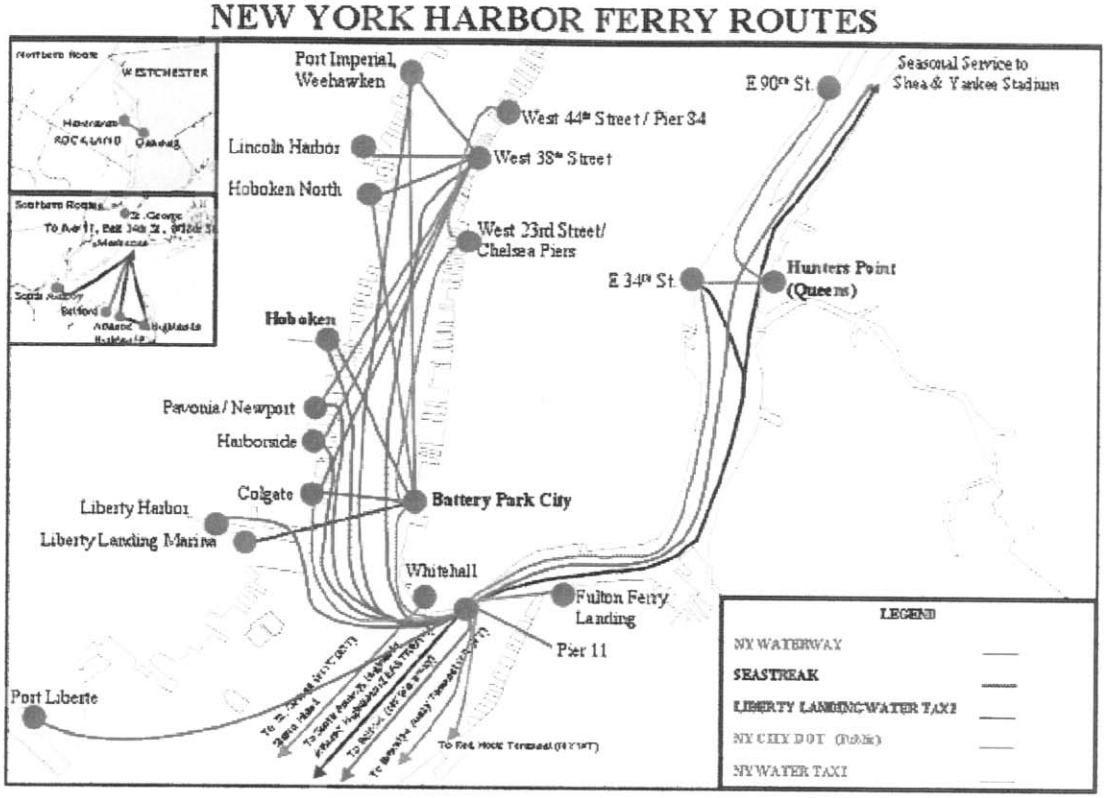


Table V.1 Ferry Service to New Jersey from 38th Street

Ferry Terminal	Days of Operation	Terminal Parking		Public Parking		Transit	Other
		Capacity	Occ. 9/12/04	Capacity	Occ. 9/12/04		
Port Imperial	Every day	3200	600	No	No	Yes	
Lincoln Harbor	Weekdays	No	No	No	No	Yes	Private Terminal
Hoboken North	Everyday	No	No	520	336	Yes	
Hoboken South	Weekends	No	No	240	44	Yes	
Newport	Weekdays	No	No	No	No	Yes	
Harborside	Weekdays	341	NA	No	No	Yes	
Colgate	Weekdays	No	No	189	NA	Yes	
Port Liberte	Weekends	106	6	No	No	Yes	
Belford	Weekdays	500	NA	No	No	Yes	

The table indicates days of operation, and the capacity and occupancy of terminal parking lots and nearby public lots on Sunday, September 12, 2004, between 1 PM and 4 PM. This period was chosen to correspond with the Sunday afternoon parking analysis period shown in the EIS.

As shown, Port Imperial, Hoboken North, Hoboken South, and Port Liberte all offer ferry services on Sundays. Port Imperial has, by far, the largest parking supply of any ferry terminal, with about 3,200 spaces. There were 634 vehicles parked there on September 12, 2004; the parking attendant indicated that on a typical Sunday, about 600 to 1200 vehicles are parked in the lot, although demand can reach close to 2,700 during large public shows in the Convention Center, such as the Auto or Boat Shows. Of the other services operating on Sundays, only the Port Liberte ferry has a dedicated parking lot, with 106 spaces. At Hoboken North and Hoboken South, passengers can park at nearby lots, as shown in the table.

Three cross-Hudson River routes are identified as not having sufficient capacity in 2025. One additional run per hour per route is required to satisfy the deficit. This is at odds with the assessment that 19 passenger ferries would be required to shuttle NJ fans across the river. No discussion of the Sunday Special event impact on Ferry service is provided in the DGEIS and no assessment is made ass to whether the platforms can accommodate the demand of the fans after a Jets game. Figure V.2 is a picture of the ferry platforms after last summer's blackout.

Figure V.2 – Passengers after blackout

Passengers Queue for Ferry Service to New Jersey

A major omission: Unmitigated number of ferries to meet demand

Table 20-8 on p.20-16 lists Project Generated Person Trips. Apparently "ferries" are lumped under "other." The Sunday Special Event outbound figures are as follows:

Project Generated Person Trips 2025

Table 20-8 of DGEIS, Sunday Special Event outbound

Auto	19,586
Taxi	2,451
Bus	5,230
Subway	27,098
Railroad	13,971
Walk	13,737
Other	6,898
Total	88,969

By using the assumptions and number in the DGEIS, it is possible to calculate that 95% of "other" is the number of people to ride the ferries after the game. By comparing the existing "available capacity" of the ferry services, and by assuming 149 passengers per boat, there is a deficiency of 35-38 ferries to haul post-game fans.

This is a significant omission and a major unmitigated condition. Since most ferry users will be using a car on the New Jersey side as their secondary mode (since none of the New York Waterway access buses operate on Sunday), the absence of sufficient ferry capacity makes it likely that event-goers will remain in their cars and travel by car (now as primary mode) to and from Manhattan. This additional traffic and parking demand for 2000 additional vehicles in the stadium vicinity has not been identified in the DEIS, and will likely create more conditions that cannot be mitigated.

VI. Parking Conditions

The parking analysis in this report is based largely upon the data presented in the *No. 7 Subway Extension Hudson Yards Rezoning and Development Program, Draft Generic Environmental Impact Statement*, June 2004. Existing 2003 off-street parking facility capacity and utilization rate is presented in Appendix S.3 of the DGEIS, entitled "Transportation - Parking Analysis."

This report focuses on analyzing existing and future conditions for a Sunday afternoon from 1 PM to 4 PM. This was one of the four time periods analyzed in the DGEIS. As stated in the DGEIS (p. 19-32), "the Sunday afternoon period was analyzed to determine off-street parking conditions prior to a football game at the Multi-Use Facility in conjunction with a public show at the Convention Center and an event at MSG."

The authors of the DGEIS never state the type of event at MSG that was evaluated. However, as acknowledged in the MSG Memorandum, p. 3, "the 85th percentile attendances at WNBA basketball games and circus performances are significantly lower compared to the other major events; for this reason a WNBA basketball game or circus performance would not be expected to constitute the reasonable worst-case scenario for the analysis of transportation-related impacts." Therefore, the parking demand generated by a Rangers or Knicks game should be evaluated as part of this study. The 85th percentile attendance of a Knicks game is 19,023; a Rangers game is 17,380; while a NY Liberty game (on weekends) is 12,126.

Therefore, the parking section of this DGEIS Review Report has the primary purpose of analyzing possible future parking conditions on a Sunday afternoon for a football game at Multi-Use Facility, held in conjunction with a public show at the Convention Center, and a Rangers game at MSG. Unlike the DGEIS, this DGEIS Review Report uses a transparent process in presenting its assumptions of future parking demand. Instead of simply presenting one summary number for future peak periods, this report identifies all individual components of parking demand.

A. Calculation of June 2003 Base Demand

The DGEIS states that the "surveys of off-street commercial parking facilities, which included visual inspection and interviews with site operators, were conducted in June 2003 (p. 19-40)." Of the 154 garages and surface lots in the DGEIS study area, 140 were open on Sunday afternoon, with a total capacity of 22,090 spaces. The demand was 12,862, for a utilization rate of 58%. The DGEIS also states that the Sunday afternoon count includes a "concurrent event at MSG (p. 19-41)." As discussed below, this concurrent event was likely a NY Liberty basketball game.

Since the DGEIS explicitly states that the June 2003 parking count includes a concurrent event at MSG, but does not make a similar claim for a concurrent event at the Convention Center, it is assumed that the DGEIS parking count does not reflect attendance at a public show at the Convention Center. The 85th percentile attendance of a public show is 38,265, as indicated in the DGEIS Appendix.

For an accurate appraisal of future parking, it was first determined to evaluate parking conditions for June 2003 in the absence of any special events. The only special event occurring during the DGEIS parking count was an event at MSG; this must have been a New York Liberty basketball game, since these were the only major events scheduled for Sunday afternoons in June 2003. The attendance for the NY Liberty game on June 1st was 15,045, while the game on June 22nd had an attendance of 12,004. The average attendance of these two games, 13,500, was deducted from the June 2003 parking count, to determine "ambient" parking demand in the study area in the absence of any special events.

It should be noted that the deduction of 13,500 represents a somewhat conservative estimate. This is because the DGEIS June count occurred from 1 PM to 4 PM, and both Liberty games started at 4 PM. Unless the count of parking facilities in the vicinity of MSG occurred at the very end of the 1 PM to 4 PM time period, it would likely not have surveyed all the persons arriving at the Liberty game via automobile.

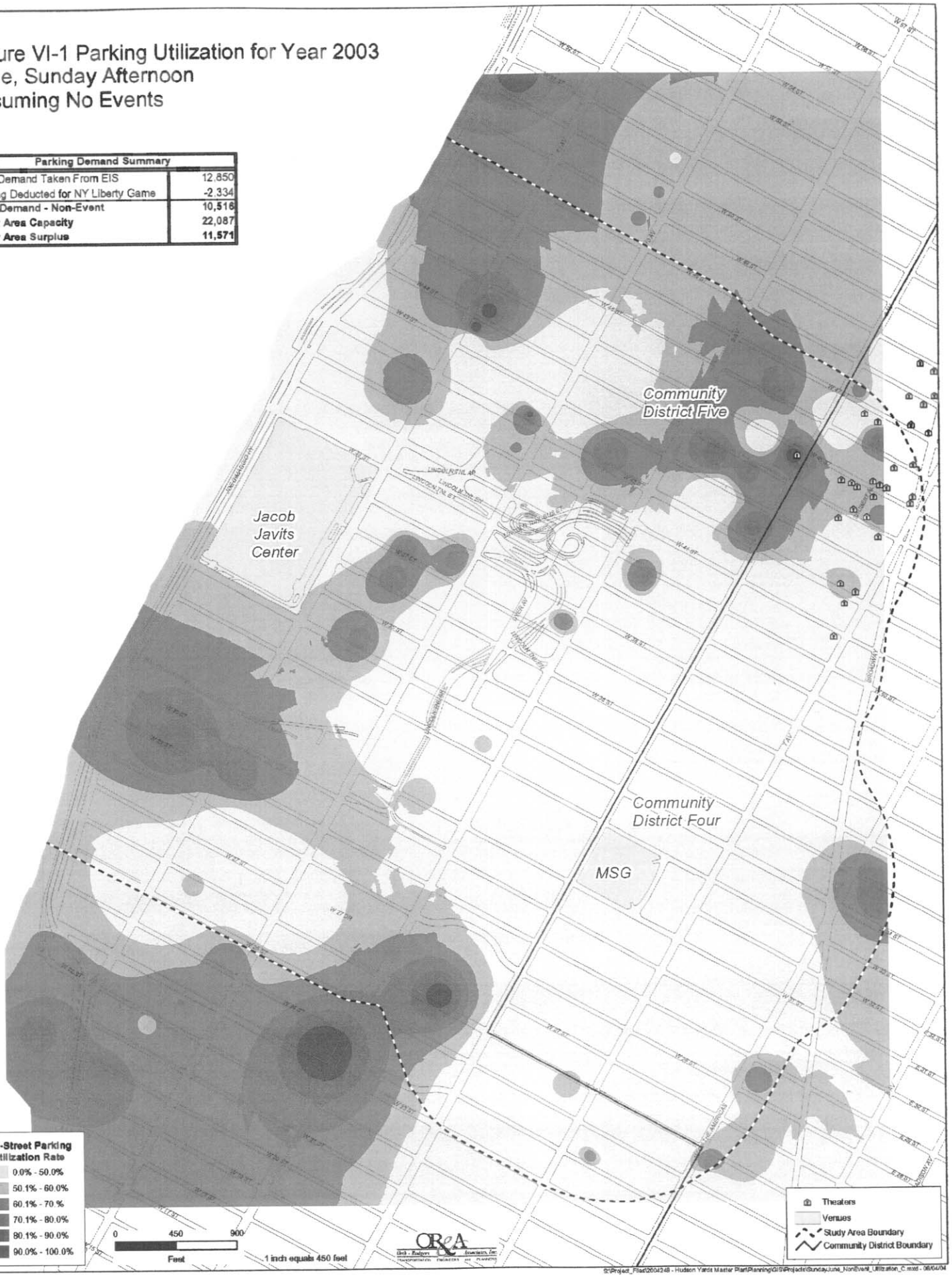
Applying the DGEIS assumptions of a modal split of 48.4%, and a vehicle occupancy rate of 2.8 to Sunday events at MSG, the attendance would result in a parking demand of 2,334 vehicles. The ambient demand in the absence of this parking demand is 10,516 with a study area parking capacity of 22,087 (this figure is slightly different than the 22,090 in the DGEIS, likely due to rounding). Ambient demand thus accounts for slightly less than half of parking capacity in the area. (See Figure VI.1)

Table VI.1 June 2003 Parking Demand Summary

Parking Demand Summary	
Total Demand Taken From EIS	12,850
Parking Deducted for NY Liberty Game	-2,334
Total Demand - Non-Event	**10,516**
Study Area Capacity	**22,087**
Study Area Surplus	**11,571**

Figure VI-1 Parking Utilization for Year 2003
June, Sunday Afternoon
Assuming No Events

Parking Demand Summary	
Total Demand Taken From EIS	12,850
Parking Deducted for NY Liberty Game	-2,334
Total Demand - Non-Event	**10,516**
Study Area Capacity	**22,087**
Study Area Surplus	**11,571**



B. Calculation of December 2003 Parking Demand

To better analyze existing peak parking conditions, a December 2003 parking demand was produced, indicated in Table VI.2. To calculate existing peak parking demand on a Sunday afternoon in December, the 85th percentile attendance for a New York Rangers game was added to the June 2003 base demand (as detailed above, attendance at a NY Liberty basketball game was subtracted from the June count to determine June base demand). In an effort to be conservative, an attendance of 17,000 was chosen for the Rangers, lower than the 85th percentile attendance of 17,380 for Rangers games, but closer to the 85th percentile attendance of 16,476 for concerts. Applying the assumptions of 48.4% modal split and 2.8 vehicle occupancy rate found in the DGEIS, the parking demand would be 2,939.

Table VI.2 December 2003 Parking Demand Summary

Assumptions

Venue	Event Start	Duration	Attendance	Modal Split	Vehicle Occupancy Rate	Parking Requirements
Base Parking Demand						10,516
Theater District Surcharge						92
Convention Center (Public Show)	9:00 AM	All Day	15,450*	52.9%	3.0	2,724
NY Rangers Game	4:00 PM	3 hours	17,000	48.4%	2.8	2,939
Total Demand						**16,271**
Study Area Capacity						**22,087**
Total Study Area Surplus						**5,816**

**Indicates demand at peak hour. 85th percentile total daily attendance is 38,625*

To calculate parking demand associated with a public show at the Convention Center, the 85th percentile attendance of 38,625 was incorporated. Since a public show may start at 8 or 9 AM, and end at 5 PM or 6 PM, one-time attendance will ebb and flow over the course of the day. Based on analysis of the temporal distribution of attendees to public shows as presented in the DGEIS Convention Center memorandum, up to 35% of the daily attendance is actually present in the Center at peak attendance. It is further assumed that up to 40% of the attendees, or 5,150 persons, actually have vehicles parked in nearby garages at peak attendance, due to the time required to park/unpark a vehicle and walk between the parking facility and Convention Center, and further due to the fact that some attendees are indicated as visiting other sites in the City after a show. With an automobile modal split of 52.9% and vehicle occupancy of 3, as indicated in the DGEIS, up to 2,724 parked vehicles are associated with a public show.

A modest adjustment was made for the increased activity in the Theatre District on Sundays in December. According to the Shubert organization, light attendance months for theatre performances include January and February, and June, July and August. Theatre attendance begins to build in the fall, and increases through December. Based on the actual parking attendance at two proximate parking garages, there appears to be an increase of parking demand by 6% on Sunday afternoons in November over Sunday afternoons in June, corresponding with increased attendance at weekend matinees. Therefore, the base demand for parking garages within ¼ mile of the Theatre District was increased by 6%, or 92. Note that this number is an incremental increase over the summer month theater-goers.

The total parking demand on a Sunday afternoon in December, with both a Rangers game and public show taking place, would thus be 16,271, or slightly less than three-quarters of existing parking garage capacity. The existing peak parking demand on Sunday afternoons is thus 26% higher than the parking demand as shown in the DGEIS. Much of this difference is due to the addition of attendance at a public show.

It is important to establish a more comprehensive picture of parking demand during major events currently, to better understand the possible effects of parking demand at a football game once the Multi-Use Facility is built. Figure VI.2 shows a possible parking utilization scenario for December 2003, with attendees to venues at the Convention Center and MSG assigned to garages in close proximity. It is assumed that facilities within 1/8 mile would be 100% occupied; facilities from 1/8 to ¼ mile would be 90% occupied; and in descending order with increasing distance from the facility.

Walking distances to parking facilities from major venues are shown in Table VI.3.

Table VI.3 December 2003 Walking Distance to Venues

Walking Distance to Venues (feet)		
Venue	50th Percentile	95th Percentile
Madison Square Garden	865	1,384
Convention Center	2,036	3,117

Figure VI-2 Parking Utilization for Year 2003
December, Sunday Afternoon
Possible Scenario using EIS Assumptions

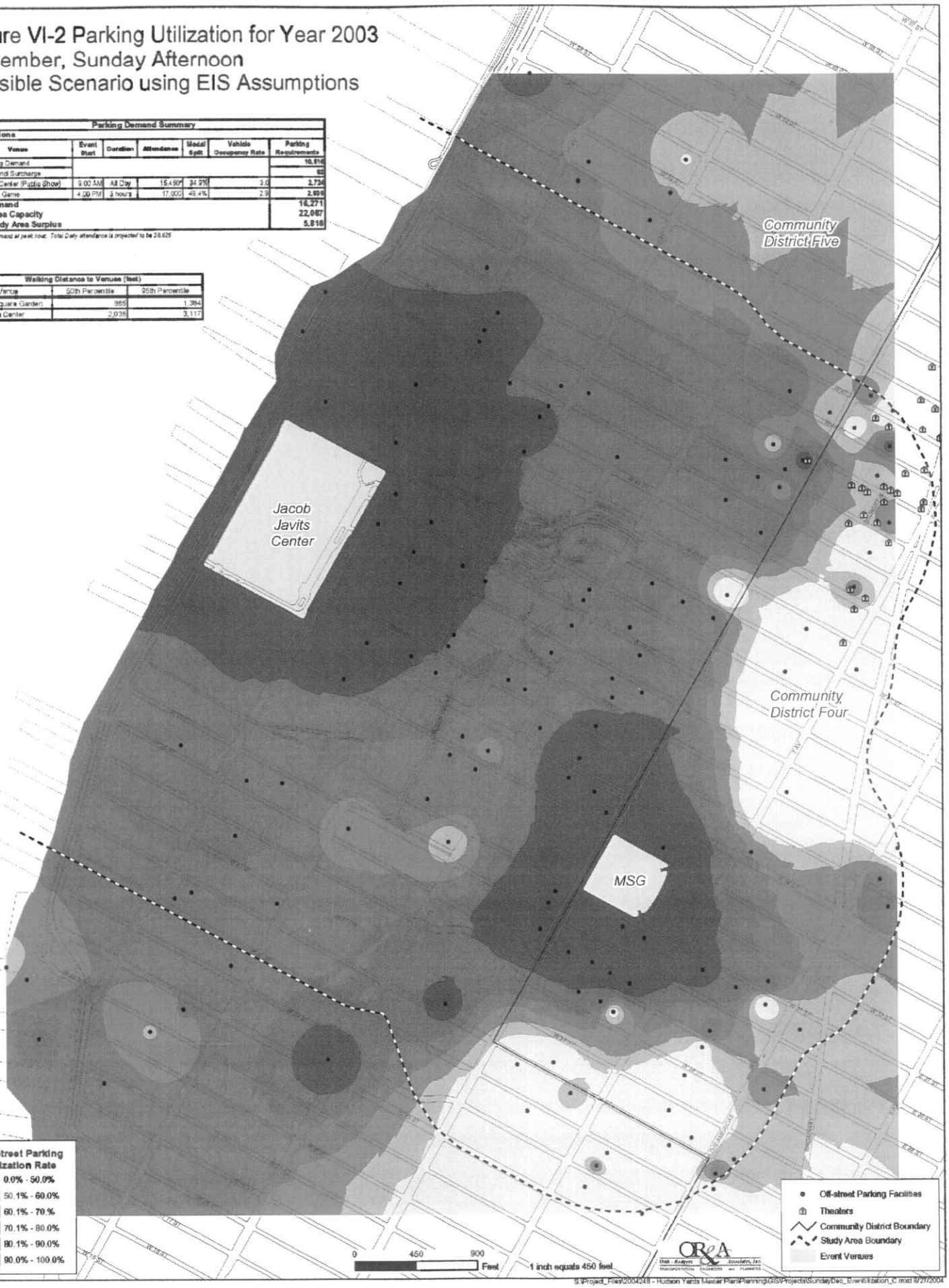
Parking Demand Summary

Assumptions						
Venue	Event Start	Duration	Attendance	Modal Split	Vehicle Occupancy Rate	Parking Requirements
Base Parking Demand						10,914
Theater District Surcharge						92
Convention Center (Public Show)	9:00 AM	All Day	15,480	34.9%	3.0	2,734
NY Rangers Game	4:00 PM	3 hours	17,000	49.4%	2.9	2,930
Total Demand						**16,271**
Study Area Capacity						**22,087**
Total Study Area Surplus						**5,816**

Indicates demand at peak hour. Total Daily attendance is projected to be 28,625

Walking Distance to Venues (feet)

Venue	50th Percentile	95th Percentile
Madison Square Garden	865	1,384
Convention Center	2,036	3,117



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C. Projected Development

By 2025, significant new development is planned for the study area. The DGEIS assumes that there will be 29 million square feet of office space, with 2.2 million anticipated to be built by 2010; 1.1 million square feet of retail space, with 91,500 square feet by 2010; and 12,600 housing units, with 2,700 units built by 2010.

By 2010, the Convention Center would be expanded from its current 790,000 square feet of exhibition and meeting space, and one million square feet of support and staging areas, to add about 4 million square feet of exhibition halls, meeting rooms and ballroom space, and hotel space. The hotel would have 1,500 rooms. Also by 2010, the Multi-Use Facility, a 75,000 seat stadium, would be operational.

D. DGEIS Scenario

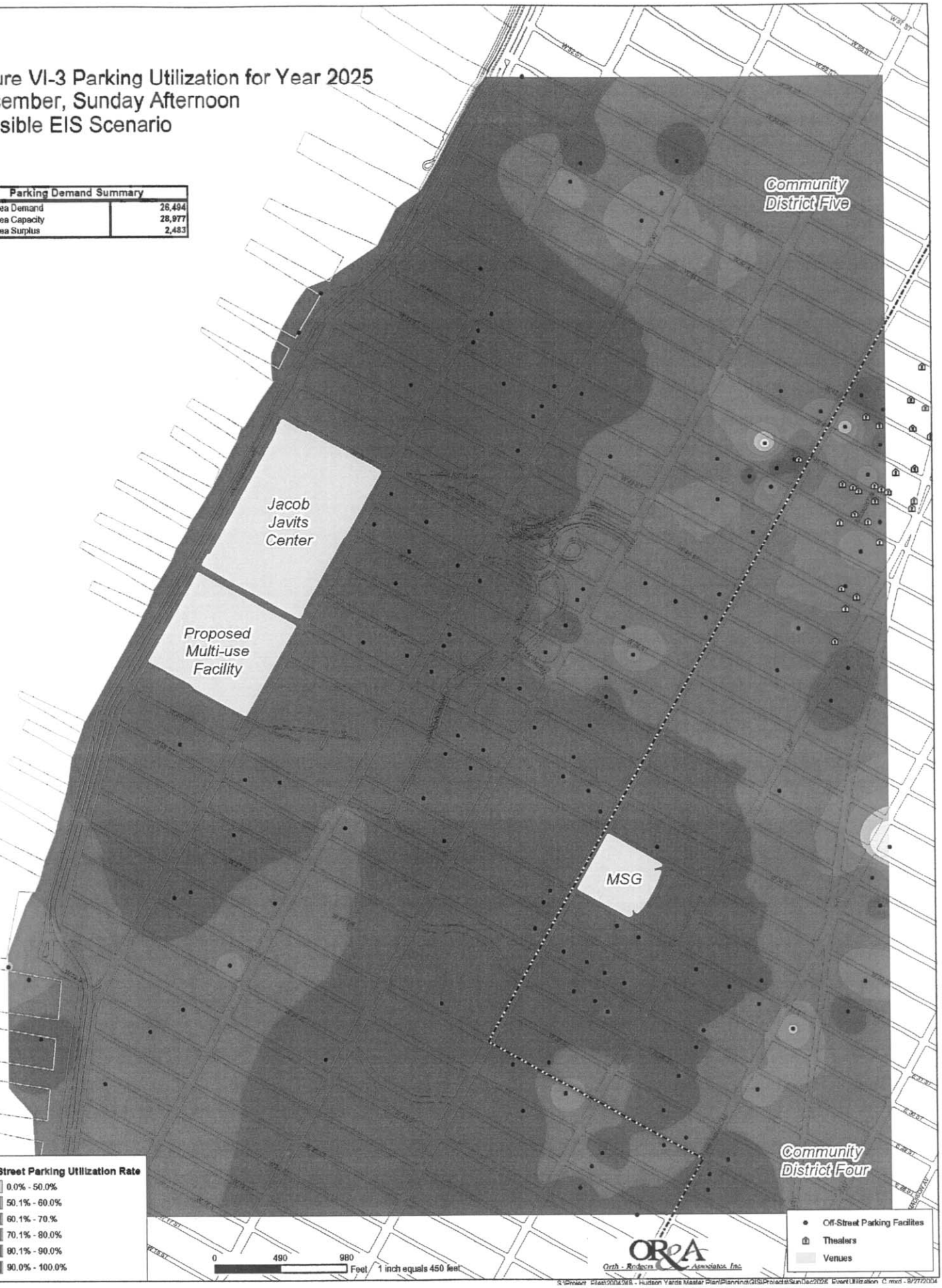
According to the DGEIS, parking demand on a Sunday afternoon in 2025 would be 26,494, or 91% of the projected capacity of 28,977. Figure VI.3, Possible DGEIS Scenario, illustrates how this parking demand might be distributed across the study area. It should be emphasize that this illustration was prepared by ORA, since the DGEIS does not document patterns of likely usage. The total demand, however, is provided by the DGEIS. Table VI.4 summarizes parking demand.

Table VI.4 Parking Demand Summary (2025 DGEIS Scenario)

Parking Demand Summary	
Study Area Demand	26,494
Study Area Capacity	28,977
Study Area Surplus	2,483

Figure VI-3 Parking Utilization for Year 2025
December, Sunday Afternoon
Possible EIS Scenario

Parking Demand Summary	
Study Area Demand	26,494
Study Area Capacity	28,977
Study Area Surplus	2,483



E. Analysis of Parking Components

Unfortunately, the DGEIS does not indicate the individual components of future parking demand. There is a discussion of attendance at major venues in the memoranda comprising the appendix of the DGEIS, but there is no documentation of the actual parking demand for the different venues as part of the year 2025 parking demand scenario. The lack of transparency makes it difficult to evaluate the actual impact of the proposed development program on study area parking facilities. In this section, an effort will be made to document all of the possible individual components of parking need in the year 2025, assuming concurrent events at major venues.

1. Background Growth

To determine increases in parking demand associated with background growth in the area, the DGEIS uses an annual background growth rate of .125% rather than the .5% recommended in the *CEQR Technical Manual* for Parking Analysis. The DGEIS explains that demand for parking is projected to grow at a lower rate than background vehicular traffic in the study area. Assuming that the DGEIS assumption is correct, the background growth rate would increase parking demand by 293 vehicles.

2. Madison Square Garden

To be consistent with the point made in the MSG Memorandum in the DGEIS Appendix on the importance of using the worst case scenario for MSG events, attendance at a Rangers or Knicks game should be used for the future scenario. To be conservative, this DGEIS Review Report uses the attendance of 17,000 for a Garden event (slightly below the 85th percentile attendance for a Rangers game, but slightly above concert attendance). With application of a 2.8 vehicle occupancy and 48.4% automobile modal split, the associated parking demand is 2,939.

3. Theatre District

To be conservative, it is assumed that parking demand for theatres would be the same as in 2003.

4. New Residential/Commercial Development

Although parking standards for residential and commercial development are referred to in the DGEIS, the DGEIS never specifies how many spaces will be needed to accommodate new residential or commercial uses.

Using the brief data found within the DGEIS, it is possible to make assumptions about the number of spaces that would be required to accommodate new residential and commercial uses within the study area. The DGEIS indicates that parking demand on Sunday afternoons in 2010 would be 21,725, and that parking demand in 2025 would be 26,494, or 4,769 more spaces than in 2010. The DGEIS states that the Multi-Use Facility and expanded Convention Center would be operational by 2010, so there should be no new parking demand associated with those facilities between 2010 and 2025. Under Section I., 2025 Future with the Proposed Action, the DGEIS states that new demand for

off-street parking would result from 23 office uses, 36 residential uses, and 2 hotel sites. Therefore, the growth of 4,769 spaces would be associated with new residential and commercial uses, as well as some background growth. Since some residential and commercial development would occur before 2010 - the DGEIS states that 91,500 square feet of retail space and 2,700 residential units would be developed between 2010 and 2025 – some parking demand would be generated by these uses. It is assumed that, in total, 5,100 spaces would be occupied by new residential and commercial uses by 2025.

5. Convention Center

Although assumptions are provided in the DGEIS appendix for modal split and vehicle occupancy for the expanded Convention Center, the DGEIS never specifies how many parking spaces are allotted to accommodate Convention Center public shows at time of peak attendance. The DGEIS estimates that the 85th percentile daily attendance of a public show in 2025 will be 62,684. Because a public show may run from 8AM or 9 AM to 6 PM or later, it is assumed that the peak attendance at any one time would be no more than 40% of the daily attendance, or 25,074. With application of a 3.0 vehicle occupancy and automobile modal split of 34.9%, the associated parking demand would be 2,917. The parking demand increases only modestly from the 2003 scenario since the DGEIS assumes a reduced automobile modal split after extension of the No. 7 subway line.

6. Multi-Use Facility

There is no specific parking garage planned to meet the needs of the Multi-Use Facility. Under the DGEIS scenario, there will be 7,500 parked cars associated with this Facility (assuming 75,000 attendance, 3.0 vehicle occupancy, 30% automobile modal split). These must all be parked at off-street facilities in the study area.

7. Parking Facilities

The EIS states there will be an increase in parking capacity of 6,887 between 2003 and 2025. The EIS mentions two parking sites – the 950 space Midblock Boulevard garage, and a 350 space garage by the Convention Center – but provides few details on other parking sites. We therefore make assumptions on other garage sites needed to accommodate venue parking in 2025. It is assumed that about 1,800 spaces of the increased parking supply will be available to serve major venues on Sunday afternoons. To be conservative, we assume that these will be within convenient walking distance to the Multi-Use Facility, Convention Center, and MSG, and they have been incorporated in Figures VI.4 and VI.5 below (figures to be inserted). As described above, about 5,100 spaces will be needed to serve new residential and commercial uses. Because these will likely be much more diffuse, and they will be 100% occupied by the new uses, garages accommodating these spaces have not been incorporated in the Figures.

F. Assessment of Cumulative Impacts

1. Scenario using DGEIS Assumptions

Table VI.5 summarizes individual components of parking need for the 2025 Scenario per DGEIS Assumptions for a Sunday afternoon, with a public show at the Convention Center, a New York Jets game at the Multi-Use Facility, and an event at MSG. This is consistent with the worst case scenario as stated in the DGEIS. Unlike the DGEIS, however, which indicates that 91% of the parking spaces in the study area would be occupied, this analysis indicates that 100% of the parking spaces in the study area would be occupied, and that there would be a further demand for 370 spaces outside the study area. In summary, there would be a demand for 29,357 spaces, compared to a projected capacity of 28,987. It should be emphasized that assumptions in the DGEIS have been employed to calculate parking demand for all major venues, even where those assumptions were not truly conservative.

Table VI.5 Parking Demand Summary
Assumed Cumulative Impacts
DGEIS Modal Split

Assumptions						
Venue	Event Start	Duration	Attendance	Modal Split	Vehicle Occupancy Rate	Parking Requirements
Base Parking Demand						10,516
Background Growth 2003-2025						293
Theater District Parking Surcharge						92
Increased Residential/ Commercial Parking						5,100
Convention Center (Public Show)	9:00 AM	All Day	25,074*	34.9%	3.0	2,917
NY Rangers Game	4:00 PM	3 hours	17,000	48.4%	2.8	2,939
NY Jets Game	1:00 PM	4 hours	75,000	30.0%	3.0	7,500
Total Demand						**29,357**
Study Area Capacity						**28,987**
Total Study Area Deficit						**370**

** Indicates demand at peak hour. Total daily attendance is projected to be 62,684*

Figure VI.6 shows the parking "area of influence" under a 2025 scenario. This map is different than the parking utilization maps presented earlier in this DGEIS Review Report. Since all parking facilities in the study area will likely be at capacity, a parking utilization map for 2025 would not indicate contours with different parking rates. The figure shows that the cumulative parking demand wild far exceed the study area of the DGEIS for parking, extending northward to 63rd Street, westward to 3rd Avenue and southward to west 12th Street.

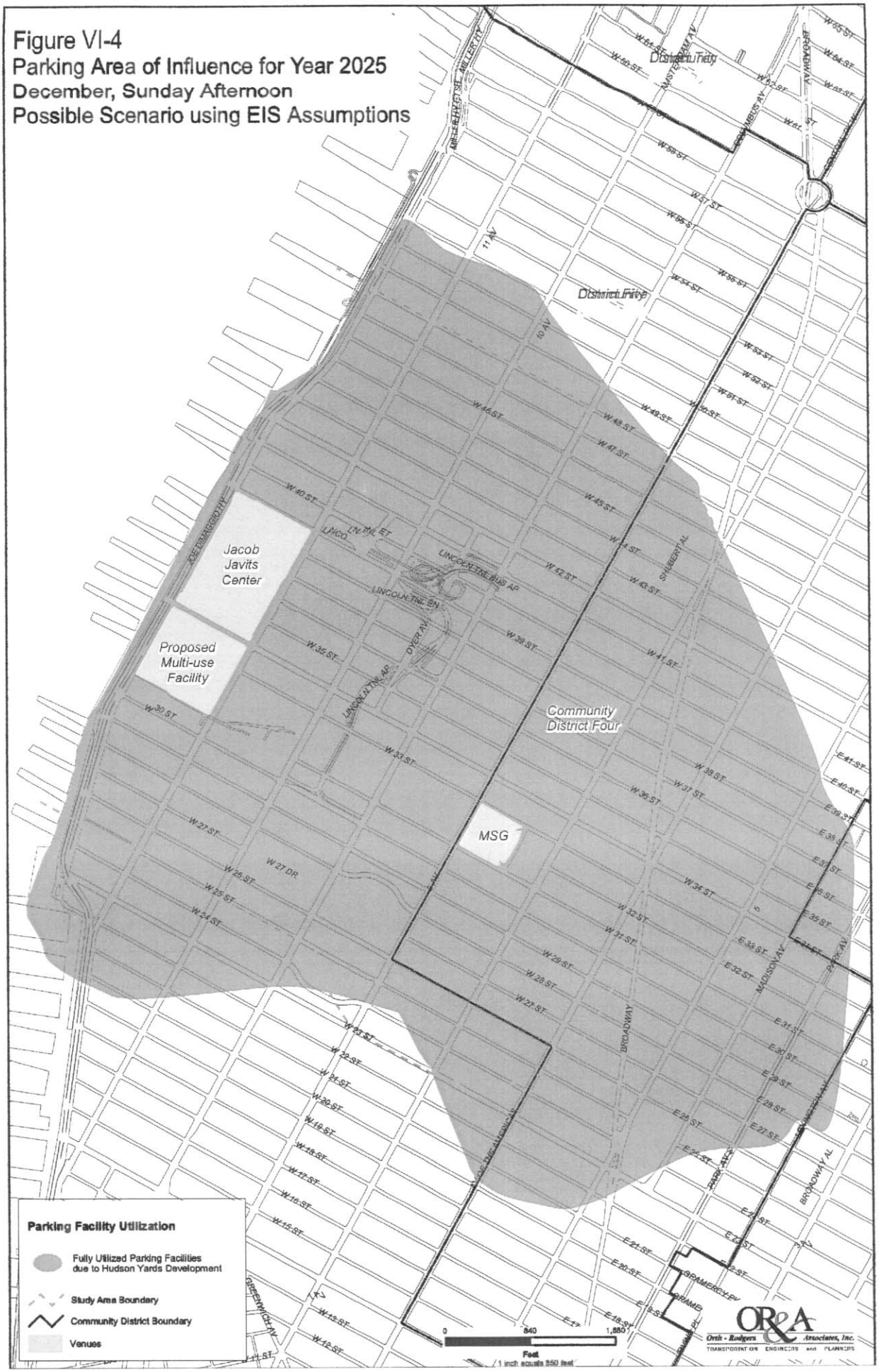


Figure VI-4
Parking Area of Influence for Year 2025
December, Sunday Afternoon
Possible Scenario using EIS Assumptions
Jacob Javits Center
Proposed Multi-use Facility
Community District Four
MSG
District Five
District Eight
Parking Facility Utilization
Fully Utilized Parking Facilities due to Hudson Yards Development
Study Area Boundary
Community District Boundary
Venues
0
840
1,680
Feet
1 inch equals 850 feet
Orth - Rodgers & Associates, Inc.
TRANSPORTATION ENGINEERS and PLANNERS

Conditions will become further exacerbated by an event at MSG on the same day. The flow of Jets fans into parking facilities around Madison Square would, in turn, force people arriving for an event at the Garden to conduct an extensive search for an empty parking space from 24th Street in the south to Times Square in the north. Further conflicts would present themselves in the Theatre District, where, on especially high-attendance days, theatre-goers would be displaced from their normal parking facilities, or visitors to the Garden would be sent to yet other neighborhoods in search of available parking. Because there would be a deficit of parking spaces within the Hudson Yards study area, this Report shows additional facilities in an "extended study area" where Garden visitors would be parking their cars. These facilities are virtually all east of 6th Avenue.

The walking distances for visitors to the Multi-Use Facility and the Garden would be considerable. Half of the parking facilities used by visitors would be over ½ mile from the stadium away. Studies have indicated that most visitors to special events prefer to park no farther than ½ mile from their venue.

Table VI.6 Walking Distance to Venues
Cumulative Impact Scenario
DGEIS Modal Split

Walking Distance to Venues (feet)		
Venue	50th Percentile	95th Percentile
Convention Center	1,475	2,032
Madison Square Garden	2,684	4,430
Multi-Use Facility	3,203	4,455

2. Scenario Using MSG Modal Split

If the modal split from sporting events at MSG is used to project the parking demand generated by the Jets fans, the impacts would be even more significant. Table VI.7 and Figure VI.7 depict a scenario in which the modal split for attendees to a Jets game would be 48% instead of 30%, and in which vehicle occupancy would be 2.75 instead of 3.0. In this event, there would be a parking demand of over 13,000 vehicles for a Jets game. Jets fans would monopolize available parking across the large majority of the study area, and all 1,800 available spaces in the 48 garages of an "extended study area" banding the study area. Even then, over 1,000 Jets fans would not find a space. Visitors to a Knicks or Rangers game would be completely shut out of parking for a 2-mile square area around the Garden. There would be no parking in the theater district for people attending Sunday matinees. There would be a total parking deficit of 4,144 spaces in the study area and extended study area. Table VI.8 indicates the increased walking distance to parking facilities.

Table VI.7 Parking Demand Summary
Cumulative Impact Scenario
48% Auto Usage at 2.75 Persons per Vehicle

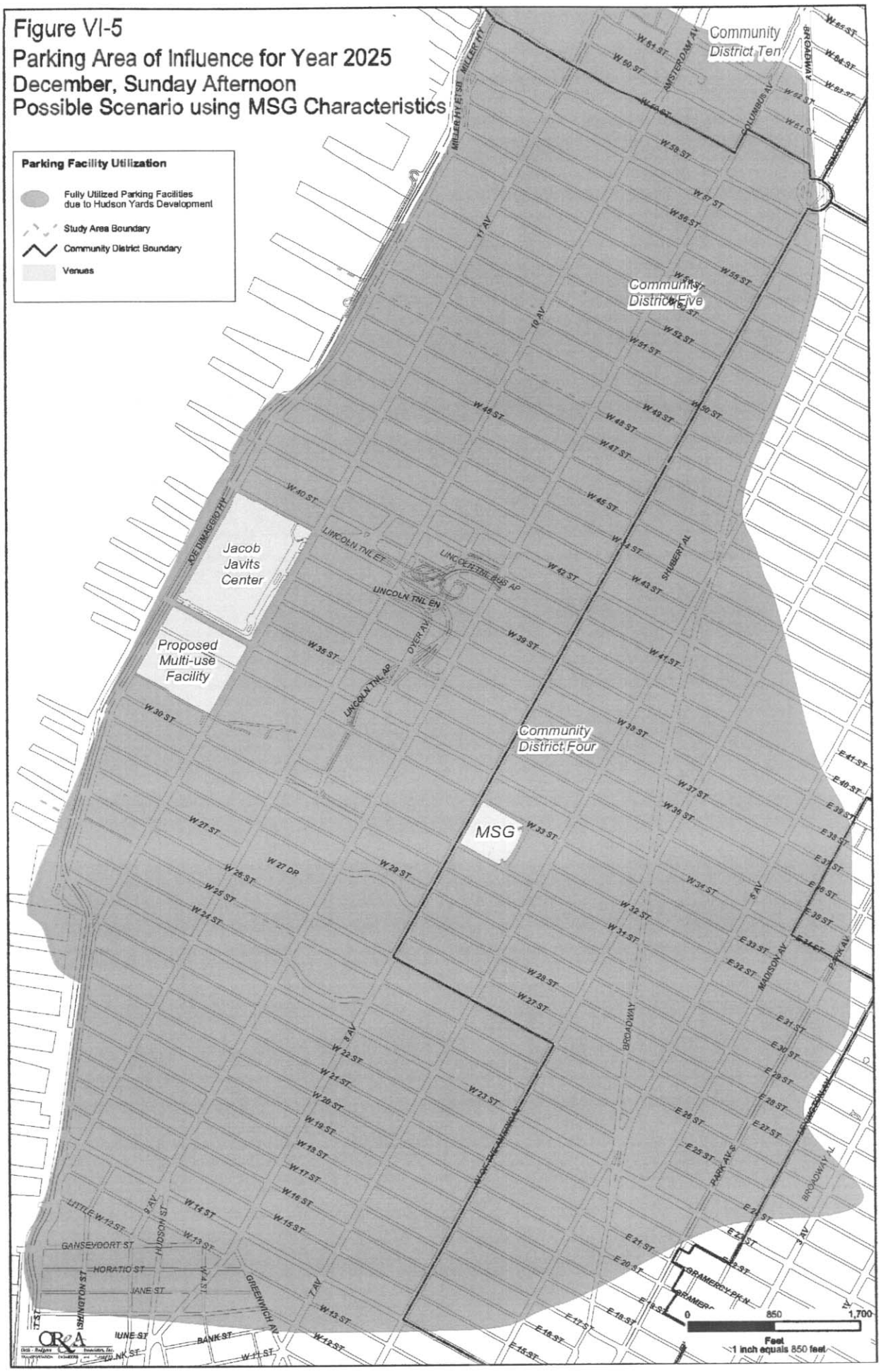
						Parking Requirements
						10,516
						293
						92
						5,100
Center (Public Show)	9:00 AM	All Day	25,074*	34.9%	3.0	2,917
NY Rangers Game	4:00 PM	3 hours	17,000	48.4%	2.8	2,939
NY Jets Game	1:00 PM	4 hours	75,000	48.4%	2.8	13,091
Demand						**34,948**
Study Area Capacity						**28,987**
Extended Study Area Capacity						****1,817**
Total Capacity (Study Area + Extended Study Area)						**30,804**
Total Deficit (Study Area + Extended Study Area)						**4,144**

** Indicates demand at peak hour. Total daily attendance is projected to be 62,684*
***Total capacity of Extended Study Area is 3,615; assumed to be 50% occupied*

Table VI.8 Walking Distance to Venues
Cumulative Impact Scenario
48% Auto Usage at 2.75 Persons per Vehicle

Walking Distance to Venues (feet)		
Venue	50th Percentile	95th Percentile
Convention	1,462	2,022
Multi-Use Facility	4,635	7,105

Figure VI-5
Parking Area of Influence for Year 2025
December, Sunday Afternoon
Possible Scenario using MSG Characteristics



Reasonable Worst Case Scenario

ORA believes that the reasonable worst case parking scenario which coincides with what is actually likely to occur if the stadium is built and should be based upon the following: a modal split of 58% and vehicle occupancy of 2.5. A Jets game would generate demand for 17,400 parking spaces, or 10,000 more spaces than projected in the DGEIS. On Sundays with a public show at the Convention Center and a Rangers game at the Garden, the total parking demand within the DGEIS study area and the extended study area would be 39,257. Since the available capacity would be 30,804, the total parking deficit would be 8,453 spaces. To provide only one idea of the extent of the deficit, these 8,453 spaces would cover an area larger than 52 football fields.

G. Parking for Visitors to Jets Game Assuming No Convention Center Event

As noted earlier, the DGEIS recommends an analysis of parking conditions for those Sundays in which a football game occurs at the same time as a public show at the Convention Center and an event at the Garden. However, even if there is neither a show at the Convention Center nor an event at the Garden, Jets fans will experience difficulty in finding a parking space within a reasonable walking distance to the game. There are currently a total of 7,855 parking spaces in public facilities within ½ mile of the Multi-Use Facility. (As acknowledged in the DGEIS, ½ mile is the normal yardstick for measuring how far persons are willing to walk after parking their cars for special events.) The DGEIS indicates that parking supply will grow in the future. Under a conservative assumption, about 1,800 parking spaces could be added within the ½ mile radius of the stadium, for a future total of 9,655 spaces.

Using the assumptions in the DGEIS of an automobile modal split of 30% and vehicle occupancy of 3.0, 7,500 spaces would be required to accommodate Jets fans. However, as indicated by the June 2003 parking count in the DGEIS, the ambient demand for parking in facilities within ½ mile, on days with no special events, is 3,670. Under the most conservative assumption – that this ambient demand would remain constant through 2025 - there could be as few as 5,985 parking spaces available within ½ mile of the study area. Under the DGEIS assumption, over 1,515 motorists would need to look for available parking at more than ½ mile distance from the stadium. Using more reasonable assumptions – an auto modal split of 48% and vehicle occupancy of 2.75 for Jets fans, resulting in 13,091 vehicles – over 7,100 motorists would be hunting for parking spaces more than ½ mile from the stadium, even on days with no other special events.

H. Alternative Time Periods

The Sunday afternoon period was chosen for analysis partly because the traffic and parking effects of a football game at the Multi-Use Facility could be much more extensive than indicated in the DGEIS. However, parking capacity could easily be exceeded in other time periods. For example, the EIS indicates that in 2025 on weekdays at midday, demand will be 30,499, with a total capacity of 30,518. This only leaves an available capacity of 19 spaces in the entire study area. The slightest variations in the DGEIS assumptions would lead to situations where demand far exceeds supply. For example, if there is an attendance of 52,440 at a trade show at the Convention Center, the number of parked cars would be 2,191. This would exceed by almost 400 the number of

parked cars associated with the presumed 85th percentile trade show attendance of 43,107.

Even if the DGEIS is correct in its assumptions for the weekday midday, there will be many times where an available parking space will be completely lacking for large portions of the study area, severely inconveniencing resident, merchant, and visitor alike.

I. Contribution to Gridlock

The serious shortfall of parking spaces in close proximity to the Multi-Use Facility would contribute to the congestion on streets in the study area. In the process of circling numerous blocks, vainly searching for an empty parking space, Jets fans would further tie up already congested streets.

J. Parking Conclusions

The DGEIS does not adequately document the parking demand generated by its future scenarios. It is clear that the proposed development will have a major negative impact upon parking availability in the affected neighborhoods. Unlike the DGEIS, this Review Report presents a transparent analysis of future parking demand components assuming that development proceeds as anticipated. The reasonable worst case parking scenario should disclose a shortfall of over 8,000 spaces in 2025, within the DGEIS study. This constitutes a major unmitigated parking impact.

ENVIRON

Received 04 October 04
Kerg / Dul / J. Brown PB
Pass of Arnold & Porter LLP
Package

October 1, 2004

City Planning Commission
22 Reade Street, 4E
New York, New York 10007
Attn.: Robert Dobruskin, AICP

Metropolitan Transportation Authority (MTA)
2 Broadway, 2nd Floor
New York, New York 10004
Attn.: Emil F. Dul, P.E.

Re: Hudson Yards Draft Generic Environmental Impact Statement
ENVIRON International Corporation's Review and Comments

Dear Mr. Dobruskin and Mr. Dul:

ENVIRON International Corporation (ENVIRON) was retained by Madison Square Garden L.P. to review selected aspects of the Hudson Yards Draft Generic Environmental Impact Statement (DGEIS). ENVIRON's comments on these aspects are provided below. Resumes of senior ENVIRON professionals involved in conducting these reviews and preparing this report are attached.

REVIEW OF FINAL SCOPING DOCUMENT AND CEQR TECHNICAL MANUAL, AND COMPARISON WITH THE DGEIS

ENVIRON compared the methodology/approach for the DGEIS that was outlined in the Final Scoping Document ("Final Scope") with that incorporated into the DGEIS. The objective of ENVIRON's review was to identify major inconsistencies between methodologies and assumptions specified in the Final Scope and those incorporated into the DGEIS. The City Environmental Quality Review (CEQR) Technical Manual (*CEQR Technical Manual*) was also reviewed to assess whether the DGEIS was prepared in accordance with the requirements of the CEQR and the State Environmental Quality Review Act (SEQRA). ENVIRON's review focused on selected elements addressed in the DGEIS that might be expected to cause significant adverse impacts in the Project Area; for example, traffic and noise. Not every section of the DGEIS was reviewed in detail. A summary of major findings is provided below.

Traffic and Parking

- A 0.5 percent annual background growth rate was recommended in the *CEQR Technical Manual* for traffic and parking analyses (CEQR p. 3O-15). It is further stated in the *CEQR Technical Manual* that parking analyses typically use the same background growth rate as traffic analyses since the growth of traffic and parking are closely linked (CEQR p. 3O-15). However, the parking analyses conducted for the DGEIS utilized an annual background

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growth rate of 0.125 percent based on the assumption that the demand for parking will grow at a lower rate than background vehicular traffic in the Project Area (DGEIS p. 19-32). The basis for this assumption has not been provided in the DGEIS.

- Traffic study area selection did not specifically take into consideration high accident locations and intersections that may be problematic from a safety standpoint, as required by the *CEQR Technical Manual* (p. 3O-4).

Air Quality

- The *CEQR Technical Manual* requires that a cumulative air impact assessment be prepared for major stationary sources to analyze the effect of a proposed project's emissions in conjunction with other existing or planned projects' contributions to air impacts at receptor sites (CEQR p. 3Q-16, 3Q-36). Potential air quality impacts associated with the Quill Bus Depot, the Multi-use Facility (MUF), the relocated DSNY Maintenance Garage and NYPD Tow Pound facilities, and the expanded Convention Center were determined individually. However, no assessment was presented in the DGEIS of the cumulative air quality impacts from these major sources, as well as their impacts in combination with other HVAC sources in the Project Area (DGEIS p. 21-36).
- An early-morning period (7:00 am to 8:00 am) was evaluated as part of the air quality analyses to account for the effect of traffic from the relocated Quill Bus Depot, the DSNY Maintenance Garage, and NYPD Tow Pound facilities on mobile source emissions. However, this early morning period was not studied as part of the traffic assessment, even though it was stated in the DGEIS (p. 21-12) that the same time periods were selected for the traffic and air quality assessments.

Noise and Vibration

- The Final Scope stated that noise levels will be measured at receptor sites during six time periods including a "midweek" time (p. 33). Midweek noise level measurements have not been presented in the DGEIS. It was proposed in the Final Scope that L_5, L_{max}, and L_{min} noise levels would be measured (p. 33), but these quantities were not reported in the DGEIS.
- Sensitive existing and proposed buildings and utility locations that could potentially be impacted by vibration and ground-borne noise were not specifically identified, as proposed in the Final Scope (p. 34).

Infrastructure

- The Final Scope (p. 25) proposed to document current maximum monthly flow volumes of stormwater and sanitary discharge to the existing sewer system in the Project Area, but these data were not provided in the DGEIS. There is a potential for the maximum monthly flow volume to be significantly higher than the average flow volumes reported in the DGEIS; for example, during a major rain storm.
- Existing capacity of the water supply distribution system in the Project Area has not been documented in the DGEIS, as proposed in the Final Scope (p. 25).

REVIEW OF THE AIR QUALITY ANALYSIS IN THE DGEIS

ENVIRON reviewed the air quality analysis presented in Chapter 21 and Appendix T in the DGEIS. We also reviewed relevant sections of the DGEIS regarding Energy (Chapter 18), Traffic (Chapter 19), and Construction Impacts (Chapter 23). Our comments are provided below.

General Comments

- The U.S. Environmental Protection Agency (EPA) will designate New York City and the surrounding boroughs as not meeting the national ambient air quality standard (NAAQS) for particulate matter up to 2.5 micrometers in size (PM2.5), which is called fine particulate matter by the EPA. Fine particulate matter is linked with increased asthma, bronchitis, and other acute and chronic respiratory symptoms such as shortness of breath and painful breathing, and premature deaths. EPA identifies cars, diesel powered trucks and buses, power plants, and other combustion sources and industrial processes as sources of fine particulate matter.

  A recent study just published in the New England Journal of Medicine[1] concludes that higher levels of ambient air pollution adversely affect lung development of children as they reach adulthood. This study correlates these adverse impacts to the pollutants nitrogen dioxide, acid vapor, fine particulate matter (PM2.5), and carbon, whose major contributors in the environment, particularly in an urban setting like New York City, are motor vehicles and traffic.

  Because of the projected increases in emissions of particulate matter, the Proposed Action will exacerbate the air quality issues in the City, and contribute to the difficulty of achieving the PM2.5 ambient air quality standard within the City.

- The air quality analysis does not evaluate the cumulative impacts of the project on ambient air. The true impact of the project at street level and at residential and commercial locations is the accumulation of all of the project-related activities, for instance, emissions from traffic, heating and cooling equipment for the new and expanded facilities, and industrial activities. The DGEIS fails to evaluate the cumulative impacts of all project-related activities. As such, the reader is unable to determine whether the project would cause or contribute to a violation of any NAAQS.

Energy (Chapter 18)

- It is not apparent that the air quality modeling accounts for the infrastructure enhancement construction activities that are necessary to provide the projected energy needs (electricity

[1] Gauderman, W. James, et. al., "The Effect of Air Pollution on Lung Development from 10 to 18 Years of Age," The New England Journal of Medicine, September 9, 2004.

and natural gas supply) for the Proposed Action. According to the DGEIS, the Proposed Action would create an increased demand for electricity and gas services. Correspondence from Consolidated Edison Co. (Con Ed) reports the following incremental loads with Hudson Yards (Appendix R):

Year	Incremental Electricity Load Associated with Proposed Project	Incremental Natural Gas Load Associated with Proposed Project
2010	77 MW	500,000 cubic feet/hr
2025	309 MW	4,000,000 cubic feet/hr

Con Ed estimated that one area substation within the Project Area would need to be in operation by 2013 and a second area substation would be needed by 2021. A new transmission substation would be needed by 2025 to service the Project Area and background growth in the surrounding communities (DGEIS p. 18-2).

Con Ed's gas transmission and distribution facilities would require upstream modifications and enhancements to the transmission and distribution system to meet the increased demand. Locally, new gas mains, service lines and metering will need to be constructed to support the new customer load (DGEIS p. 18-2). Construction of this infrastructure would contribute to particulate emissions.

- No analysis or data is provided to evaluate the air quality impacts of the additional generating capacity required for the Proposed Action. The air emissions from the power plant(s) needed to supply incremental electricity for the Proposed Action should be included in the air quality impacts analysis.

Air Quality (Chapter 21)

Mobile Source Analysis

- It does not appear that the emissions from the increased ferry traffic are included in the air quality impact analysis. Ferry traffic to Hudson Yards at Pier 78 is expected to increase with the Proposed Action. For the 2010 Future With the Proposed Action, the increases in peak hour weekday ridership are projected to vary from approximately 1% to 90%. For the 2025 Future With the Proposed Action, the existing capacity of the current New York Waterway ferry services is not anticipated to be sufficient to accommodate the additional demand on three of the six routes (DGEIS p. ES-43).

  The marine diesel engines used in ferries are sources of nitrogen oxide (NOx) and PM2.5 emissions. In fact, in comments to EPA on proposed rule making for marine compression-ignition engines[2], the New York State Department of Environmental Conservation

[2] New York State Department of Environmental Conservation comments on EPA's Advance Notice of Proposed Rule Making (ANPRM), "Control of Emissions of Air Pollution From New Locomotive Engines and New Marine Compression-Ignition Engines Less Than 30 Liters per Cylinder," Carl Johnson, Deputy Commissioner, Office of Air & Waste Management, NYSDEC to EPA Docket Center, EPA, August 26, 2004.

(NYSDEC) recognizes the significance of these emissions, stating that "locomotive and marine compression-ignition engines are significant contributors to NOx and PM2.5 inventories, and ozone and PM2.5 NAAQS non-attainment in New York State and elsewhere." The emissions from the increased ferry traffic should be accounted for in the air quality analysis.

- It does not appear that the emissions from cruise ships docking and leaving from the West Side piers, and the related traffic (including any projected increases in these activities with or without the proposed action) are accounted for in the air quality analysis.

- Refined (Tier II) mobile source modeling for particulate matter up to 10 micrometers in size (PM10) and PM2.5 is required to demonstrate that the traffic associated with the Proposed Action will not adversely impact air quality. However, in the DGEIS, refined modeling is only conducted at a single intersection to conclude that all other intersections will not exceed the applicable standard. It is unreliable to use the results of a Tier II analysis at a single intersection to predict the improvement in ambient impacts from a Tier II analysis at other intersections.

  The DGEIS states that refined calculations will be conducted as part of the Final Generic Environmental Impact Statement (FGEIS) to demonstrate acceptable ambient impacts. Given the extent and nature of the predicted negative impacts from the project, it is appropriate to conduct the refined calculations in time for publication in the DGEIS, so that the public will be able to comment on it.

  Tier I mobile source modeling for PM10 and PM2.5 show exceedances of the NAAQS and significant threshold value (STV) at numerous intersections with the Proposed Action.

Pollutant (Averaging Time)	**Number of Intersections Exceeding Standard Using Tier I Analysis**	**Number of Intersections Modeled Using Tier II Analysis**
PM10 NAAQS (annual)	2 (in 2010) 5 (in 2025) 5 (in 2025 with Add'l Bus Service)	1 (in 2025)
PM2.5 STV (annual)	5 (in 2010) 6 (in 2025) 9 (in 2025 with Add'l Bus Service)	1 (in 2025)

  Tier I mobile source modeling for 2010 and 2025 Future With the Proposed Action shows exceedances of the PM10 annual NAAQS at two intersections in 2010 and five intersections in 2025 (DGEIS p. 21-19 and 21-22), and exceedances of the PM2.5 annual STV at five intersections in 2010 and six intersections in 2025 (DGEIS p. 21-20 and 21-23). The scenario 2025 Future With Proposed Action With Additional Bus Service exacerbates the exceedances shown for 2025 Future With the Proposed Action, and adds three additional intersections which exceed the PM2.5 annual STV. To address these Tier I modeled exceedances, Tier II (refined) mobile source analysis is conducted at one intersection (Tenth Avenue and West 42nd Street – Analysis Site 13). Based on this single Tier II analysis, the

DGEIS concludes that all of the intersections are expected to comply, and proposes that the refined analysis will be conducted at the selected intersections in the FGEIS.

- According to the DGEIS, the Tier II (refined) mobile source analysis for PM2.5 incorporates application of the MTA bus fleet retrofit technology program for reducing bus PM2.5 emissions (DGEIS p. 21-20, 21-23, and 21-27). Generally, to incorporate credit for an emission reduction program in an air quality analysis, the emission limitations need to be Federally Enforceable and Practicably Enforceable. It is not clear how the MTA bus fleet retrofit technology program meets these criteria.

Stationary Source Analysis

- The use of "E" designations for potential development sites is unusual. The DGEIS states that the "E" designation will be applied to potential development sites to avoid significant adverse impacts to residences or commercial entities. In an air quality analysis, it is highly unusual to require the general public to accept restrictions to avoid an adverse air quality impact. It is normally incumbent on the applicant or, in this case the project proponents, to accept restrictions to avoid adversely impacting the general public.

  The DGEIS uses the screening analysis outlined in the *CEQR Technical Manual* for evaluating impacts from HVAC sources within the Project Area and future residential developments not related to the Proposed Action that were identified within a 400-foot radius of the Project Area. The Project Development Sites pass the screening analysis by imposing limitations on stack locations (at the center of the building roof) and fuel use restrictions (natural gas only versus the flexibility to use fuel oil). These restrictions would be enforced through an "E" Designation on certain development sites (DGEIS p. 21-39).

- The impacts of specific facilities of interest, including the Con Edison Facility, Quill Bus Depot, the MUF, Expanded Convention Center, and the Relocated DSNY Garage and NYPD Tow Pound Facilities, are evaluated individually. Predicted impacts of emissions from each of these facilities, individually, are indicated to be below the NAAQS for NO2, SO2, and PM10 (with fuel sulfur limitations for the Quill Bus Depot Boilers) (DGEIS p. 21-40 to 21-42). The DGEIS made no attempt to ascertain compliance with the NAAQS with these sources combined, and in combination with the other HVAC sources.

  Further, the DGEIS assumes a limitation on fuel oil sulfur content or a modification to the HVAC system's operating cycles to reduce the amount of fuel oil used in the Quill Bus Depot Boilers to avoid a SO2 NAAQS exceedance. It is unclear how these limitations would be enforced by the project sponsors.

- It appears that the HVAC analysis was conducted for receptors at elevations corresponding to windows at major residential and commercial complexes. These emissions were apparently not evaluated for impacts on pedestrians at street level.

Air Toxics Analysis

- The DGEIS "concluded that adverse impacts from industrial sources on most Potential Development Sites would be unlikely. However, some of the commercial development sites are in close proximity to industrial sources. Therefore, to preclude the potential for significant adverse industrial source air quality impacts, an "E" Designation requiring inoperable windows and no air intakes will be placed on the following sites..." (DGEIS p. 21-50). It is unclear how the "E" designation (and the attendant operating limitations) would be enforced by the Proposed Action proponents on specific development sites. It is normally incumbent on the applicant or, in this case the project proponents, to accept restrictions to avoid adversely impacting the general public.

- The DGEIS reports that the modeling analysis of the Quill Bus Depot spray booth indicates that there would be no significant adverse impacts associated with air toxics emissions in 2010, but indicates potential significant adverse impacts in 2025 at certain existing receptors in the vicinity of the relocated facility and projected developments in the West Chelsea Rezoning area (DGEIS p. 21-51). The DGEIS indicates that these adverse impacts "would be eliminated by NYCT commitments to be incorporated in the air permit for the relocated bus depot" (footnote to DGEIS Table 21-32). As the project proponents are not the regulatory agency responsible for issuing the air permit for the facility, it is unclear how these commitments would be enforced or enacted by the proponents. Further, the specific mitigation measures, including any control measures, required to avoid adverse impacts should be reviewed and identified to ensure adverse impacts can be reasonably mitigated.

- The modeling used the Quill Bus Depot's current air permit to establish emission rates and stack parameters. The DGEIS indicates that the relocated Quill Bus Depot would contain facilities for storage and maintenance of up to 350 buses (p. 2-45). It is unclear if the emission rates account for the projected future level of bus service at this facility.

Construction Impacts (Chapter 23)

- In addition to trucks, the DGEIS also anticipates potentially using barges for long-distance transport of tunnel boring machine (TBM) spoils from the Launch Site (p. 23-31). It does not appear that emissions from these potential additional modes of transport were accounted for in the air quality analysis. The DGEIS anticipates that if rock spoils are to be hauled by barge, the spoils would be transferred by truck or another transportation system to barges at one of the West Side piers (Pier 76, located between West 34th Street and West 38th Street, is mentioned in the DGEIS as one such possibility). Barge emissions would be additive to the truck emissions used to transport the rock spoils to the West Side piers. In addition, with the marine transfer scenario, there would be additional fugitive dust emissions from the transfer of rock spoils from truck to barge that would need to be accounted for.

- The modeled impact of PM2.5 from construction activities significantly exceed the 24-hour and annual STVs established by the NYSDEC and the New York City Department of Environmental Protection (NYC DEP) (DGEIS Table 23-29). Even with emission reductions

of 65 percent from diesel powered equipment, and 75 percent from fugitive dust sources, assuming implementation of emission control measures (e.g., diesel oxidation catalyst or diesel particulate filters on diesel equipment, and a comprehensive dust control program), the modeled impact is incrementally below NYC DEP's annual STV (0.098 ug/m3 vs. 0.1 ug/m3) but still shows an exceedance of NYC DEP's 24-hour STV (DGEIS Table 23-31). The DGEIS states that a detailed assessment with the selected measures will be included in the FGEIS. Given the extensive reductions in fine particulate emission controls needed to remain below the PM2.5 STV, the practicability of maintaining the required high level of emission control over the construction site(s) for the entire period of construction should be addressed.

- It does not appear that the construction air quality analysis incorporates impacts from the additional construction vehicle traffic from other construction projects, such as the reconstruction of lower Manhattan. The construction vehicles projected to be generated by the Lower Manhattan Recovery Projects in 2006 need to be added to the 2006 background traffic.

  The Final Environmental Impact Statement for the World Trade Center (WTC) redevelopment indicates that peak period of construction on the WTC site would occur in 2006 (World Trade Center Memorial and Redevelopment Plan FGEIS, p. 21-4), which coincides with the peak construction period projected for the Hudson Yards Project. For the WTC redevelopment, the WTC PATH Terminal, and the Route 9A projects, the primary travel route would be Route 9A (World Trade Center Memorial and Redevelopment Plan GEIS p. 21-39).

REVIEW OF THE NATURAL RESOURCES ANALYSIS IN THE DGEIS

ENVIRON reviewed the natural resource analysis presented in Chapter 13 in the DGEIS with a focus on aquatic impacts related to combined sewer overflows. We also reviewed relevant sections of Chapter 16 of the DGEIS, regarding Infrastructure, and the current discharge permit for the North River wastewater treatment plant, which services the Project Area and is located on the Hudson River from 137th Street to 145th Street. Our comments are provided below.

- In most of New York City and all of the proposed Project Area, rainwater is collected in the same set of sewers that transport human sewage to the City's wastewater treatment plants. The sewer system is not designed to handle all of the additional rain water flow from hard rains. As a result, raw sewage blended with storm water is discharged into the Hudson River and other nearby water bodies during hard rains. The discharged blend of raw sewage and rain water is commonly referred to as combined sewer overflow, or CSO.

- Each CSO event will typically leave a trail of contaminants in the river at each location where the sewer system is designed to discharge its excess water. According to the current permit, there are 52 CSO outfalls in the service area of the North River

wastewater treatment plant, each designed to discharge CSO to the Hudson River. Four of these CSO outfalls are in the Project Area, at West 30th, West 36th, West 40th, and West 43rd Streets (DGEIS p. 16-7).

- The DGEIS acknowledges that the proposed project will increase sewage flows from 1.1 million gallons per day (DGEIS p. 16-6) to 8.6 million gallons per day (DGEIS p. 16-16) from the Project Area. Because of the larger sewage generation rate, discharges of raw sewage into the Hudson River on rainy days can be expected to increase in frequency and severity. The DGEIS acknowledges that discharges of raw sewage into the Hudson River as CSO will likely increase in severity if the proposed project is completed (DGEIS p. 13-22 and 13-23), but it provides no details.

- This DGEIS acknowledges that the existing sewer infrastructure is inadequate to handle the additional wastewater flow that will be generated by the proposed project, particularly during wet weather (DGEIS p. 16-6). The DGEIS claims that the need for additional sewer capacity in the Project Area will be evaluated and addressed by municipal officials during project build-out (DGEIS p. 16-16 and 16-17). The DGEIS does not provide any specific statements regarding when these sewer infrastructure improvements would be constructed, only that needed improvements will be identified. In any event, CSO capture from the Project Area will not reach 100%, as combined sewer systems are designed for a specific finite capacity (twice the dry-weather flow) and supplemental systems will be similarly designed (DGEIS p. 16-17 and p. 13-22).

- Contaminants in CSO include microorganisms that can cause disease in humans and chemical substances that can impair aquatic organisms. CSO can also have indirect effects by contributing to the depletion of dissolved oxygen in the Hudson River. Many aquatic organisms, including most desirable species of fish, require dissolved oxygen to thrive.

- In its discussion of intense rainfall that can give rise to CSO releases, the *2002 New York Harbor Water Quality Report* issued by the NYC DEP says (page 24) rainfall in excess of one-half inch in a 48-hour period provides a good general indicator. This rainfall intensity corresponds to one-quarter inch in a 24-hour period. There were 17 rainfall events in 2003 with one inch or more of rain in a 24-hour period in New York City (Central Park meteorological station, National Oceanic and Atmospheric Administration (NOAA) [http://www.erh.noaa.gov/er/okx/climate/data]) and an additional 48 rainfall events of between one-quarter and one inch. Hence, there were a total of 65 rainfall events with one-quarter inch or more of rain in a 24-hour period. An estimate of approximately 60 CSO events per year, therefore, appears plausible for the New York City area generally.

- The DGEIS does not provide any specific information regarding the greater number or severity of sewage overflow events that can be expected when the project is fully developed. Whatever the number, the proposal will impair the quality of the Hudson

River. The DGEIS acknowledges that CSO discharges will increase in severity. The proposed project, therefore, represents a step backwards in protecting the Hudson River.

REVIEW OF THE HAZARDOUS MATERIALS ANALYSIS IN THE DGEIS

ENVIRON reviewed the hazardous materials analysis presented in Chapter 14 in the DGEIS with a focus on remediation issues. We also reviewed relevant sections of Chapter 23 of the DGEIS, regarding Construction Impacts. Our comments are provided below.

- The *CEQR Technical Manual* defines a hazardous material as any substance that poses a threat to human health or the environment. The DGEIS acknowledges that hazardous materials are known or expected to be present as sub-surface contamination (of soil, groundwater, soil gas, and bedrock) or in surface structures (as asbestos-containing materials, polychlorinated biphenyls (PCBs), lead-based paint, and mercury in building materials and fixtures) on many of the properties that will be purchased and developed under the proposed project (DGEIS p. 14-1 and 14-2).

- The DGEIS states that the City will give 99 properties "E" designations, indicating that there are potential environmental contamination problems (p. 14-43 to 14-47). Designations would be placed on the Zoning Map for these properties. The "E" designation would require a fee owner of each property to conduct testing and sampling and implement environmental protection and management activities to the satisfaction of the NYC DEP before a building occupancy permit can be issued.

- The DGEIS acknowledges that construction activities in the area proposed for re-zoning could disturb hazardous materials and increase pathways for human and environmental exposure (DGEIS page 14-43). As a result, for example, additional dust and potentially toxic emissions could be generated and exacerbate adverse impacts on air quality in and around the West Side during construction-related activities. For each major project element, a Construction Environmental Protection Program (CEPP) will be prepared and implemented to mitigate these emissions and exposures to workers, residents, and the environment, according to the DGEIS.

- Review of testing and sampling plans and data, review and enforcement of CEPP plans, and oversight of sub-surface remediation plans will add administrative and technical burdens on NYC DEP personnel that should be accounted for in estimates of the costs to NYC imposed by the proposed project. The DGEIS has no discussion of these additional burdens or the need for additional NYC DEP resources to ensure timely and authoritative execution of these duties.

- The City will potentially also incur costs to investigate and remediate sub-surface contamination beneath properties that have been or will be acquired for open space and municipal facilities. ENVIRON estimates, based upon a plausible set of assumptions and unit costs, that treatment and disposal of contaminated soil at these parcels could add as

much as 15 to 20 million dollars to the City's project-related costs. The City will also incur additional costs for treatment and disposal of contaminated groundwater that will be encountered during construction (DGEIS p. 14-13) and will need to be handled during dewatering. ENVIRON did not specifically estimate these additional costs, because the volume of groundwater to be treated and disposed is uncertain, given the wide range of geotechnical techniques that could be implemented to limit groundwater seepage into the sub-surface construction area. In ENVIRON's judgment, however, the groundwater treatment and disposal costs could potentially be significant.

INTERNAL INCONSISTENCIES IDENTIFIED IN THE DGEIS

During ENVIRON's review of the DGEIS, certain internal inconsistencies in methodologies and assumptions from one chapter of the DGEIS to another were identified. Provided below is a summary of inconsistencies that were identified.

Construction Impacts

- In Chapter 14, Hazardous Materials, it is stated that construction impacts are assessed in the DGEIS in two analysis years – **2010** and **2025** (p. 14-3). However, as stated in Chapter 23, Construction Impacts, analysis of construction activities during years 2010 and 2025 would not accurately reflect reasonable worst-case construction impacts because much of the construction associated with the Proposed Action is expected to be completed prior to these years. Years **2006** and **2017** were selected to represent the reasonable worst-case peak periods for the construction impact analysis (DGEIS p. 3-20, 23-6).

Land Development

- The number of residential units expected to be developed in the Project Area by 2025 is listed as **10,600** on p. 3-10, **12,800** on p. 4-2, **12,887** on p. 5-2, and **12,600** on p. 19-28 of the DGEIS.
- The square footage of commercial office space to be developed by 2025 is assumed as **29.5 million square feet** on p. 4-2, **29 million square feet** on p. 19-28, and **28 million square feet** on p. 24-14 of the DGEIS.

Employment

- In Chapter 5, Socioeconomic Conditions, the number of direct new jobs (*i.e.*, not including indirect jobs such as those created due to demand for goods and services by activity in the Project Area) generated by the proposed action by 2025 is listed as **127,100** on p. 5-2, but listed as **110,930** on p. 5-6 of the DGEIS.

* * * * *

We appreciate this opportunity to provide comment on the Hudson Yards DGEIS. We would be happy to provide copies of any of the documentation referenced in our letter.

Sincerely,

Richard Kapuscinski, P.E.
Senior Manager

Alan Shimada
Principal

Attachments (3)

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Alan S. Shimada

Education

1981 MBA, Columbia University

1973 B.S. Chemical Engineering, University of Utah

Experience

Mr. Shimada is a Principal at ENVIRON International Corporation. He has nearly thirty years of diversified engineering experience in industry, government, and consulting, including ten years with Exxon and DuPont, several years with the U.S. Environmental Protection Agency, and fourteen years in environmental consulting. He is particularly experienced in addressing air compliance issues in complex manufacturing plants such as chemical, petroleum refining, and pharmaceutical facilities as well as glass manufacturing and surface coating operations. His experience includes the following:

- Managed preparation of two separate PSD permit applications for two major refineries in the Northeast. These projects involved both unit modifications and new installations to address Tier 2 low sulfur gasoline requirements, capacity expansion of a fluid catalytic cracking unit (FCCU), and, for one refinery, installation of a scrubber on the FCCU. The PSD permit applications included emissions quantification, netting analyses, control technology review (BACT), and dispersion modeling analyses evaluating Class I and Class II impacts. The project included determining the applicable state and federal air regulations and conducting extensive permit negotiations with the state regulatory agency.

- Provided technical and regulatory support for a paper mill responding to a Section 114 information request from EPA Region III, which included review of historical projects as they related to potential PSD permitting triggers, including routine maintenance, repair, and replacement (RMRR), and change in the method of operation.

- Developed documentation for a glass manufacturing client to generate emission credits under New Jersey's Open Market Emissions Trading rules for trading in the open market. The project scope included preparing an emissions quantification protocol; quantifying emissions based on strict regulatory requirements; providing notification; registering credits with New Jersey State registry; and obtaining third-party verification of the credits.

- Managed preparation of two separate construction permit application for a refinery – a state construction permit application for implementation of equipment to meet Tier 2 low sulfur gasoline requirements and a PSD permit application for a capacity expansion of a fluid catalytic cracking unit (FCCU). The state construction permit application required conducting a state control technology evaluation on existing and new equipment. The PSD permit application involved conducting a Best Available Control Technology (BACT) review and dispersion modeling analyses evaluating Class I and Class II impacts. Both projects required emissions quantification and netting analyses.

- On behalf of two major Northeast refineries subject to requirements under the Ozone Transport Region (OTR) and Pennsylvania NO_x Budget "Cap-and-Trade" Program, developed and documented monitoring methodology for affected emissions units

consistent with EPA guidance; conducted data reduction for quarterly emissions reports; compiled data reports consistent with strict EPA formatting guidelines; and conducted QA/QC review of final reports.

- Prepared a model Startup, Shutdown, and Malfunction Plan (SSMP) for a Philadelphia refinery to meet the requirements of the Refinery MACT regulations. The project included conducting extensive review of process and instrumentation diagrams, process flow diagrams, and standard operating procedures, and interviews and discussions with unit operators.

- Prepared a Title V permit application for a container glass manufacturing facility that received administrative and technical completeness from the state agency on the first draft without revision. Currently negotiating Title V permit conditions with the state agency.

- Assisted a cogeneration facility in fulfilling its requirements under the Ozone Transport Region (OTR) and New Jersey NOx Budget "Cap-and-Trade" Program. Developed monitoring methodology for the unit consistent with EPA guidance; calculated and compiled quarterly emissions reports based on methodology approved by New Jersey and EPA; and submitted quarterly emissions reports on behalf of client to EPA mainframe computer database. As part of the "Cap-and-Trade" Program, the client was able to sell excess credits for significant financial incentive.

- Negotiated a state construction permit for installation of low-NO_x burners to meet state Reasonably Achievable Control Technology (RACT) requirements at a cogeneration facility. This permit was obtained under EPA's Pollution Control Project (PCP) policy to avoid triggering PSD requirements. This was the first permitting action in the state to use the PCP policy to avoid PSD requirements.

- Managed preparation of all permits—including air, soil erosion and control, Coastal Area Facility Review Act (CAFRA) permit—required for a large new glass manufacturing furnace that was constructed using an innovative new pollution control technology for controlling particulate matter emissions as well as recovering waste heat from the furnace stack. Permitting for the new furnace involved preparing for and attending public hearings, and negotiating innovative and unprecedented permit conditions which allowed client maximum flexibility in operations without triggering PSD or NSR requirements.

- Assisted a Hazardous Organic NESHAPs (HON)-affected facility in developing a Startup, Shutdown, and Malfunction Plan (SSMP). Key technical advisor in internal meetings conducting extensive review of standard operating procedures, conducting review of actual facility operations, and interacting with facility personnel, including environmental, engineering, maintenance, and operations. The project required detailed understanding of regulatory requirements, and ability to integrate facility operational requirements with these regulatory requirements.

- Compiled Maximum Achievable Control Technology (MACT) information and data for three pharmaceutical production facilities in response to a Section 114 information request letter from EPA. Emissions data were developed for process vents, storage tanks, wastewater streams, and fugitives based on observations and other operating data.

- Assisted a major chemical manufacturing facility in determining Hazardous Organic NESHAPs (HON) non-applicability, based on evaluation of production records and operating data.

- Prepared a pollution prevention plan for a major chemical manufacturing facility incorporating technically and economically feasible alternatives. Facilitated the brainstorming sessions among operations, maintenance, and environmental to develop pollution prevention alternatives for evaluations.

- Assisted a pharmaceutical industry trade group in addressing issues with the proposed and promulgated Pharmaceutical MACT standard. Developed background documentation using information from member companies for submitting comments to and negotiating with EPA.

- Obtained a preconstruction permit and operating certificate for a surface coating operation that involved application of a primer and an adhesive mixture to various substrates using roll coaters. The project involved negotiating with the agency for an alternate test method (alternate to Method 24) for determining VOC emissions from the drying operations.

- Prepared an air permit application for a solvent-based, multi-color rotogravure printing operation applying surface coating to a vinyl substrate. The operations included total enclosure and thermal oxidizer for controlling VOC emissions. The project required negotiating special permit conditions for monitoring operations and conducting stack testing for determining and verifying compliance.

- Obtained an air permit for can manufacturing line that included a spray surface coating operation. Used a "24-hour bubble" to address regulatory requirements. Developed monitoring and recordkeeping procedures to be implemented by the facility for documenting compliance.

- Prepared and negotiated numerous Title V permits for various types of facilities, including cogeneration, paper, chemical, refinery, glass manufacturing, and surface coating operations. As part of the Title V permit application, developed equipment inventories (significant and insignificant) and emissions calculations (point and fugitive); conducted rigorous regulatory applicability analyses; and determined compliance status with each applicable regulations.

- Assisted a client in using New Jersey's Open Market Emissions Trading (OMET) Program to pilot test an innovative new NO_x reduction technology on an existing glass manufacturing furnace to meet NOx RACT requirements, without requiring shutdown of furnace and disruption in supply to customer.

- Implemented computerized environmental quality program used to track, monitor, and notify compliance with regulatory requirements for all media for a major petroleum company at operating petroleum refineries corporate-wide. Involved populating database at each refinery with federal, state, and local requirements as well as site-specific requirements. The requirements ranged from regulatory requirements to state permit conditions to negotiated compliance orders.

- Managed implementation of the Compliance Module of an off-the-shelf Environmental Information Management System (EMIS) software at a refinery. This project involved setup and installation of the software, as well as population of the database with regulatory requirements from the refinery Title V air permit to allow submission of the annual certification statement.

- Assisted a polypropylene manufacturing facility in obtaining a facility-wide permit for its entire operations, which incorporated all air, wastewater, and RCRA permits. As part of the facility-wide permit effort, prepared the required pollution prevention plan that identified numerous cost-saving (and emissions-reducing) opportunities that were ultimately implemented at the plant. The facility-wide permit issued by New Jersey was the subject of a widely publicized public relations event sponsored by the state and attended by the Governor.

- Prepared pollution prevention plan for a chemical manufacturer of esterification products. Led brainstorming sessions with plant process engineers, environmental staff, operations, maintenance, and management to identify and develop wide-ranging pollution prevention opportunities. Evaluated the identified opportunities for technical and economic feasibility, with the feasible options incorporated into the pollution prevention plan.

- Prepared a Title V permit application for a batch chemical manufacturing plant. Prior to finalizing the Title V permit application, numerous state permits were updated to capture equipment revisions and modifications and outdated or erroneous permit conditions. This project required extensive effort over one year to identify equipment and manufacturing operations that were inconsistent with current permits, re-estimate batch emissions, prepare and submit revised permit applications, and negotiate permit conditions with permit writers.

- Conducted compliance auditing of numerous industrial facilities, including large chemical plants, pharmaceutical synthesis operations, pharmaceutical R&D facilities, instrument manufacturer, automobile manufacturers, and TSDFs. Audits, which identified deficiencies and recommended corrective action, covered all media, including air, RCRA, SARA, water/waste-water, and pollution prevention.

- Prepared state permit applications for batch specialty chemical and pharmaceutical manufacturing plants using special "non-reactive" and "batch" permitting procedures. These projects sometimes involved development of several hundred "product characterization sheets" with emissions estimates to represent a wide variety of chemical products. These permits allowed great flexibility in operations for the manufacturing plants without requiring permit modifications and the attendant time delay. In addition, these permits often allowed the facilities to operate as "synthetic minor" facilities, avoiding additional regulatory requirements such as Title V and MACT.

Prior to joining ENVIRON, Mr. Shimada held the following positions:

- Managed the New Jersey office of Trinity Consultants, where he was responsible for developing and managing air quality projects in the Northeast U.S.

Alan S. Shimada

- Managed the Engineering Group in the New Jersey office of Environmental Resources Management (ERM), where he developed, managed, and conducted environmental consulting projects for industrial clients.

- Conducted air compliance reviews at industrial facilities, conducted critical review of PSD permits, and reviewed air regulations applicable to Superfund site activities while at EPA Region II.

- Assisted California municipalities in evaluating technical, regulatory, and financial feasibility of implementing alternative energy projects at their facilities, and providing financial assistance while at the California Energy Commission.

- Developed, designed, and planned refinery processes and participated in refinery and chemical plant startups at Exxon and DuPont.

Professional Affiliations

Air and Waste Management Association

Selected Publications And Presentations

Gale, Tom, Dave Land, Alan Shimada, and David Wall, "Permitting Challenges for Modification to Meet Tier 2 Low Sulfur Gasoline Requirements: A Case Study – Valero Refining Company – New Jersey," Poster Session, 2002 NPRA Environmental Conference, New Orleans, LA, September 9-10, 2002.

Shimada, A., James Disario, and David Wall, "Implementation Challenges for the Upcoming NOx SIP Call: Lessons Learned from the Ozone Transport Commission (OTC) NO_x Budget Program and Implications for 2003-2007," 2001 NPRA Environmental Conference, Austin, TX, September 23-25, 2001

Shimada, A., "Trade-in Deals," *Environmental Protection*, March 2000

Shimada, A., "Challenges in Emissions Trading: Smoothing the Road to More Efficient Pollution Control Strategy,"AWMA Environmental Permitting Symposium II, Chicago, IL, November 14-16, 2000.

Shimada, A. and B. Morton, "Regulations Establish Emissions Trading as Key Risk Management Tool," *Power Engineering*, October 1999.

Richard B. Kapuscinski, Ph.D., P.E.

Education

1980 Ph.D., Engineering (Environmental), Harvard University

1977 M.S., Engineering (Environmental), Harvard University

1975 B.S. (with distinction), Civil and Environmental Engineering, Cornell University

Registrations & Affiliations

Licensed Professional Engineer in Maryland, Pennsylvania, and Virginia

Experience

Dr. Kapuscinski has over twenty-three years of progressively responsible, post-doctorate professional experience as an environmental engineer, encompassing:

- consulting, science-based advocacy, and project management on behalf of regulated entities regarding environmental restoration and public health and environmental protection;
- teaching/training regarding ground water remediation, health and ecological risk assessment, waste water treatment and disposal, and water quality modeling; and
- experimental research/testing and related publications and conference presentations regarding environmental restoration, health risk assessment, biological wastewater treatment, and environmental microbiology.

Dr. Kapuscinski has supported legal counsel involved in litigation/disputes pertaining to contaminated sites (e.g., necessity of response action, appropriateness of remedial action objectives and specific technologies, risks created by implementing specific remedies, reasonableness of costs incurred, adequacy of site characterization), causes of environmental contamination (e.g., timing and source of release(s), impacts of specific waste management activities, cost allocation), and claims of adverse health and environmental effects (e.g., hazardous waste de-listing), including preparation of expert reports and direct testimony.

He has also assessed and characterized human exposures and health risks posed by a wide variety of chemical and radioactive substances, resulting from their manufacture (e.g., exposure to workers, waste management practices), intended use, routine or accidental release to the environment, and/or natural occurrence.

Dr. Kapuscinski's project experience includes the following:

Representative Risk-Based Corrective Action Projects

RCRA Corrective Action Sites and Operating Facilities

- **Confidential Chemical Manufacturer, Virginia, Senior Project Manager:** Prepared a Corrective Measures Implementation (CMI) work plan to address soil and ground water contamination at an operating facility pursuant to RCRA. The work plan included

bioventing and biosparging for treatment of soil and perched groundwater, respectively, that contain certain aromatic hydrocarbons and volatile solvents. Site-wide bedrock groundwater is being addressed by a combination of extraction (pumping) and natural attenuation, which will be assessed by an integrated ground water monitoring program. Contributed to evaluating the impact on plume capture caused by changes in pumping regime, including a new production well. Assessed surface water quality impacts potentially caused by discharge of un-captured ground water. Also oversaw development of risk-based Alternative Concentration Limits (ACLs) for constituents in groundwater and discussed these ACLs with experts in the Virginia Department of Environmental Quality (VADEQ).

- **RCRA Corrective Action, Petroleum Fuel Terminal, Manassas, Virginia, Senior Engineer:** Directed the preparation of a Closure Plan for a surface impoundment that is being regulated as a hazardous waste management unit. Met with representatives of the Virginia Department of Environmental Quality (VADEQ) to discuss concerns and regulatory requirements. Prepared a supplemental characterization report to demonstrate the absence of hazardous waste residuals. Prepared a health risk assessment for sediments in the impoundment, which supports "clean closure" for future industrial use.

- **RCRA Corrective Action, Petroleum Fuel Terminal, Fairfax, Virginia, Senior Engineer:** Provided project oversight and quality assurance regarding operations, maintenance, and performance monitoring of a large-scale, integrated system for intercepting, extracting, and treating groundwater and non-aqueous phase liquid (NAPL) hydrocarbons from an extensive plume. Prepared biannual reports summarizing remedial progress and site activities under the RCRA order. Managed the electronic database of groundwater samples (including BTEX and MTBE analyses), NAPL sampling and recovery data, water-level measurements, and treatment system performance samples. Updated the operations and maintenance (O&M) manual, which details standard maintenance and troubleshooting procedures for the remediation system. Worked effectively with multiple contractors.

- **Corrective Action Planning for PCBs in Soils and Drainage-ways, Senior Engineer:** Provided technical assistance and strategic counsel regarding risk-based corrective action at multiple gas transmission pipeline stations in Alabama, Tennessee, and New York, where polychlorinated biphenyls (PCBs) had impacted surface soils, drainage-ways, creeks, and rivers due to historic releases of hydraulic oils from turbo-machinery. Met with client project managers and legal counsel to evaluate cleanup options and regulatory approaches. Reviewed scientific literature on the biodegradability of PCBs and simulated congener-specific biodegradation of PCBs in river sediments to assess the potential for natural attenuation to meet long-term cleanup goals. Researched USEPA decision documents (e.g., RODs) regarding numeric cleanup goals for PCBs in streams and soils. Reviewed work plans and reports regarding the presence of petroleum hydrocarbons, hexavalent chromium, mercury, and PCBs in site soils, surface water, sediments and ground water. Estimated cleanup costs and potential remediation volumes, based upon site characterization data. Assisted client's expert in developing testimony before the Federal Energy Regulatory Commission (FERC) regarding the timing of historic PCB releases.

Superfund Sites

- **Corrective Action Planning, Himco Landfill Superfund Site, Elkhart, Indiana, Senior Engineer**: Reviewed and critiqued the baseline risk assessment, Proposed Remedial Action Plan (PRAP), Record of Decision (ROD), and a revised proposed plan for this closed solid waste landfill. Statistically evaluated groundwater monitoring data to demonstrate that the landfill had a negligible impact relative to up-gradient wells. Interpreted soil gas concentration data and estimated vapor-phase attenuation coefficients to demonstrate that VOCs were not a significant threat to nearby residents via the sub-surface migration pathway. Prepared and reported an alternative risk assessment, which supports a limited, but protective, alternative remedial action at the site. Met with remedial project managers and counsel for USEPA Region 5 and the Indiana Department of Environmental Management (IDEM) to establish remedial action objectives and discuss remedial approaches and ARARs for the site. Prepared work plans for supplemental, post-ROD site characterization and long-term groundwater monitoring. Developed remedial cost estimates for the prospective PRP group. As a result of these efforts, the USEPA is currently considering a ROD amendment to select an alternative remedy, which represents a multi-million dollar savings over the PRAP/ROD.

- **Corrective Action Planning and Risk Assessment, Metcoa Radiation Superfund Site, Pennsylvania, Senior Engineer**: Provided technical assistance to a PRP group regarding site characterization and remediation of this inactive metal recycling site. Critiqued the risk-based cleanup levels proposed by USEPA Region 3. Developed and proposed alternative, risk-based cleanup levels for metals based upon site-specific characteristics. Reviewed data regarding gamma radiation levels, total metal concentrations, and concentrations of thorium- and uranium-chain radionuclides in surface fill materials. Performed statistical calculations to identify sub-areas requiring remedial action. Prepared a work plan for supplemental site characterization during the remedial design phase. Met with USEPA Region 3 technical staff and attorneys in the U.S. Department of Justice (USDOJ) to discuss remedial alternatives and present a technical rationale for limiting excavation and removal of surface soil and fill. Reviewed and critiqued the USEPA's Engineering Evaluation and Cost Analysis (EECA) report. Developed remedial cost estimates for the primary site remediation and waste management options. Worked effectively with multiple contractors and PRP representatives. These efforts contributed towards a more realistic evaluation of remediation costs, which facilitated a settlement among the PRPs and with the USDOJ.

- **Impact Assessment, Inactive Lead Smelter in Indiana, Senior Engineer**: Developed a sampling and analysis plan for surface soils to determine whether a residential area nearby had been impacted by historic smelter emissions of lead. Metals that co-occur in smelter emissions were included in the analysis to help distinguish smelter-derived lead from lead derived from paint and other sources. Met with representatives from the Indiana Department of Environmental Management (IDEM) to discuss their concerns.

Additional MNA Sites

- **Assessment of Biodegradation in Situ, Multiple Petroleum and Solvent Sites, Senior Engineer**: Evaluated and interpreted groundwater monitoring data regarding dissolved-phase concentrations of organic contaminants (e.g., BTEX, tetrachloroethylene, trichloroethylene, trichloroethane (TCA), dichloroethylenes), potential terminal electron

acceptors (TEAs), nutrients, and basic water quality parameters to assess the likelihood and capacity for biodegradation in situ to contribute to groundwater restoration. Implemented USEPA's Technical Protocol for Evaluating Natural Attenuation of Chlorinated Solvents in Ground Water to support development of a remedial action work plan for a former electronics manufacturing site under New Jersey's Industrial Site Recovery Act. Estimated time of solvent release from concentrations of daughter products to support a cost recovery claim. Developed a conceptual work plan for estimating in-situ rates of BTEX and TEA consumption and documenting anaerobic biodegradation at a petroleum terminal site.

- **Groundwater Remediation, former Electronics Manufacturing Site, Western Maryland, Senior Project Manager**: Supervised operations, maintenance, and monitoring of a ground water extraction and treatment system for remediation of trichloroethylene (TCE) in ground water. Developed a rationale, which was accepted by the Maryland Department of the Environment (MDE) Hazardous Waste Enforcement Division, for turning off these systems and relying upon monitored natural attenuation to attain the cleanup goals sought by the MDE. Evaluated the merits of entering the Maryland Voluntary Cleanup Program (VCP) to obtain a prompt release from further remedial requirements. Oversaw periodic monitoring of natural attenuation of TCE in ground water.

ISRA Sites in New Jersey

- **Corrective Action Plan, Sludge Lagoons, Northwestern New Jersey, Senior Project Manager**: Conducted field and modeling analyses of the surface and groundwater quality impacts of arsenic and zinc in lagoon sediments to provide a rationale for passive remediation (natural attenuation) of two sludge lagoons that had metal concentrations in excess of the New Jersey generic subsurface soil standards. Assessed site-specific partitioning through chemical analyses of pore water and sediment samples, which indicated a high affinity of arsenic and zinc for sludge solids and native soils. Derived a mass balance model to simulate depletion of sediments sources as a result of leaching. Used AT123D modeling program to simulate down-gradient transport and dispersion of arsenic and zinc. Conducted sensitivity analyses for partitioning and dispersion parameters. The New Jersey Department of Environmental Protection (NJDEP) accepted the natural attenuation proposal for metals, resulting in savings of more than $1 million relative to excavation or stabilization-based remedies.

- **Corrective Action Plan and Cleanup Investigation, Former Specialty Chemical Facility, Northwestern New Jersey, Senior Project Manager**: Developed a remedial action work plan for a site with extensive chemical contamination in shallow groundwater, soil and sediments due to benzene, ethylbenzene, toluene, xylenes (BTEX), chlorobenzene, 1,2-dichloroethane, arsenic, zinc and polychlorinated biphenyls (PCBs). Developed a sampling and analysis program to complete site characterization and contaminant delineation after replacing the original contractor on the project. Proposed and implemented several interim remedial measures, including installation and operation of a pilot wellpoint extraction system and operation of a pilot interceptor drain. Designed and implemented field studies to evaluate the performance of the interim groundwater containment systems. Negotiated with the New Jersey Department of Environmental Protection (NJDEP) regarding the extent and schedule of supplemental site characterizations, soil and groundwater cleanup levels, and remedial approaches.

Supervised soil treatability by bioremediation and dual-phase soil vapor extraction. Supervised groundwater treatability by UV/oxidation. Managed and reported a wetlands delineation survey in the areas proposed for remedial action. Worked effectively with multiple contractors and PRPs.

- **Site Characterization and Corrective Action Planning, Multiple Sites in New Jersey, Senior Engineer**: Provided quality assurance reviews of site characterization work plans for several sites impacted with chromium ore processing residues. Helped develop a strategy for identifying site-related impacts in an estuary in a highly industrialized area. Identified and evaluated remedial measures for a residential site. Met with representatives of the New Jersey Department of Environmental Protection (NJDEP) to discuss a ground water Classification Exception Area. Prepared a work plan for site-specific human health and ecological risk assessments. Derived site-specific cleanup levels for hexavalent chromium in sub-surface soils, based upon leaching to ground water and protection of aquatic populations in surface water. Worked effectively with multiple contractors.

Additional Sites in Virginia

- **Stabilization of Lead-impacted Soils, Quantico, Virginia, Senior Project Manager**: Oversaw preparation of the Excavation and Materials Handling Plan (EMHP) regarding on-site stabilization and off-site disposal of approximately 15,000 tons of lead-impacted surface soils at former firing ranges. The Virginia Department of Environmental Quality (VADEQ) approved the EMHP with only minor modifications. Oversaw field personnel engaged in (1) ambient air and personnel monitoring, according to the Site-Specific Health and Safety Plan, (2) sampling and characterization (i.e., lead leachability testing) of the stabilized soils, and (3) confirmatory soil sampling and lab testing of the excavated areas.

- **Independent Review of Cleanup Plans, Defense Supply Center Richmond (DSCR), Virginia, Senior Engineer**: Reviewed remedial investigation and feasibility study reports, prepared by other contractors, addressing soil or ground water contamination in 14 operable units. Identified opportunities for leveraging favorable risk-related information to save remedial costs by pursuing No Further Action decisions from the Virginia Department of Environmental Quality (VDEQ) and/or selecting less intensive remedial approaches. Offered recommendations for risk communication with local citizens.

Additional Sites in Maryland

- **Groundwater Characterization, Brownfields Site, Baltimore, Maryland, Senior Project Manager**: Developed a work plan to address deficiencies in the Phase I and II environmental site assessments that were prepared by another contractor for several parcels that had a long history of varied industrial use. Met with MDE officials in the Maryland Voluntary Cleanup Program to present and win approval of the work plan and initiate discussions regarding the overall Response Action Plan (RAP). Subsequent data collection, groundwater and soil sampling, data analysis, and risk assessments supported a RAP that was protective for the intended land use and was less intensive than projected by the previous contractor.

- **Soil Remediation, Urban Redevelopment Site, Baltimore County, Maryland, Senior Engineer**: Developed a science-based rationale for deferring an excavation remedy for sub-surface soils, which was proposed by a prospective purchaser of a former gasoline station site. Reviewed soil investigation reports by the purchaser's consultant and identified data gaps. Met with representatives of the Maryland Department of the Environment (MDE) Oil Control Program and the purchaser to identify and address their concerns and discuss redevelopment issues. Developed a work plan for addressing data gaps that was approved by MDE OCP.

Representative Risk Assessment Projects

- **Health and Ecological Risk Assessments, Multiple Sites in New Jersey, Senior Engineer**: Assisted a Fortune 50 firm in negotiating the technical basis for site-specific cleanup goals for hexavalent and trivalent chromium in surface and subsurface soils. Met with representatives of the New Jersey Department of Environmental Protection (NJDEP) at all levels to exchange information and perspectives. Prepared critical technical comments regarding NJDEP's proposed cleanup goals for soil and groundwater under the Industrial Site Recovery Act (ISRA). Contributed to the development of a laboratory test to simulate chromium dissolution into surface puddles. Contributed to an experimental design to evaluate the influence of exposure duration on the elicitation threshold for chromium-induced contact dermatitis. These efforts raised the dermatitis-based cleanup goal for hexavalent chromium by 100 times or more, which should yield substantial savings in soil remediation costs.

- **Ecological Risk Assessment, Mining Site, Arkansas, Senior Engineer**: Provided a science-based rationale for No Further Action (NFA) for surface soils that had come into contact with certain waste materials. Oversaw the development of ecologically-based soil screening levels for fluoride and cyanide, using food-chain bioaccumulation models. Demonstrated that levels of arsenic and other metals in surface soils were not elevated relative to background soils. Prepared a risk assessment report for review and acceptance by the Arkansas Department of Environmental Quality (ADEQ).

- **Health Risk Assessment, Vertac Superfund Site, Arkansas, Senior Engineer**: Statistically analyzed sampling data for 2,3,7,8-tetrachlorodibenzo-p-dioxin (TCDD) in surface soils to develop a relationship between prospective not-to-exceed cleanup goals and average residual concentrations after cleanup. Performed probabilistic simulations of exposure to worker and trespasser populations, using Monte Carlo simulation methods, to develop the rationale for a 50-µg/kg (ppb) cleanup goal. Incorporated the results of a rodent bioassay on oral bioavailability of TCDD in soil. Made presentations and submitted technical reports to the Arkansas Department of Pollution Control & Ecology and USEPA Region 6. Based upon these efforts, USEPA agreed to a precedent-setting cleanup goal for TCDD, which yielded substantial savings in soil remediation costs.

- **Superfund Risk Assessments, Multiple Sites, Senior Engineer**: Assisted PRPs in working towards reasonable and cost-effective cleanups at landfills, mining/milling facilities, former "town gas" manufacturing sites, wood-preserving sites, natural gas transmission stations, "burn pits," a lead recycling site and aluminum manufacturing facilities on the National Priorities List (NPL). Performed baseline health and ecological

risk assessments and negotiated risk assessment work plans with regulatory agencies. Developed alternative cleanup levels for soils, groundwater and sediments using site-specific information. Reviewed health and ecological risk assessments and remedial investigation and feasibility study reports prepared by USEPA and PRP contractors. Negotiated with USEPA remedial project managers in Regions 4 and 5 regarding numeric cleanup objectives, remedy selection and the interpretation of risk assessment results.

Applied quantitative risk assessment techniques to evaluate the health risks of implementing excavation-based remedies. Estimated potential air emissions associated with the excavation, incineration, solidification/stabilization and vitrification of soil. Quantified both direct (e.g., inhalation) and indirect (e.g., food-chain) exposures. At one Superfund site, the health risk assessment helped to overturn a USEPA Record of Decision (ROD).

- **Risk Assessment, Uranium Mill in Colorado, Project Manager**: Conducted a health risk assessment of radioactive and chemical substances (principally uranium-chain radionuclides and molybdenum and selenium, respectively) that migrated from an active uranium mill. Directed the exposure assessment which addressed ten pathways, including direct (e.g., air and groundwater contact) and indirect (e.g., food chain) pathways, and considered both current conditions and future conditions expected to be obtained after completion of a court-mandated Remedial Action Plan (RAP). Evaluated and implemented models for contaminant transport in shallow groundwater, air emission rates, atmospheric dispersion of radon-222 and radioactive particulate, and deposition onto soils and food crops. Participated in meetings and negotiations with representatives of the Colorado Department of Health's Radiation Control Division. Participated in a briefing for interested citizens. Based upon the risk assessment, the site owner was not required to undertake any additional activities beyond the RAP.

- **Site Assessment and Closure, Gasoline Service Station, Falls Church, Virginia, Senior Engineer**: Oversaw ground water monitoring and performance monitoring of an integrated soil vapor extraction and air sparging system at an active gasoline service station. Developed and proposed risk-based, site-specific clean-up levels, above generic state standards, based upon a residential inhalation exposure scenario that could hypothetically result from off-site migration of groundwater contaminants. These cleanup levels and ground water monitoring data provided a rationale for No Further Action (NFA) and site closure.

Representative Litigation Support Projects

- **Proposed Hazardous Waste Rule, Waste Treatment Facility in Arkansas, Senior Engineer**: Prepared two expert reports regarding the characteristics of thermally treated spent potliner, which was de-listed by the USEPA as a RCRA hazardous waste. Reviewed and summarized treatment performance data. Evaluated and critiqued risk assessment and expert reports submitted on behalf of petitioners seeking to have the de-listing revoked. Met with public interest groups in Arkansas. These efforts assisted the client in maintaining a favorable RCRA status.

- **Litigation Support and Expert Testimony, Former Industrial Facility in Maryland, Senior Engineer**: Testified as an expert witness in a dispute regarding residual concentrations of chloroform and chlorinated solvents in ground water and residual

materials in soils and sanitary sewers. Evaluated site data and developed opinions regarding: whether remediation was warranted to protect health and the environment and was required under the Maryland Voluntary Cleanup Program; what role future land use plays in risk-based corrective action decision-making; and whether the groundwater contamination impeded site re-development. Assisted counsel during trial, which addressed a narrow set of issues.

- **Litigation Support, Cost Recovery at Industrial Site in Maryland, Senior Engineer**: Reviewed site characterization and remedial design reports prepared by another firm, which was assisting the owner in remediating the site under the Maryland Voluntary Cleanup Program. Prepared opinions regarding the necessity of remedial action and the technologies chosen, which helped counsel to settle the case on behalf of a previous site owner.

- **Litigation Support, Cost Recovery at Multiple Industrial Sites, Senior Engineer**: Evaluated the adequacy of site characterization and necessity for remedial action, investigated timing of release(s), developed remedial action plans, and identified the potential for third-party (e.g., natural resource damage) claims at several manufacturing sites to assist an industrial company in recovering environmental response costs from its insurance carriers.

- **Litigation Support, Industrial Wastewater Discharges in Pennsylvania, Senior Engineer**: Reviewed data and reports prepared for the Pennsylvania Department of Environmental Protection (PaDEP) regarding potential sources of malodor and indoor air quality problems in residences in a mixed, commercial/residential use area. Assisted counsel for an industrial company in developing a defense against claims that the company's discharges of wastewater into the municipal sewer system were responsible for the malodor. Identified plausible alternative sources for the malodor.

- **Litigation Support and Expert Affidavits, Municipal Landfill Site in California, Senior Engineer**: Evaluated the contribution of lead acid battery wastewater to response costs at a municipal landfill site on the National Priorities List (NPL) site. Simulated potential effects of acid disposal using equilibrium, geochemical models (e.g., MINTEQ). Prepared two expert reports on behalf of a client alleged to have sent acid wastewater to the site. Municipality (plaintiff) settled with the client for several million dollars less than initially sought.

- **Litigation Support, Multiple Superfund Sites, Project Manager or Senior Engineer**: Assisted Potentially Responsible Parties (PRPs) involved in or preparing for litigation regarding remedy selection, claims of adverse health and environmental effects, cost allocation, or cost recovery. Identified and evaluated the potential impacts of organic contamination in soil and groundwater on a proposed excavation and solidification remedy at a lead-recycling site to support a focused Feasibility Study. Evaluated a landfill site for possible Superfund de-listing, using the revised Hazard Ranking Scoring (HRS) system. Evaluated risk assessment and Remedial Investigation (RI) reports for a former lead-mining site with respect to the adequacy of site characterization and consistency with the National Contingency Plan (NCP). Prepared independent estimates of cleanup costs for soil and groundwater to provide background information for settlement.

Representative Environmental Management Projects

Environmental Liability and Compliance Assessments

- **Environmental Site Assessments and Due Diligence Audits, Multiple Commercial and Industrial Facilities, Project Manager**: Conducted or managed environmental due diligence audits and transaction-related environmental site assessments (ESAs) of commercial and industrial facilities in Virginia, Maryland, West Virginia, North Carolina, Florida and New York. Evaluated compliance with environmental regulations regarding hazardous materials storage and manifesting, air emissions, wastewater discharge, tank registration and monitoring, spill containment and toxics release reporting. Made recommendations regarding pollution abatement. Estimated potential liabilities associated with on-site soil and groundwater contamination and off-site disposal. Facilities included copper wire fabricators, plastic extrusion facilities, gasoline service stations, nurseries and a chain of hardware stores and lumberyards. Assisted in a compliance assessment of a uranium enrichment facility that addressed mixed and hazardous waste management and environmental cleanup costs.

- **Environmental Site Assessment, Former Commercial Facility in Virginia, Senior Engineer**: Reviewed site investigation and closure reports regarding solvent-impacted groundwater at a former R&D facility on behalf of a prospective purchaser that was considering developing the property for residential use. Identified technical uncertainties regarding the alleged completeness of remediation and provided counsel regarding the potential for future remedial or monitoring activities. Client ultimately decided that the liability terms offered by the site owner and operator were unacceptable.

  Also provided independent reviews of Phase I and Phase II ESAs and corrective action reports prepared by other contractors and provided independent estimates of remedial costs, including Superfund liabilities, at numerous other sites.

- **Risk Management, Urban Redevelopment Site, Senior Engineer**: Evaluated the potential environmental liabilities associated with redeveloping a former manufacturing site, a potentially valuable urban property that is subject to a RCRA corrective action. Constructed a conceptual fault tree for failure of the remedial components to identify natural and man-made events that might have significant consequences or a high probability of occurrence. Met with remedial contractors to discuss and evaluate the reliability of the planned remedial components. Identified potential exposure pathways for various potential (future) land uses. Conducted a screening-level health risk assessment for construction workers. Prepared a report of findings for consideration by executive management.

- **Toxics Release Reporting, Metal Finishing Facility, Senior Engineer**: Assisted a metal finishing company in reporting releases and transfers of zinc in accordance with Section 313 of the Emergency Planning and Community Right-to-Know Act. Detected and corrected an error by a previous contractor.

Facility Discharge Reporting and Management

- **Environmental Management Services, Petroleum Fuel Terminal, Senior Engineer**: Oversaw preparation of a Storm Water Pollution Prevention Plan for the facility.

Oversaw monthly monitoring of storm water discharges. Managed the electronic database of discharge samples. Prepared a Concept Engineering Report, as required by the facility's NPDES permit, summarizing site-wide water pollution prevention measures and management practices and the performance of an aboveground treatment system for ground water that was extracted as part of a site remediation program. Evaluated the performance of green sand and dolomite treatments for minimizing effluent toxicity.

- **Wastewater Performance Evaluation, Furniture Manufacturing Facility in North Carolina, Senior Engineer**: Reviewed monitoring data and evaluated treatment operations to identify cause(s) of elevated ammonia in wastewater discharges after a tertiary filter was installed. Recommended certain modifications to standard operating procedures for the batch activated sludge system to increase sludge age and stimulate nitrification.

- **Storm Water Toxicity Reduction Studies, Two Facilities, Senior Engineer**: Contributed to the design of a Toxicity Identification Evaluation of on-site storm water at a former specialty chemical manufacturing site and at a truck stop. Evaluated data regarding effluent toxicity and chemical composition to identify potential toxic agent(s).

Professional Activities

- Member, American Chemical Society
- Member, American Society of Civil Engineers
- Member, American Water Works Association
- Member, Chi Epsilon (civil engineering honorary society)
- Member, Society for Risk Analysis
- Member, Water Environment Federation

Selected Publications & Presentations

Refereed Journal Publications:

Kapuscinski, R.B. and R. Mitchell. 1980. Processes controlling virus inactivation in coastal waters. Water Research 14: 363-371.

Kapuscinski, R. B. and R. Mitchell. 1981. Sunlight induces sub-lethal injury in Escherichia coli in seawater. Appl. Environ. Microbiol. 41: 670-674.

Kirchman, D., J. Sigda, R. Kapuscinski and R. Mitchell. 1982. Statistical analysis of the direct count method for enumerating bacteria. Appl. Environ. Microbiol. 44: 376-382.

Kapuscinski, R.B. and R. Mitchell. 1983. Sunlight-induced mortality of viruses and Escherichia coli in coastal seawater. Environ. Sci. Technol. 17: 1-6.

Kapuscinski, R.B., L.E. Katz and D. Grasso. 1984. New activated sludge theory: steady state (Discussion). J. Environ. Engin., ASCE 110: 1214-1219.

Kapuscinski, R. B. and A. J. DeLorme. 1990. On performing experimental studies on transient states of continuous-flow methanogenic reactors. Biotechnol. Bioeng. 35: 746-750.

Richard B. Kapuscinski, Ph.D., P.E.

Book Chapters and Trade Publications:

Hull, S.J. and R. B. Kapuscinski. 1988. Efficacy of bioaugmentation products as predicted by a steady-state model of flocculent cultures. In Proceedings of the Annual Purdue Industrial Waste Conference (5/87), J.M. Bell (editor). West Lafayette, IN: Purdue University.

Harris, R.H. and R.B. Kapuscinski. 1990. Hardage Record of Decision to be overturned. Toxics Law Reporter 4(46): 1336-1337.

Kapuscinski, R., S. Washburn and R. Harris. 1991. The use of risk assessment in selecting among remedial options for soil contamination. In Hydrocarbon Contaminated Soils, Volume I, Chapter 40, E. J. Calabrese and P. T. Kostecki (editors). Chelsea, Michigan: Lewis Publishers.

Harris, R., R. Kapuscinski, C. Kleiman and S. Washburn. 1993. Risk assessment in the remedy selection process at hazardous waste sites. In Hazard Assessment, Volume 8, pp. 1-46, J. Saxena (editor). Washington, DC: Taylor & Francis Publishers.

Kapuscinski, R.B. and S.A. Dielman. 1993. A comparative evaluation of wellpoint systems and interceptor drains for groundwater containment and extraction. In Proceeedings of the Joint CSCE/ASCE National Conference on Environmental Engineering, Volume 2, pp. 361-1368.

Kapuscinski, R.B. and J.P. Crump. 1998. Solid waste and contaminated soil. In Environmental Science Deskbook, Chapter 7, J.W. Conrad, Jr. (editor). New York: West Group. (Clark, Boardman & Callahan environmental law series).

Kapuscinski, R.B., S.A. Dielman and D.H. Errett. 1997. Natural attenuation processes in environmental remediation decision-making: A case study of metals in the subsurface. In Proceedings of the Superfund XVIII Conference. Washington, DC.

Conference Presentations:

Kapuscinski, R.B. and R. Mitchell. 1980. Photooxidative effects of sunlight on fecal coliforms and viruses in seawater. Annual Conference of the American Society for Microbiology.

Kapuscinski, R.B. 1981. Monitoring the microbial quality of drinking water and water supplies. Annual Meeting of the Vermont Water Works Association.

Kapuscinski, R.B. and J.H. Kao. 1985. Analysis of packed-bed biofilm column-reactors: Effects of superficial liquid velocity. Annual Conference of the Water Pollution Control Federation.

Bellen, G.E., R.B. Kapuscinski, M. Anderson, R. Herman and H. Tabak. 1986. Efficacy testing of aerobic bioaugmentation products using bench-scale systems. Annual Conference of the Water Pollution Control Federation.

Hull, S.J. and R. B. Kapuscinski. 1987. Efficacy of bioaugmentation products as predicted by a steady-state model of flocculent cultures. Annual Purdue Industrial Waste Conference.

Kapuscinski, R.B. 1987. Fates and stability of bioaugmentation products in natural and engineered ecosystems. Semi-annual meeting of the American Chemical Society, Division of Environmental Chemistry.

Kapuscinski, R.B., K.P. Olmstead and W.J. Weber, Jr. 1987. Impact of microbial activity on adsorption mass transport parameters. Annual Conference of the Water Pollution Control Federation.

Kapuscinski, R.B. 1990. The use of risk assessment in selecting among remedial options for soil contamination. Fifth Annual Conference on Hydrocarbon Contaminated Soils. (Amherst, Massachusetts, September 24-27).

Kapuscinski, R.B. and S.A. Dielman. 1993. A comparative evaluation of wellpoint systems and interceptor drains for groundwater extraction and containment. Annual Environmental Engineering Conference of the American Society of Civil Engineers. (Montreal, Canada, July 12-14).

Kapuscinski, R.B. 1994. Estimating risks from exposure to airborne dioxins. Fifth Annual Dioxin Conference. (Washington, DC, October 21-22).

Kapuscinski, R.B., S.A. Dielman and D.H. Errett. 1997. Natural attenuation processes in environmental remediation decision-making: A case study of metals in the subsurface. Superfund XVIII Conference (Washington, DC, December 2-4).

Kavitha Subramaniam

Education

2000 Ph.D., Environmental Engineering, Georgia Institute of Technology, Atlanta, Georgia

1996 M.Eng., Environmental Engineering, Memorial University of Newfoundland, St. John's, Canada

1994 B.Tech., Chemical Engineering, Anna University, Madras, India

Certification

40-Hour OSHA Health and Safety Certification

Affiliations

American Chemical Society
American Institute of Chemical Engineers
Society of Women Engineers

Experience

Dr. Subramaniam is a Senior Associate at ENVIRON International Corporation. Her experience at ENVIRON includes the following:

- Served as Project Manager coordinating the review, abstraction and compilation of case studies from technical papers related to contaminated buildings and their remediation; tracking the budget for various project tasks; and preparing monthly budget status reports. Evaluated the feasibility of cleaning building components pervasively contaminated with dust bearing hazardous substances. Performed economic analyses comparing costs of remediation versus demolition scenarios for various building components. Assisted in preparing a remediation assessment report summarizing the findings of the feasibility study and economic analyses.

- Evaluated remedy implementation risks associates with dredging and capping remedies at a Superfund Site in New York. Evaluated risks to on-site construction workers associated with remedial activities at the site. Performed transportation accident analyses to evaluate disposal options for dredged material (on-site consolidation vs. off-site disposal), and also to support low volume dredge alternatives. Co-authored a report summarizing the risk of remedy evaluation for the Site.

- Evaluated remedial alternatives proposed by the USEPA for soils at a Superfund Site in New Jersey. Reviewed and summarized alternative remedial approaches in technical memoranda, provided comments to the National Remedy Review Board on USEPA's proposed remedial alternatives and recommended a more cost-effective remedial approach for inclusion in the feasibility study.

- Prepared estimates of future environmental response costs at four facilities with soil and groundwater contamination to support legal counsel in a cost recovery dispute between two former owner/operators. Reviewed site characterization reports and interim measure work plans to develop to develop remedial action work plans for a reasonable best case

scenario and a reasonable worst case scenario for each site. Reviewed and provided comments on treatability study and groundwater sampling reports prepared by third party consultant.

- Prepared estimates of future environmental response costs at several sites with soil and groundwater contamination.

- Assisted in the development of a pilot test work plan for implementing in situ chemical oxidation at a Superfund Site in New Jersey. Prepared permit applications required for conducting groundwater remediation activities at the site. Prepared a feasibility study work plan for evaluating remedial alternatives for contaminated soils at the site.

- Performed risk-based assessment of interior building contamination at a site located in New Jersey. Prepared a sampling plan and coordinated field sampling activities. Prepared cost estimates for a pilot study of applicable decontamination technologies. Prepared a report summarizing the findings of the building decontamination assessment work.

- Prepared technical bid specifications for demolition of a semi-conductor manufacturing facility in Pennsylvania. Completed a survey of flooring material at the facility to assist in the evaluation of disposal options for demolished floors. Developed a wood floor sampling plan and coordinated and oversaw field sampling activities.

- Evaluated hydrogeologic and geochemical data obtained during field investigations, and prepared ground water quality reports for a landfill site in New Jersey.

- Reviewed the Hazard Ranking System (HRS) documentation package for a chemical manufacturing facility in New Jersey. Provided comments on issues addressed by the USEPA in preparing the HRS documentation record.

- Conducted file reviews and environmental database reviews pertaining to Phase I – due diligence audits of several industrial and non-industrial facilities to estimate potential environmental liabilities. Prepared environmental site assessment reports.

Prior to joining ENVIRON, Dr. Subramaniam held the following positions:

- *Project Environmental Engineer, Golder Associates, Cherry Hill, NJ, July 2001-Feb 2003*
  Worked on the design of environmental remediation systems. Implemented innovative remedial technologies such as bioremediation enhanced by colloidal bimetallic nanoscale particles at client sites. Carried out 3-Dimensional visualization modeling of site geology and contaminant distributions. Process engineering tasks performed included analysis and evaluation of pumping and piping, process hydraulics, calculation of mass and heat balances, and air emissions calculations.

- *Postdoctoral Research Associate, Smith College, Northampton, MA, May 2000-June 2001*
  Developed innovative remediation technology to enhance PAH compound desorption and bioremediation through the use of chelating agents. Tested technology at a former manufactured gas plant facility owned by Northeast Utilities in Connecticut. Set up a colloids and surface chemistry laboratory and an Atomic Microscope facility. Mentored two undergraduate researchers.

Kavitha Subramaniam

Project Experience Prior to ENVIRON

- Site wide remediation of operating facility. Assessment of biogeochemical conditions and plume profiles through 3-D visualization modeling. Environmental Visualization System (EVS) modeling included investigations of chlorinated solvents and other contaminants of concern in groundwater. Evaluation of soil and groundwater remedial alternatives as part of a Corrective Measures Study. Preparation of an underground injection control permit application for bimetallic nanoscale colloid injection as one of the remediation options.

- Evaluated chemical precipitation and well clogging in the vicinity of groundwater treatment plant through computation of metal speciation and reaction in the geochemical environment using PHREEQC model. Recommended the use of alternate coagulants in the treatment plant to minimize metal precipitation.

- Performed characterization and evaluation of natural attenuation mechanisms in groundwater at a Superfund site. Carried out non-parametric statistical analyses to evaluate trends in contaminant concentrations.

- Developed generic performance assessment criteria for determining risk associated with chemical/mixed radioactive waste disposal. Performed fate and transport assessment of various classes of chemicals in the biogeochemical environment.

- Investigated the feasibility of accelerated aerobic biological treatment of chlorinated aromatic compounds including chlorobenzene at a landfill site. Evaluated oxygen requirements and possible precipitation of metallic species during oxygenation in the aquifer matrix.

- Performed 3-D visualization modeling of groundwater flow and drawdown at pumping wells and river boundaries.

- Performed extensive 3-D visualization modeling of site hydrostratigraphy and plume profiles of various contaminants of concern. Calculated volume and mass of soil contamination in various geologic units. Calculated site-specific Tier II soil leaching values for contaminants of potential concern in order to assess impacts to groundwater. Objective was to delineate the extent and amount of contamination to assist in apportioning investigation and remedial costs at the site based on historic chemical usage and transport and cross-media contamination.

- Reviewed Agency's past cost claims to evaluate relevance, timing and reasonableness of expenditures to site-specific investigation and remediation activities.

- Designed leachate vault and collection system relocation based on berm expansion project. Evaluated and provided recommendations on potential effects of relocating sideslope riser pump houses. Calculated pump operating capacities for existing and proposed leachate collection systems. Prepared construction drawings to indicate necessary modifications to mechanical components of the leachate collection and conveyance system.

- Prepared a landfill gas management and recovery plan including blower and flare design, and future use of recovered gas. Calculated landfill gas emission and condensate generation rates using published air pollution emission factors, and evaluated disposal options.

- Prepared an annual emissions statement using RADIUS including inventories of equipment, control devices and batch processes at a landfill site. Process included record review, emissions calculations and form completion.

- Calculated volatile organic compound and hazardous air pollutant emissions from storage tanks using USEPA's TANKS model. Prepared application requesting determination of requirement for plan approval/operating permit.

Publications (Peer-Reviewed)

Subramaniam, K., Vithayaveroj, V., Yiacoumi, S., and Tsouris, C., Copper Uptake by Silica and Iron Oxide under High Surface Coverage Conditions: Surface Charge and Sorption Equilibrium Modeling, accepted for publication in Journal of Colloid and Interface Science, 2003.

Subramaniam, K., Stepp, C., Pignatello, J.J., Smets, B.F., and Grasso, D., Enhancement of Polynuclear Aromatic Hydrocarbon Desorption by Complexing Agents in Weathered Soil, Submitted to Environmental Engineering Science, 2003.

Grasso, D., Subramaniam, K., Butkus, M., Strevett, K., and Bergendahl, J., A Review of Non-DLVO Interactions in Environmental Colloidal Systems, Re/Views in Environmental Science and Bio/Technology, Vol. 1, pp. 17-38, 2002.

Grasso, D., Subramaniam, K., Pignatello, J.J., Yang, Y., and Ratte, D., Micellar Desorption of Polynuclear Aromatic Hydrocarbons from Contaminated Soil, Colloids and Surfaces A, Vol. 194, No. 1-3, pp. 65-74, 2001.

Subramaniam, K. and Yiacoumi, S., Modeling Kinetics of Copper Uptake by Inorganic Colloids Under High Surface Coverage Conditions, Colloids and Surfaces A, Vol. 191, No. 1-2, pp. 145-179, 2001.

Subramaniam, K., Yiacoumi, S., and Tsouris, C., Copper Uptake by Inorganic Particles – Equilibrium, Kinetics and Particle Interactions: Experimental, Colloids and Surfaces A, Vol. 177, pp. 133-146, 2001.

Subramaniam, K., Metal Uptake and Its Effects on Colloidal Particle Interactions: Equilibria and Rates, Ph.D. Dissertation, Georgia Institute of Technology, May 2000.

Subramaniam, K., Yiacoumi, S., and Tsouris, C., Effect of Copper and Cadmium Binding on Flocculation of Ferric Oxide Particles, Separation Science and Technology, Vol. 34, No. 6-7, pp. 1301-1318, 1999.

Subramaniam, K., Yiacoumi, S., and Tsouris, C., A Unified Model for Metal Ion Sorption and Colloidal Particle Flocculation Rates, Fundamentals of Adsorption 6, pp. 951-956, 1998.

Subramaniam, K., Changes in the Physical, Hydraulic and Microstructural Properties of Clays Exposed to Organic Chemicals, Masters Thesis, Memorial University of Newfoundland, August 1996.

Kavitha Subramaniam

Selected Conference Presentations

Subramaniam, K., Grasso, D., Smets, B.F., and Pignatello, J.J., Effect of Chelating Agents on PAH Compound Desorption and Soil Colloid Mobilization, 75th Colloid and Surface Science Symposium, Carnegie Mellon University, Pittsburgh, PA, June 10-13, 2001.

Subramaniam, K., Yiacoumi, S. and Tsouris, C., Copper Sorption and its Effects on Flocculation of Oxide Colloids: Equilibria and Rates, 218th ACS National Meeting, Washington, D.C., August 19-24, 2000.

Subramaniam, K., Yiacoumi, S. and Tsouris, C., Metal Ion Sorption and its Effects on Flocculation of Colloidal Particle Interactions, 74th Colloid and Surface Science Symposium, Lehigh University, Bethlehem, PA, June 19-21, 2000.

Subramaniam, K., Yiacoumi, S. and Tsouris, C., Copper Adsorption at Hematite- and Silica-Water Interfaces, AIChE Annual Meeting, Dallas, TX, October 31-November 5, 1999.

Subramaniam, K., Sorption Phenomena and Colloidal Particle Interactions, National Science Foundation Workshop for Engineering Educators, WEE '99, Arlington, VA, September 26-29, 1999.

Subramaniam, K., Chin, C.J., Yiacoumi, S. and Tsouris, C., Changes in Particle Flocculation Behavior Due to Adsorption of Metal Ions from Aqueous Solutions, 217th ACS National Meeting, Anaheim, CA, March 21-25, 1999.

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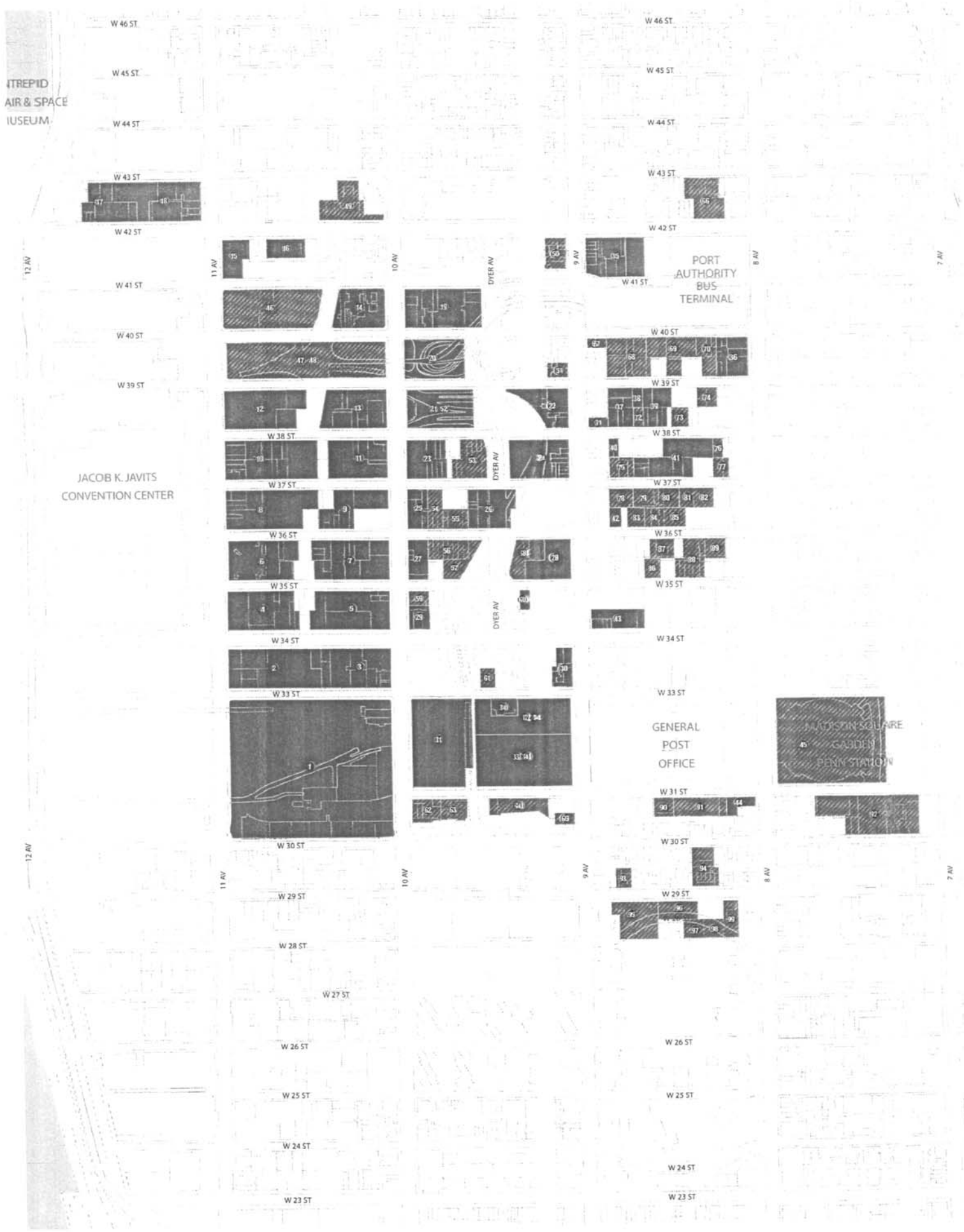
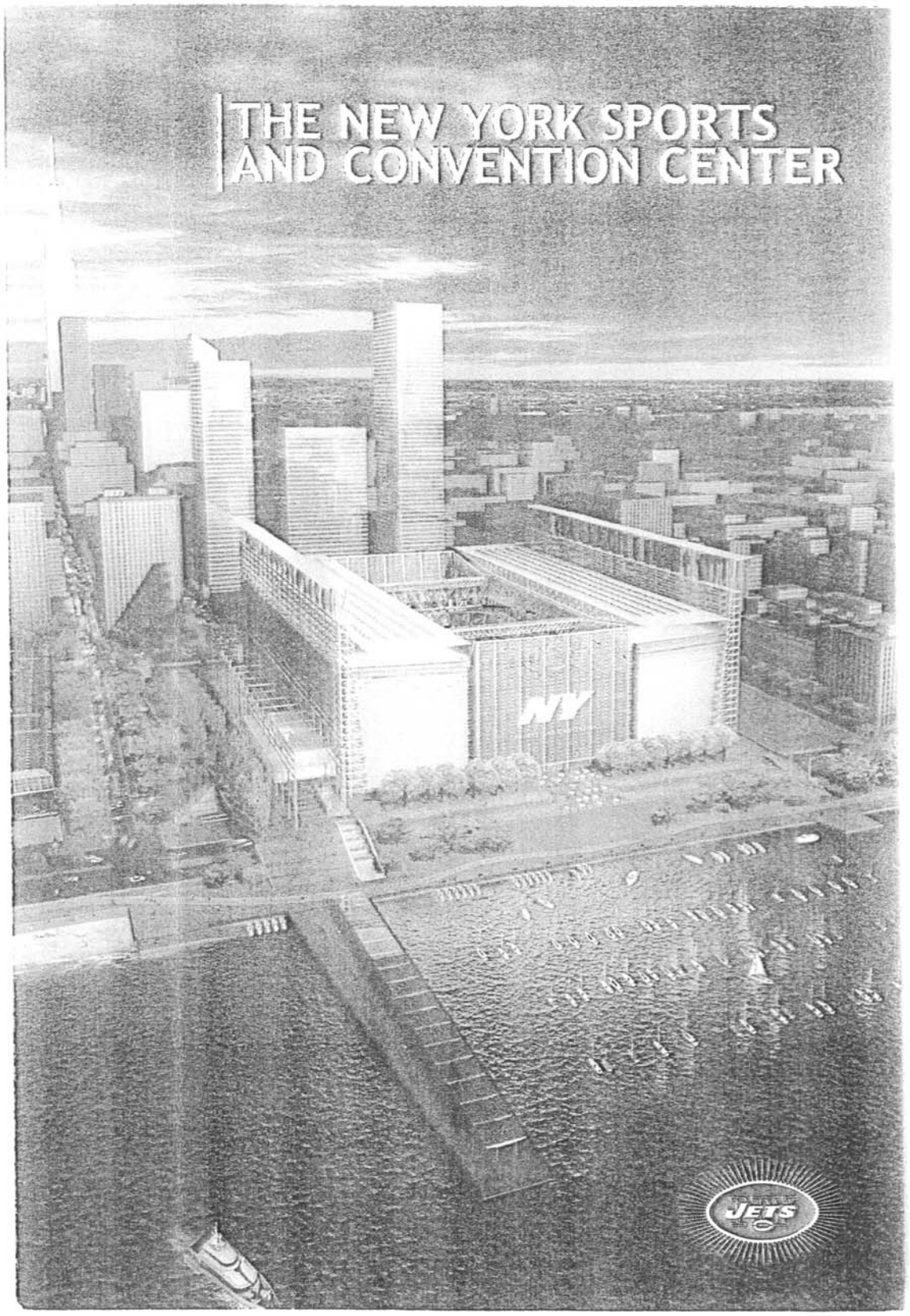
Madison Square Garden
Exhibit 4

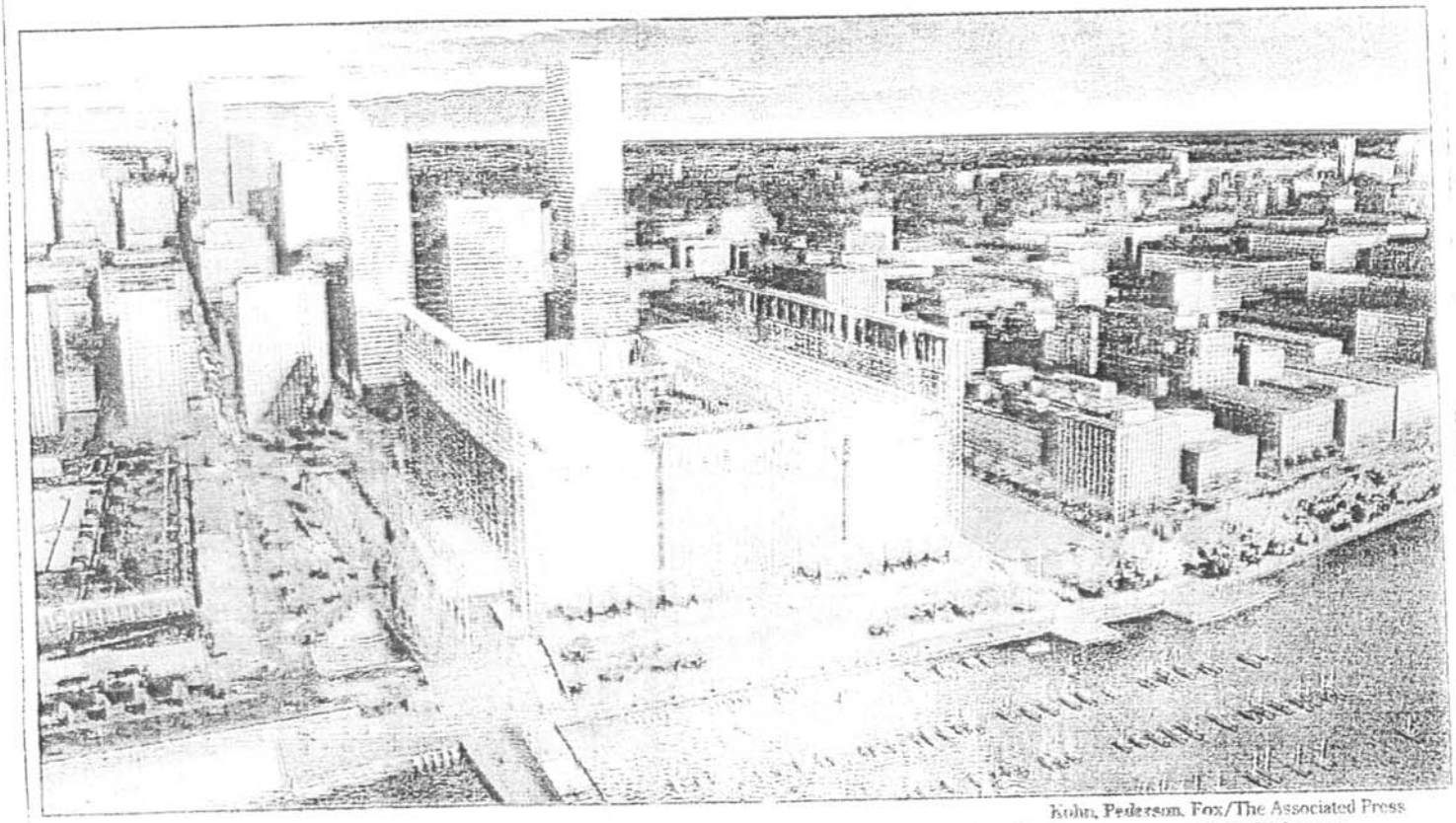




The New York Sports and Convention Center,
Jets Promotional Material

NYC dreams of pro football, 2012 Olympics

Gregory Bull/The Associated Press



Kohn Pedersen Fox/The Associated Press

This rendering shows a proposed 75,000-seat sports and convention center planned for the West Side of Manhattan. **Top:** Gov. George E. Pataki and New York City Mayor Michael Bloomberg unveil the model of the possible home of the New York Jets.

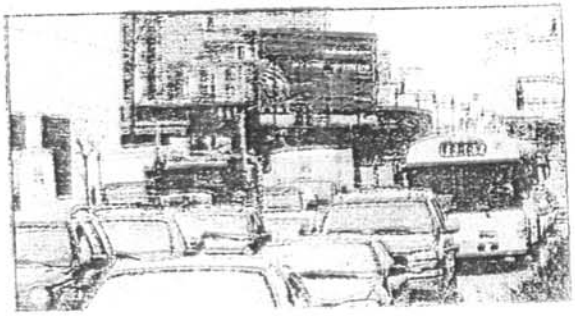
THE PROPOSAL

Manhattan plan includes $1.4B stadium for Jets

Kit Stier
The Journal News

NEW YORK — Fireman Ed, the No. 1 Jets fan, was given front-row VIP status along with quarterback Chad Pennington and coach Herman Edwards yesterday when the governor and mayor of New York they hope will include doubling the size of the Javits Center and construction of a $1.4 billion, 75,000 seat stadium for the Jets to call home and for use if New York is awarded the 2012 Summer Olympics.

"This will transform a community that has been neglected by our city for years and withered in the shad-

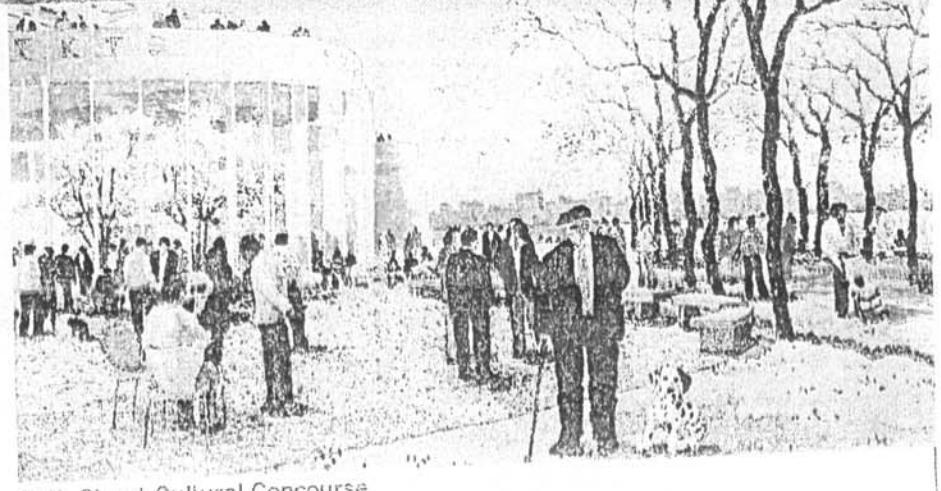


Kit Stier, *NYC Dreams of Pro Football, 2012 Olympics*, The Journal News, March 26, 2004, at 1A

NY SPORTS AND CONVENTION CENTER

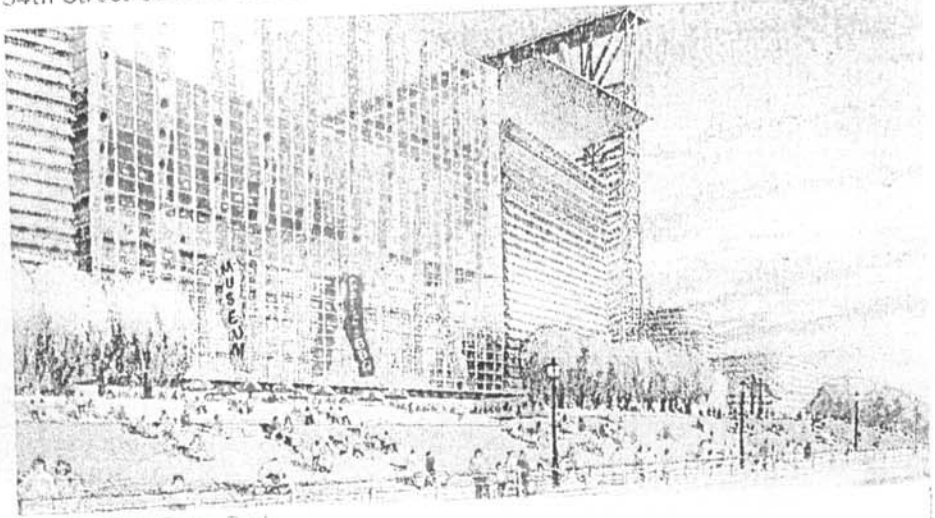
The New York Sports and Convention Center is more than just a football stadium; it is a unique multi-use facility that will attract the best sports, convention, entertainment and cultural events from around the world while offering the community amenities such as shopping, cafes and parks. With an $800 million private investment from the Jets, the NYSCC is a critical component to remake the Hudson Yards into a vibrant mixed-use neighborhood by connecting to the waterfront, expanding the convention center, and spurring new residential and commercial development. The NYSCC will create new jobs and new tax revenues to secure the economic future of New York.

The 11th Avenue Storefront



34th Street Cultural Concourse

The High Line Market



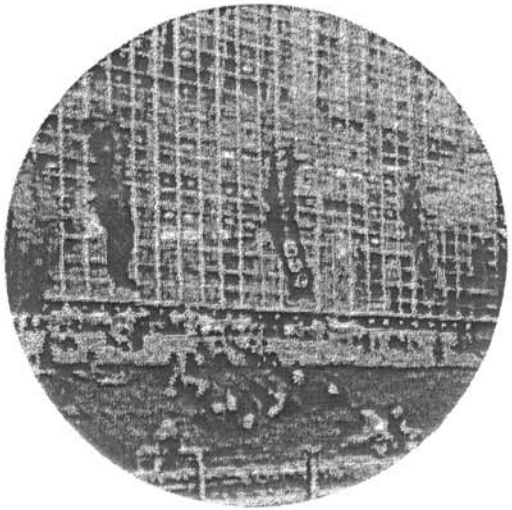
The Hudson River Park

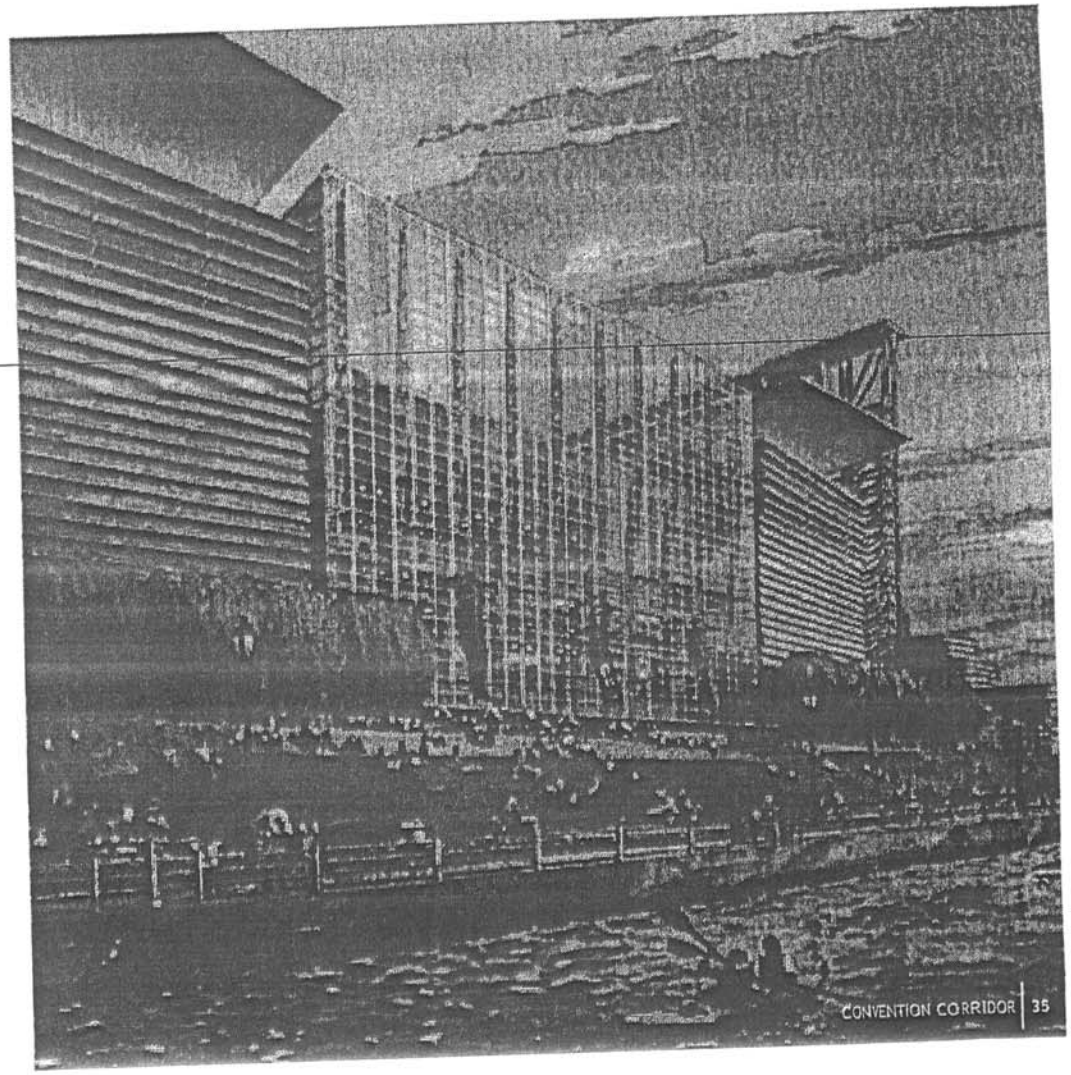
NY Sports and Convention Center, Our Town, Lenox Hill Edition, July 29, 2004, at 40

HUDSON RIVER PARK CONNECTIONS

The NYSCC opens and enlivens the Hudson River Park along its narrowest, most barren stretch between 28th and 40th Streets. A promenade is proposed to be built over 12th Avenue, offering a brief haven from the stream of cars along the highway. This promenade will provide an active edge to the park, with a community theater, a museum and a café reminiscent of the 79th Street Boat Basin in Riverside Park.

The promenade then gently slopes down to meet the Hudson River and the Park. From this point, visitors to the park will have a unique vantage over the Hudson River, and the bikers, kayakers, and boats that stream past.





Jets Presentation, The Convention Corridor, A Strategic Plan, at 34-35

Office of the Deputy Mayor
for Economic Development and Rebuilding

June 7, 2004

To the Members of the Board of Directors of the Regional Plan Association:

I understand that at your May meeting you elected to delay a decision on what stance the RPA should take on the Hudson Yards, in response to my request. I appreciate your willingness to defer judgment on the issue in order to provide the opportunity for a lengthier exchange of facts and ideas. While I had the opportunity to present the plan to you in the fall, since then a great deal of refinement and analysis has taken place. This includes a series of financing announcements, economic analyses, traffic studies, and other reports.

The talented and hard-working RPA staff produced a revised discussion paper that includes a summary of the City/State plan, staff discussion, and 33 specific questions. I hope you will find our enclosed response direct, comprehensive, and thought-provoking.

As always, I admire the dedication and commitment with which the RPA board and staff dedicate themselves to important issues facing the region. I hope you will join me in supporting a plan that, in its entirety, will have an extraordinary impact on the future of New York City and the region.

I look forward to seeing you at your next meeting on June 22nd.

Sincerely,

Daniel L. Doctoroff

CITY RESPONSE TO RPA DISCUSSION PAPER ON THE FAR WEST SIDE

OVERVIEW

In its 80-year history, the Regional Plan Association has put forward three plans for the transformation of the Far West Side of Manhattan from a largely unproductive area into an industrial, commercial, or mixed-use district, respectively. Each of these plans fell victim to inaction and skepticism. Some criticized the plans as too ambitious, and others as not ambitious enough. Some complained of too little development, and others of too much. Each plan suffered the death of a thousand cuts, as the good was sacrificed on the altar of the perfect.

In the years that followed, the Far West Side lay largely fallow, even as New York prospered. As the City boomed over multiple economic cycles, developers and tenants found themselves unable to find the space to grow. They looked instead outside of the five boroughs, and sparked the growth of a string of suburban office campuses and their expansive parking lots. "Smart growth," with its reliance on high-density development and mass transit, lost out to "fast growth," while prime land just blocks from Midtown lay largely unused.

Today, the transformation of the Far West Side is now closer to fruition than ever before, as the City and State move forward with the plan for the Hudson Yards. Years of work and millions of dollars have resulted in a carefully crafted mix of actions that will dedicate the minimum amount of public resources necessary to unleash a wave of private market activity. The Mayor and the Governor have announced their support, along with the leaders of major business, civic, and labor organizations. A private investor stands ready to inject an astonishing $800 million *immediately* – a major infusion of private capital into this area, and a significant catalyst for future development.

This bold plan is the result of one of the most extensive community outreach and input campaigns ever conducted. Over the last several years, dating even to earlier mayoralties, officials have met with thousands of people from a variety of backgrounds and viewpoints, in both public meetings and private sessions. City and State officials have analyzed dozens of alternatives across various dimensions, often making significant alterations in response to new information or community concerns. The resulting plan thus represents the best of both old ideas like the expansion of the Javits Center, and new ideas such as the mechanism to make the investments self-financing.

The result is a program for six critical public sector actions. To the east of 11th Avenue, the City will extend the No. 7 line to provide mass transit access, construct a platform over the MTA's Eastern Rail Yard to remove a blight and create developable land, build a network of parks and open spaces to make the area more attractive, and rezone for higher-density mixed-use development. To the west of 11th Avenue, the City and State will expand the Javits Center and support the construction of the New York Sports and Convention Center (NYSCC) to create a new Convention Corridor.

These six actions, taken together, offer the best hope of finally unlocking the potential of the Far West Side. The removal of any one component endangers both the implementation and impact of the plan, as the long history of unrealized visions for this area demonstrates. Indeed, *every* element of this plan has appeared before in at least one form. There has, for example, been near unanimity on the expansion of Javits for over a decade, without results.

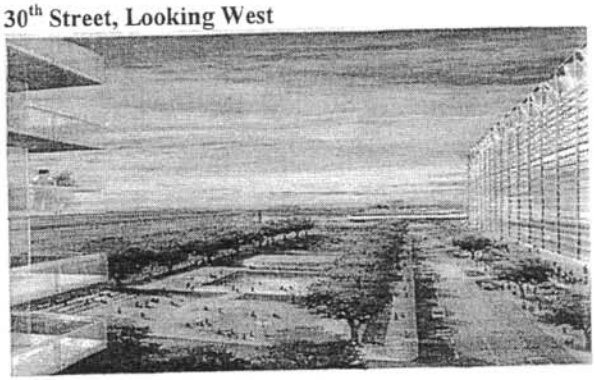
View of the NYSCC from the High Line

The High Line will integrate gracefully into the southern edge of the facility, with a vibrant market occurring in the space below.

South of the NYSCC: High Line Market

Also to the south of the NYSCC will be a park for active recreation, including potentially a pool, a playground, and ball fields.

30th Street, Looking West

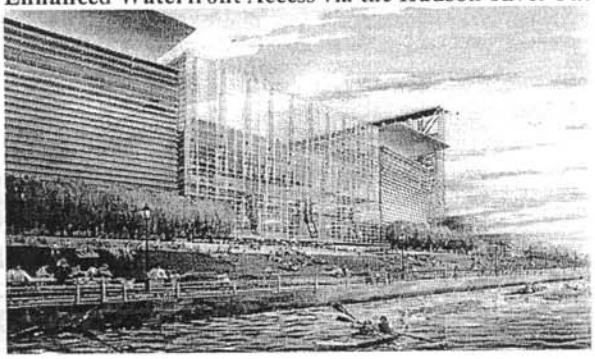


The western edge of the NYSCC will add new life to a section of the Hudson River waterfront that is today largely inaccessible. This will include a terrace café, open to the public, with sweeping views of the water.

West of the NYSCC: Hudson River Park Terrace

Today, the section of the Hudson River Park to the west of the MTA rail yards is among the narrowest and least appealing parts of the entire park. With the construction of the NYSCC, this segment will become one of the park's jewels, with the creation of a deck over Route 9A that will enable a gently-sloping, 120-foot wide waterfront promenade

Enhanced Waterfront Access via the Hudson River Park

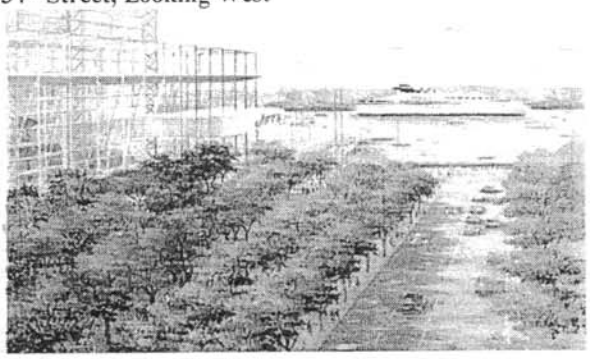


To the north, a retail and restaurant arcade will provide amenities to both residents and visitors, opening up the building to daily indoor/outdoor use.

North of the NYSCC: The Arcade

Also on the north will be another block-long park sloping to the Hudson River waterfront.

34th Street, Looking West



Finally, the building's 11th Avenue storefront will not only offer restaurant and retail usage, but also will face a plaza and open space on the newly-constructed platform over the Eastern Rail Yard. This area, roughly comparable in size to Bryant Park, will be renamed Olympic Plaza if New York is fortunate enough to be selected as the host of the 2012 Olympic Games.

Plaza on the Eastern Rail Yard Platform

By providing cultural and retail uses and by drawing pedestrian traffic early in the development process, including retail activity that can survive and prosper on days when the facility is dark, the NYSCC will play an important role in providing the neighborhood with a sense of place.

Third and perhaps most significantly, the NYSCC is critically important to the *timing* and *sequencing* of development. Our development projections foresee the construction of approximately one million square feet of office space per year, with construction of the first office building in 2010. What if the Western Rail Yard was reserved for mixed-use development? Our zoning plan assumes the development of 28 million square feet of office space at a rate of roughly one million square feet per year over a 30-year period. Additional development on the Western Rail Yard would compete with the rest of the Hudson Yards, and would happen only very slowly. A private developer is highly unlikely to be able to justify a massive investment in the site for many, many years, as the public investments come to fruition and commercial/residential development occurs in the more convenient and less costly areas east of 11th Avenue. In the meantime, there would still be an exposed rail yard west of 11th Avenue, continuing to blight the area, as seen below.

PROMISES MADE INFORMATION SCOPE REQUIRED IN DRAFT EIS	PROMISES BROKEN INFORMATION ACTUALLY INCLUDED IN DRAFT EIS
TRAFFIC	
• "Identif[ication] and evaluat[ion of] feasible measures to mitigate significant adverse traffic impacts." (Final Scope at 27).	• Incomplete assessment acknowledging that conventional mitigation techniques alone will not suffice but saying that additional mitigation measures for significant adverse traffic impacts, such as changing Eleventh Avenue from two-way to one-way traffic and implementing turn restrictions, will only be evaluated between the DGEIS and completion of the FGEIS. (DEIS at 19-61, 19-79). • Despite admitting that at least 17 intersections will ultimately have unmitigated significant adverse traffic impacts at evening peak hours, the DEIS defers until the Final EIS the analysis of mitigation measures to address the unmitigated significant adverse traffic impacts at these many intersections. (DEIS at 19-1 to 19-3; 19-118, Figs. 19-101 to 19-105; 19-172 to 19-176).
• Analysis of traffic conditions under "reasonable worst-case analysis periods," including the traffic impacts from concurrent stadium and convention center events. (Final Scope at 26-27).	• Analysis of conditions assuming below-maximum utilization of the convention center that is not a "worst-case analysis" at all. (DEIS at App. S-1, Memorandum from E. Metzger to DCP (Oct. 24, 2003) at 2, tbls. 1–5).
• Presentation of "travel speed and delay runs," which are conducted by driving vehicles along "selected routes." (Final Scope at 26-27).	• No data presented on travel speed and delay runs.
• Assessment of traffic impacts in a study area "between Sixth and Twelfth Avenues from West 72nd Street to West 14th Street." (Final Scope at 26).	• Assessment of traffic impacts in a 20% smaller area only up to "West 59th Street on the north" that leaves West Side residents from 60th Street to 72nd Street in the dark about traffic impacts and mitigation measures. (DEIS at 19-4).

SEWAGE	
• Assessment of the "effects of the incremental demand of the Proposed Action on the sewer system to determine if there will be a significant adverse impact" and "identif[ication of] mitigation strategies, where appropriate and feasible." (Final Scope at 25).	• Reference to a "hydraulic assessment" "being prepared" by the City, presumably to be used to identify the areas of the wastewater infrastructure in need of improvements, meaning mitigation strategies could only be determined thereafter. (DEIS at 16-13; 16-18).
• Maximum monthly sewage flows, which would reveal the frequency and amounts of sewage overflows into the Hudson River during wet weather. (Final Scope at 25).	• Average daily flows, which mask the sewage overflows that occur during wet weather and therefore fail to provide a basis for determining just how much raw sewage will end up in the Hudson River, and when and where the overflows will occur. (DEIS at 16-5 to 16-6).

WATER DISTRIBUTION	
• Assessment of the "effects of the incremental demand of the Proposed Action on the water supply system to determine if there would be sufficient capacity to maintain adequate supply and pressure" and identification of strategies to mitigate the effect of the Proposed Action on the capacity of the water supply system. (Final Scope at 25).	• Reference to a "Trunk Plan" being prepared by NYC DEP, presumably to address possible improvements, but omitting information about the location of these "trunks" and, specifically, about whether they would be located under train, subway or vehicular tunnels such that tens of millions of dollars would be required to access them and provide the necessary reinforcements to support such tunnels. (DEIS at 16-18).
• An estimate of "the capacity of the distribution system serving the area." (Final Scope at 25).	• No information about interceptors, elevations, pipe friction, or other factors that bear on capacity. Information only about the width of various pipes and certain limited water pressure data, despite admissions that daily water demand will increase from 1.1 million gallons per day to 8.6 million gallons per day — and up to 13 million gallons per day during peak air conditioning periods. (DEIS at 16-1; 16-3 to 16-5).

AIR QUALITY	
• A "detailed air quality analysis" and an examination of potential impacts and mitigation measures. (Final Scope at 29-32).	• An incomplete assessment that defers until the Final EIS: (i) "a more refined Tier II analysis"; (ii) a "detailed" "assessment" of the impact of specific emission reduction measures; and (iii) full analysis of measures to mitigate the impact of certain air pollutants that will double or triple during construction. (DEIS at 21-1; 21-20; 21-22 to 21-23; 21-28; 23-72 to 23-74; App. V at V-25-V-26). • Despite admitting that more than half a dozen locations will suffer significant adverse air quality impacts under the limited analysis already done, the DEIS defers until the FEIS any further assessment of these impacts until a more detailed analysis is conducted, thereby avoiding any discussion of mitigation measures at these impacted locations. (DEIS at 21-19 to 21-25, tbls. 21-11, 21-15).

NOISE	
• An "examin[ation]" and "detailed analysis" of existing and anticipated noise levels and mitigation measures, including a description "in detail" of "mechanisms to achieve attenuation." (Final Scope at 32-33).	• An incomplete assessment that admits very serious noise impacts but defers until the Final EIS: (i) "more precise" identification of locations that will experience significant impacts; (ii) analysis of adverse impacts on community facilities and residences "throughout the Project Area;" (iii) analysis of the degree of mitigation measures required; and (iv) analysis of "the type of mitigation to be offered by the City." (DEIS at 22-2; 22-4; 22-26; 22-28 to 22-31).

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QUOTATIONS FROM THE DEIS ADMITTING THAT CRITICAL INFORMATION CONCERNING SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS IS MISSING AND WILL NOT BE DISCLOSED UNTIL THE FINAL EIS OR LATER

TRAFFIC

- Environmental Impacts of the Proposed Action – Traffic and Parking[1]: "The Proposed Action would have significant adverse traffic impacts in 2010 and 2025; many, but not all, of these impacts could be mitigated through standard traffic engineering improvements. The Co-Lead Agencies will continue to explore the feasibility of additional mitigation measures for incorporation in the FGEIS." (DEIS at ES-38 to ES-39).

- 2010 – AM, Midday, PM Peak Hours: "In the 2010 Future With the Proposed Action, the Proposed Action is expected to have significant adverse traffic impacts at 32 intersections in the AM peak hour, 35 intersections in the Midday peak hour, and 33 intersections in the PM peak hour. Most of these impacts could be mitigated through the implementation of standard traffic engineering improvements, including traffic signal timing changes, lane channelization improvements, and the elimination of on-street parking on intersection approaches. However, some impacts would remain unmitigated: one intersection during the AM peak hour; two intersections during the Midday peak hour; and one intersection during the PM peak hour. Additional mitigation measures will be investigated for these intersections during FGEIS." (DEIS at ES-39; *see also* DEIS at 19-1 to 19-2; DEIS at 19-62).

- 2010 – AM, Midday, PM Peak Hours: "Additional mitigation measures will be investigated" for "one intersection during the AM peak hour; two intersections during the Midday peak hour; and one intersection during the PM peak hour" "during FGEIS preparation." (DEIS at 19-1 to 19-2; *see also* DEIS at ES-39).

- 2010 Proposed Mitigation – Signalized Intersections – AM, Midday, and PM Peak Hours: "As summarized in Table 19-30, implementation of the proposed mitigation measures would mitigate significant adverse impacts during the weekday morning and Midday peak hours. Of the 226 intersections evaluated, one intersection would have an unmitigated significant adverse impact during the AM peak hour (Eleventh Avenue at West 42nd Street), two intersections would have unmitigated significant adverse impacts during the Midday peak hour (Twelfth Avenue at 14th Street and Eleventh Avenue at West 42nd Street), and one intersection would have an unmitigated significant adverse impact during the PM peak hour (Eleventh Avenue at West 42nd Street). Additional mitigation measures will be investigated for these intersections during preparation of the FGEIS." (DEIS at 19-62; *see also* DEIS at ES-39).

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[1] These headings are from the DEIS chapters in which these quotes appear.

- 2010 – Special Event Peak Periods on Weeknights and Sundays: "Of the 51 signalized intersections studied for the Special Event peak periods for 2010, 20 intersections would have significant impacts in the weeknight Special Event peak hour (which would occur approximately 10 to 11 times per year) and 26 intersections would have significant impacts in the Sunday Special Event peak hour (which would occur approximately 8 to 9 times per year between August and January). Most of these impacts could be mitigated through the implementation of standard traffic engineering improvements, including traffic signal timing changes, lane channelization improvements, and the elimination of on-street parking on intersection approaches. However, four intersections would have unmitigated significant impacts during the weeknight Special Event peak hour, while five intersections would have unmitigated significant impacts during the Sunday Special Event peak hour. The intersections with significant impacts which could not be mitigated during the Special Event peak hours would be West 34th Street at Eleventh, Tenth, Ninth, and Eighth Avenues; and Eleventh Avenue at West 42nd Street. Additional mitigation measures will be investigated for these intersections during FGEIS preparation." (DEIS at ES-39).

- 2010 – Special Event Peak Periods on Weeknights and Sundays: "Of the 51 signalized intersections studied for the Special Event peak periods for 2010, 20 intersections would have significant adverse impacts in the weeknight Special Event peak hour (which would occur approximately 10 to 11 times per year) and 26 intersections would have significant adverse impacts in the Sunday Special Event peak hour (which would occur approximately 8 to 9 times per year between August and January). Most of these impacts could be mitigated through the implementation of standard traffic engineering improvements, including traffic signal timing changes, lane channelization improvements, and the elimination of on-street parking on intersection approaches. However, four intersections would have unmitigated significant adverse impacts during the weeknight Special Event peak hour, while five intersections would have unmitigated significant adverse impacts during the Sunday Special Event peak hour. The intersections with significant adverse impacts which could not be mitigated during the Special Event peak hours would be West 34th Street at Eleventh, Tenth, Ninth and Eighth Avenues; and Eleventh Avenue at West 42nd Street (see Figure 19-104 and Figure 19-105). Additional mitigation measures will be investigated for these intersections during FGEIS preparation." (DEIS at 19-2; *see also* DEIS at ES-39; 19-79).

- 2010 – Special Event Peak Periods on Weeknights and Sundays: "Additional mitigation measures will be investigated for these [fifty-one] intersections during preparation of the FGEIS." (DEIS at 19-79; *see also* DEIS at ES-39; 19-2).

- 2025 -AM, Midday, PM Peak Hours: "In the 2025 Future With the Proposed Action, the Proposed Action is expected to have significant adverse impacts at 119 intersections in the AM peak hour; 92 intersections in the Midday peak hour; and 135 intersections in the PM peak hour. Most of these impacts could be mitigated through the implementation of standard traffic engineering improvements, including traffic signal timing changes, lane channelization improvements, and the elimination of on-street parking on intersection approaches. However, eight intersections would have unmitigated significant impacts during the AM peak hour, eight intersections would have unmitigated significant impacts during the Midday peak hours, and 17 intersections would have unmitigated significant impacts during the PM peak hour. Additional mitigation measures will be investigated for these intersections during FGEIS preparation." (DEIS at ES-40).

- 2025 -AM, Midday, PM Peak Hours: "Additional mitigation measures will be investigated" for "eight intersections [that] would have unmitigated significant adverse impacts during the AM peak hour, eight intersections [that] would have unmitigated significant adverse impacts during the Midday peak hours, and 17 intersections [that] would have unmitigated significant adverse impacts during the PM peak hour" "during FGEIS preparation." (DEIS at 19-2; *see also* DEIS at ES-40).

- 2025 Proposed Mitigation – Signalized Intersections – AM, Midday, and Peak Hours: "As summarized in Table 19-60, implementation of the proposed mitigation measures would provide mitigation for nearly all of the anticipated impacts in the AM, Midday, and PM peak hours. Of the 235 intersections evaluated, seven intersections would have unmitigated significant adverse impacts during the AM peak hour, eight intersections would have unmitigated significant adverse impacts during the Midday peak hours, and 17 intersections would have unmitigated significant adverse impacts during the PM peak hour. Additional mitigation measures will be investigated for these intersections during FGEIS preparation. Unmitigated impacts would generally be located along the 34th Street and 42nd Street corridors." (DEIS at 19-118; *see also* DEIS at ES-40; 19-2).

- 2025 – Special Event Peak Periods on Weeknights and Sundays: "Of the 60 signalized intersections studied for the Special Event peak hours for the 2025 Future With the Proposed Action, 26 intersections would have significant impacts in the weeknight Special Event peak hour and 35 intersections would have significant impacts in the Sunday Special Event peak period. As with the 2010 Future With the Proposed Action, these conditions would occur approximately 19 times per year, namely ten to eleven weeknights, and eight to nine Sunday afternoons. Most of these impacts could be mitigated through the implementation of standard traffic engineering improvements, including traffic signal timing changes, lane channelization improvements, and the elimination of on-street parking on intersection approaches. However, four intersections would have unmitigated significant impacts during the weeknight Special Event peak hour, and six intersections would have unmitigated significant impacts during the Sunday Special Event peak hour. Additional mitigation measures will be investigated for these intersections during FGEIS preparation." (DEIS at ES-40).

- 2025 – Special Event Peak Periods on Weeknights and Sundays: "Of the 60 signalized intersections studied in the Special Event peak hours for the 2025 Future With the Proposed Action, 26 intersections would have significant adverse impacts in the weeknight Special Event peak hour and 35 intersections would have significant adverse impacts in the Sunday Special Event peak hour. As with the 2010 Future With the Proposed Action, these conditions would occur approximately 19 times per year, namely 10 to 11 weeknights, and 8 to 9 Sunday afternoons. Most of these impacts could be mitigated through the implementation of standard traffic engineering improvements, including traffic signal timing changes, lane channelization improvements, and the elimination of on-street parking on intersection approaches. However, four intersections would have unmitigated significant adverse impacts during the weeknight Special Event peak hour, and six intersections would have unmitigated significant adverse impacts during the Sunday Special Event peak hour. (The unmitigated impacts that could occur during the Special Event peak hours are illustrated in Figure 19-175 and Figure 19-176). Additional mitigation measures will be investigated for these intersections during FGEIS preparation." (DEIS at 19-2 to 19-3; *see also* DEIS at ES-40; 19-165).

TRAFFIC

- 2025 Proposed Mitigation – Signalized Intersections – Special Event Peak Hours: "Additional mitigation measures will be investigated for these intersections" including "West 34th Street at Eleventh, Tenth, Ninth, and Eighth Avenues, West 35th Street at Eleventh Avenue and Tenth Avenue at West 42nd Street" "during preparation of the FGEIS." (DEIS at 19-165; *see also* DEIS at ES-40; 19-2 to 19-3).

- 2025 – Queens Midtown Tunnel at PM Peak Hour: "In 2025, the Proposed Action would have a significant adverse impact in the PM peak hour at the Queens Midtown Tunnel. The Co-Lead Agencies will continue to explore the feasibility of additional mitigation measures for incorporation in the FGEIS." (DEIS at ES-40).

- 2025 – Queens Midtown Tunnel at PM Peak Hour: "[C]apacity utilization in the outbound direction during the PM peak hour . . . would represent" a "significant adverse impact of the proposed Action in 2025 on river crossings." "Additional mitigation measures will be investigated for [approaches to the outbound Queens Midtown Tunnel] during FGEIS preparation." (DEIS at 19-114; *see also* DEIS at ES-40; 25-2).

- 2025 – Queens Midtown Tunnel at PM Peak Hour: "[C]apacity utilization in the outbound direction of the Queens-Midtown Tunnel would be more than 90 percent during the PM peak hour and thus would represent a significant adverse impact. Additional measures to mitigate potential unavoidable traffic impacts will be investigated between the DGEIS and FGEIS. . . ." (DEIS at 25-2; *see also* DEIS at ES-40; 19-114).

- Methodology - Traffic Data Collection – Utilization of Existing Data: "In Fall 2003 and after data were collected for the current analysis, NYCDOT redesignated Eleventh Avenue for two-way operations between West 42nd and West 44th Street and PANYNJ implemented a Lincoln Tunnel Access pilot program. Additional traffic data will be collected and analyzed to account for new travel patterns, and results will be documented in the FGEIS." (DEIS at 19-25 n. 8).

- Methodology - Traffic Data Collection – Additional Data: "Modifications to signal timings along Route 9A which were implemented in Spring 2004 (after data were collected) will be analyzed and presented in the FGEIS." (DEIS at 19-27 n. 10).

- Existing Conditions – Roadway Network – Grid System: "Prior to 2001, the six lanes of Eleventh Avenue ran one-way, southbound only. In response to the events of September 11, 2001, the NYCDOT and the NYPD converted Eleventh Avenue between West 27th and West 40th Streets to two-way traffic. This modification provides a location for security inspection of trucks with more than three axles entering the Lincoln Tunnel. Signs are posted throughout the roadway network directing trucks to use this approach. As of June 2003, Eleventh Avenue was converted to one-way southbound operation south of West 34th Street. In October 2003, Eleventh Avenue between West 42nd and West 44th Streets was converted from two-way to one-way southbound operation. This change is not reflected in 2003 Existing conditions but will be incorporated into the FGEIS." (DEIS at 19-33).

TRAFFIC

- 2010 Proposed Mitigation – Mitigation Measures: "A number of intersections, described below as unable to be mitigated, would require additional measures to mitigate their impacts. These measures, to be evaluated between the publication of this DGEIS and completion of the FGEIS, could include corridor operational changes (e.g., Eleventh Avenue one-way or two-way), implementation of intersection turn restrictions or *THRU* Streets, or intelligent transportation systems. Options for reducing traffic volumes and/or improving traffic operations during Special Event peak hours would also include combination football (or other event) tickets which provide discounts on transit, and utilization of existing and proposed Intelligent Transportation System infrastructure. These measures have the potential to mitigate many of the remaining traffic impacts, and will be further evaluated between the Draft and Final GEIS, for application where practicable and financially feasible. Where measures are not practicable or financially feasible, impacts would not be mitigated." (DEIS at 19-61).

- 2025 Proposed Mitigation – Mitigation Measures: "A number of intersections, described below as unable to be fully mitigated, would require additional measures to mitigate their impacts. These measures, to be evaluated between the publication of this DGEIS and completion of the FGEIS, could include corridor operational changes (e.g., Eleventh Avenue one-way or two-way), implementation of intersection turn restrictions, *THRU* Streets, or intelligent transportation systems. Options for reducing traffic volumes and/or improving traffic operations during Special Event peak hours would include combination football (or other event) tickets which provide discounts on transit, and utilization of existing and proposed Intelligent Transportation System infrastructure. These measures could mitigate many of the remaining significant traffic impacts, and will be further evaluated between the Draft and Final GEIS, for application where practicable and financially feasible." (DEIS at 19-116 to 19-117).

QUOTATIONS FROM THE DEIS ADMITTING THAT CRITICAL INFORMATION CONCERNING SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS IS MISSING AND WILL NOT BE DISCLOSED UNTIL THE FINAL EIS OR LATER

SEWAGE

- Introduction – Principal Conclusions: "The City is preparing a hydraulic assessment of the Proposed Action to determine the sewer infrastructure improvements that would be necessary to accommodate the Proposed Action. The results of this assessment will be used to identify needed improvements to wastewater infrastructure, and identify those areas that would require amendments to the DEP's existing Manhattan Wastewater Drainage Plan." (DEIS at 16-2).

- 2025 Future With the Proposed Action – Surface Water: "[T]he City is preparing a hydraulic assessment of the existing sewer infrastructure of the Hudson Yards area assuming the full buildout of the Proposed Action. As a result of this assessment, areas of wastewater infrastructure requiring improvements will be identified, and through a review process with DEP, amendments to the Manhattan Drainage Plan will be made (See Chapter 16, 'Infrastructure')." (DEIS at 13-22).

- Conclusion: "At this time, a hydraulic assessment evaluating the sewer requirements of the Proposed Action is being prepared by the City. The results of this assessment will be used to develop an amended Drainage Plan." (DEIS at 16-18).

- Methodology – Wastewater: "The analysis includes an evaluation of whether the increased volume of wastewater flows with the Proposed Action to the North River WPCP would be within the limits of the State Pollutant Discharge Elimination System (SPDES) permit. The SPDES permit is issued by the New York State Department of Environmental Conservation (NYSDEC). An adverse impact would occur if the Proposed Action would result in a volume of wastewater that would exceed the limits of the SPDES permit. North River WPCP's current permitted flow limit is 170 mgd based on a 12-month rolling average, with a maximum acceptable flow of 340 mgd during wet weather events." (DEIS at 16-3).

- 2010 Future With the Proposed Action - Wastewater: "As mentioned previously, the City is currently preparing a hydraulic assessment of the existing sewer infrastructure's capacity to serve the full-build of the Proposed Action. The hydraulic study will identify sewer segments that would not have adequate capacity to serve the Project Area under the Proposed Action. Under the Proposed Action in 2010, a part of the sewer system would likely need an upgrade. The City will prepare an amended drainage plan to upgrade those sewer segments, as well as modifications to the regulators and interceptors, if required, according to the DEP design specifications and sewer guidelines." (DEIS at 16-12).

- 2010 Future With the Proposed Action - Stormwater: "During storm events, there is the potential that the combined sewer system would trigger CSO discharges into the Hudson River. The City is preparing a hydraulic assessment of the existing sewer infrastructure of the Project Area, assuming the full-build based on the proposed rezoning." (DEIS at 16-13).

- 2025 Future With the Proposed Action- Wastewater: "The sewage generated from the Proposed Action would be treated prior to release into the Hudson River, except during major storm events." (DEIS at 16-16)

SEWAGE

- 2025 Future With the Proposed Action- Wastewater: "Sewer segments that would need upgrading to accommodate the estimated wastewater flows of the Proposed Action would be shown on the amended Drainage Plan, which will be prepared by the City. This amended Drainage Plan would identify sewer upgrades and relocations according to the DEP design specifications and sewer guidelines." (DEIS at 16-16 to 16-17).

- Conclusion – Wastewater: "It is anticipated that the operational requirements of the Proposed Action would require modifications to the existing City wastewater system. The City would prepare an amended Drainage Plan necessary for the Rezoning Area. A hydraulic assessment, evaluating the stormwater and sanitary requirements of the full-build of the Proposed Action in 2025, is being prepared by the City. The results of this assessment will be used to identify needed improvements to wastewater infrastructure." (DEIS at 16-18).

- 2025 Future With the Proposed Action - Stormwater: "During storm events, there is the potential that the combined sewer system would trigger CSO discharges into the Hudson River. The City is preparing a hydraulic assessment of the existing sewer infrastructure of the Project Area, assuming the full-build based on the proposed rezoning. As a result of this assessment, areas of wastewater infrastructure (including sewer regulators) requiring improvements will be identified, and through a review process with the DEP, amendments to the Manhattan Drainage Plan will be made." (DEIS at 16-17).

- Conclusion – Stormwater: "If Project Area outlets require modifications to accommodate the street demappings and Drainage Plan amendments of the Proposed Action, the North River WPCP SPDES Permit would need to be modified to reflect these changes." (DEIS at 16-18).

QUOTATIONS FROM THE DEIS ADMITTING THAT CRITICAL INFORMATION CONCERNING SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS IS MISSING AND WILL NOT BE DISCLOSED UNTIL THE FINAL EIS OR LATER

WATER DISTRIBUTION

- 2010 Future With the Proposed Action – Water Supply: "These potential impacts would be addressed through the DEP's Trunk Plan, which would incorporate these needed modifications to the water distribution system to accommodate the Proposed Action in 2010 and 2025. The DEP is currently preparing the Trunk Plan considering the full-build of the Proposed Action in 2025. The Trunk Plan will identify necessary modifications to water supply infrastructure serving the Project Area. " (DEIS at 16-9).

- 2010 Future With the Proposed Action – Water Supply – Rezoning Area: "As mentioned previously, the DEP is developing a new Trunk Plan to provide adequate water supplies to serve the development that would ultimately be in place in 2025." (DEIS at 16-10).

- 2025 Future With the Proposed Action – Water Supply: "Residential and commercial development in the Proposed Action between 2010 and 2025 would require further modifications to existing DEP infrastructure. The Trunk Master Plan currently being prepared by the DEP will consider potential improvements that would accommodate the Proposed Action." (DEIS at 16-15 to 16-16).

- Conclusion – Water Supply: "The DEP is currently preparing the Trunk Plan, which would consider the water supply needs of the Proposed Action in 2025. Currently, it is anticipated that the Trunk Plan would include improvements that would accommodate the Proposed Action." (DEIS at 16-18).

QUOTATIONS FROM THE DEIS ADMITTING THAT CRITICAL INFORMATION CONCERNING SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS IS MISSING AND WILL NOT BE DISCLOSED UNTIL THE FINAL EIS OR LATER

AIR QUALITY

- Environmental Impacts of the Proposed Action – Air Quality: "In addition, the DGEIS air quality analysis incorporates a further overlay of conservative vehicle operating assumptions and employs conservative models to develop a Tier I estimate of worst-case concentrations of each pollutant being analyzed. Comprehensive Tier II analyses will be performed for the FGEIS and, as explained below, are expected to present more realistic estimates of expected air quality concentrations as a result of the Proposed Action." (DEIS at ES-45).

- Environmental Impacts of the Proposed Action – Air Quality - Mobile Source Analysis – Microscale Intersections – Fine Particulate Matter ($PM_{2.5}$): "Since the results of these analyses predict significant $PM_{2.5}$ impacts and exceedances of the PM10 annual NAAQS, a Tier II analysis will be conducted for the FGEIS. (DEIS at ES-46).

- Environmental Impacts of the Proposed Action – Noise and Vibration: "A revised analysis (using site-specific speeds and vehicle mix rather than posted speeds and New York State Department of Transportation (NYSDOT)-provided vehicle mix) of such potential noise impacts for both 2010 and 2025 will be conducted for the FGEIS to determine the precise extent of such impacts and the level of mitigation required to reduce indoor noise levels to those recommended by the NYCDEP." (DEIS at ES-47).

- Principal Conclusions – Mobile Source Analysis: "A more refined 'Tier II' analysis will be performed for the FGEIS and, as explained below, is expected to present more realistic estimates of expected air quality concentrations as a result of the Proposed Action." (DEIS at 21-1).

- Principal Conclusions – Mobile Source Analysis – Microscale Intersection Analysis: "Since the results of these analyses predict significant $PM_{2.5}$ impacts and exceedances of the PM_{10} annual NAAQS, a Tier II analysis will be conducted for the FGEIS." (DEIS at 21-2).

- Mobile Source Analysis – Microscale Intersection Analysis Methodology - Dispersion Analysis: "A Tier I analysis was conducted using the CAL3QHCR model. This approach used peak hour traffic conditions with the hourly meteorological data to predict the average 8-hour, 24-hour and annual concentrations. The use of the peak hour traffic conditions for every hour of the year is conservative and results in over-prediction of pollutant levels or project impacts. For those analysis sites where the Tier I analysis resulted in exceedances of ambient air quality standards, a more detailed Tier II analysis will be performed for the FGEIS. A Tier II analysis was conducted for the DGEIS of air quality at the intersection for which the Tier I indicated the highest NAAQS exceedance. The results of this Tier II analysis are presented in the DGEIS; the results give an indication of the absolute and relative results that can be expected for the other analysis sites for which Tier II analysis will be performed for the FGEIS." (DEIS at 21-14).

- Mobile Source Analysis – Microscale Intersection Analysis Methodology – Results – 2010 Future With the Proposed Action: "Based on the Tier I analysis, the maximum PM10 annual level of 61.46 μg/m3 was predicted under the 2025 Proposed Action for the PM peak period. Using the Tier II approach, the maximum predicted annual PM10 level would be 40.9 μg/m3 (see Table 21-17). Since the Tier II analysis was conducted at the analysis site with the highest predicted annual PM10 level, sites with lower predicted annual PM10 exceedances in 2010 and 2025 are expected to similarly comply with the annual PM10 standard. The Tier II analysis will be conducted for the

FGEIS at all locations presented in Table 21-11 for 2010." (DEIS at 21-19).

- Mobile Source Analysis – Microscale Intersection Analysis Methodology – Results – 2010 Future With the Proposed Action: "Under the Tier I analysis, the highest annual PM2.5 increment predicted at Analysis Site 13 in 2025 was 0.13 μg/m3, while the Tier II analysis resulted in an annual PM2.5 increment of 0.02 μg/m3, which is below the 0.1 μg/m3 annual significance threshold (see Table 21-17). Application of both the MTA bus fleet retrofit emission factors and the use of the Tier II analysis for the FGEIS at analysis locations with lower PM2.5 incremental increases and incremental PM2.5 concentrations exceeding the annual PM2.5 STV would, therefore, be expected to show no significant adverse PM2.5 impacts. The Tier II analysis and incorporation of MTA bus emissions factors will be conducted for the FGEIS at all locations presented in Table 21-11 for 2010." (DEIS at 21-20).

- Mobile Source Analysis – Microscale Intersection Analysis Methodology – Results – 2025 Future With the Proposed Action: "Since the Tier II analysis was conducted at the analysis site with the highest predicted annual PM10 level, sites with lower predicted annual PM10 exceedances in 2010 and 2025 are expected to comply with the annual PM10 standard. The Tier II analysis will be conducted for the FGEIS at all locations presented in Table 21-15 for 2025." (DEIS at 21-22 to 21-23).

- Mobile Source Analysis – Microscale Intersection Analysis Methodology – Results – 2025 Future With the Proposed Action: "Since the PM2.5 incremental increases in 2025 with the Proposed Action are predicted to be lower than such increases in 2010, application of the MTA bus emission factors and the use of the Tier II analysis for the FGEIS at analysis locations with lower PM2.5 increments and incremental PM2.5 concentrations exceeding the annual PM2.5 STV are expected to have no significant adverse PM2.5 impacts in that analysis year. The Tier II analysis and incorporation of MTA bus emissions factors will be conducted for the FGEIS at all locations presented in Table 21-15 for 2025." (DEIS at 21-23).

- Mobile Source Analysis – Microscale Intersection Analysis Methodology – Results – 2025 Future With the Proposed Action with Additional Bus Service: "Since the Tier II analysis was conducted at the analysis site with the highest predicted annual PM10 level, sites with lower annual PM10 exceedances, as predicted with a Tier 1 analysis , are expected to comply with the annual PM10 standard. The Tier II analysis will be conducted for the FGEIS at all locations presented in Table 21-15 for 2025." (DEIS at 21-27).

- Mobile Source Analysis – Microscale Intersection Analysis Methodology – Results – 2025 Future With the Proposed Action with Additional Bus Service: "Since PM2.5 incremental increases in 2025 with the Proposed Action with Additional Bus Service are predicted to be lower than such increases in 2010, application of both the MTA bus fleet retrofit emission factors and the use of the Tier II analysis for the FGEIS at analysis locations with lower PM2.5 increments are expected to show that the Proposed Action with Additional Bus Service would not exceed the annual PM2.5 STV and would not result in any significant adverse PM2.5 impacts in 2025. The Tier II analysis and incorporation of MTA bus emissions factors will be conducted for the FGEIS at all locations presented in Table 21-18 for 2025." (DEIS at 21-27 to 21-28).

- Construction Impacts – Air Quality -- Results With Emission Reduction Measures: "Between the Draft and Final GEIS the project sponsors will commit to the specific emission reduction measures that will be incorporated into the construction specifications. A detailed assessment of the reduction of $PM_{2.5}$ impacts as a result of the selected measures will be prepared and included in the Final GEIS." (DEIS at 23-74).

AIR QUALITY

- Emission Reduction Measures - Construction Activities Emission Controls: "A detailed assessment of the reduction of PM_{10} and $PM_{2.5}$ impacts as a result of the combination of emission control measures selected will be prepared and included in the FGEIS." (DEIS at App. V p. V-26).

QUOTATIONS FROM THE DEIS ADMITTING THAT CRITICAL INFORMATION CONCERNING SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS IS MISSING AND WILL NOT BE DISCLOSED UNTIL THE FINAL EIS OR LATER

NOISE

- Principal Conclusions: "A revised analysis (using site-specific speeds and vehicle classifications rather than posted speeds and standard vehicle classifications provided by the New York State Department of Transportation (NYSDOT)) of such potential noise impacts for both 2010 and 2025 will be conducted for the FGEIS to determine the precise extent of such impacts and the level of sound attenuation required to reduce indoor noise levels to those recommended by the DEP." (DEIS at 22-2).

- Airborne Noise - 2010 Future With the Proposed Action Noise Levels Compared to 2010 Future Without the Proposed Action Noise Levels: "Further study will be conducted between the DGEIS and the FGEIS to identify more precisely those locations that would, with link-specific vehicle mix and speed data, be expected to experience significant impacts and to determine the extent of mitigation to be offered by the City." (DEIS at 22-26).

- Airborne Noise – 2025 Future With the Proposed Action Noise Levels Compared to 2025 Future Without the Proposed Action Noise Levels: "Further study will be conducted between the DGEIS and the FGEIS to identify more precisely those locations that would, with link-specific vehicle mix and speed data, be expected to experience significant impacts and to determine the extent type of mitigation to be offered by the City. As discussed later in this Section, sound attenuation measures will either avoid or fully mitigate significant noise impacts associated with the Proposed Action." (DEIS at 22-29 to 22-30).

- Noise Impacts Avoidance and Mitigation: "Based on the results of the analysis of prototype noise receptors N8 and N9 with site specific speeds and vehicle mix, it is expected that the Proposed Action would require building noise attenuation in the range of 30 dBA to 40 dBA at all projected and potential development sites allowing for residential or community facility use. As a result, as a conservative measure, (E) designations for noise attenuation will be placed on all potential and projected development sites as part of the Zoning Action. Further study will be conducted between the DGEIS and the FGEIS to verify whether these locations would have the potential for significant noise impacts and to confirm the degree of sound attenuation measures required to avoid impacts. The (E) Designations would ensure that there would be no significant adverse noise impacts for new development." (DEIS at 22-30 to 22-31).

- Noise Impacts Avoidance and Mitigation: "Further study will be conducted between the DGEIS and the FGEIS to verify whether [existing residential and community facility buildings] would experience significant noise impacts and to determine the type of mitigation to be offered by the City. If it is determined that a building would require mitigation, information would be distributed by the City to landlords/managers/owners of residential properties offering the appropriate mitigation." (DEIS at 22-31).

- Noise Impacts Avoidance and Mitigation: "The precise level of noise attenuation that would be required under the (E) Designations and the specific type of mitigation to be offered by the City will be identified between the DGEIS and FGEIS through the use of more detailed modeling using the FHWA TNM 2.1 noise model based on site-specific projected speed and vehicle mix data." (DEIS at 22-31).

QUOTATIONS FROM THE DEIS ADMITTING THAT CRUCIAL INFORMATION CONCERNING SIGNIFICANT ADVERSE ENVIRONMENTAL IMPACTS IS MISSING AND WILL NOT BE DISCLOSED UNTIL THE FINAL EIS OR LATER

HAZARDOUS WASTE

- Executive Summary: "Phase II Environmental Site Assessments (ESAs) or other appropriate site investigations have been or will be performed for sites where the AHMSS, Phase I ESAs, or the Geotechnical Boring Screening have revealed the potential presence of hazardous materials. For sites owned by the public agencies sponsoring the Proposed Action, Phase II ESAs or other appropriate site investigations will be reported in the Final Generic Environmental Impact Statement (FGEIS). With respect to other sites, appropriate site investigations would be conducted prior to construction to more fully characterize possible contamination in the area and to identify any further action, investigation, or management that would be required if the Proposed Action were to proceed." (DEIS at ES-35).

- Principal Conclusions: "Phase II ESAs or other appropriate site investigations have been or will be performed for sites where the AHMSS, Phase I ESAs or the Geotechnical Boring Screening have revealed the potential presence of hazardous materials. For sites owned by the public agencies sponsoring the Proposed Action, Phase II ESAs or other appropriate site investigations will be reported in the FGEIS. With respect to other sites, appropriate site investigations would be conducted prior to construction to more fully characterize possible contamination in the area and to identify any further action, investigation or management that would be required if the Proposed Action were to proceed." (DEIS at 14-2).

- Methodology – Determining Whether a Hazardous Materials Assessment is Appropriate: "The results of additional completed Phase II ESAs will be reported in the FGEIS. . . ." (DEIS at 14-6).

- Methodology – Application of Assessment Measures – Properties Owned by the Project Sponsors: "Phase II ESAs or other intrusive investigations, as appropriate, will be carried out for portions of the existing Convention Center, the site of the Proposed Convention Center Marshalling Yard, and the MTA Caemmerer and Corona yards. Extensive Phase II investigation, including sample collection, has already been performed on the existing Quill Bus Depot Site and is being coordinated with NYSDEC. For the remaining properties owned by Project Sponsors, testing protocols are in the process of being prepared for some of the intrusive investigations, and will be done in coordination with the NYSDEC as necessary and appropriate. The results of the intrusive testing will be presented to the NYSDEC and DEP as necessary and appropriate, and will be summarized in the FGEIS. The FGEIS will also include information regarding the proposed management approach for hazardous material situations." (DEIS at 14-8).

- Methodology – Application of Assessment Measures – Alignment Conditions (No. 7 Subway Extension): "The proposed alignment for the No. 7 Subway Extension was evaluated through the area hazardous materials screening study (AHMSS), which provided a broad view of the environmental conditions within the area of the alignment, which aided in the identification of potentially contaminated sites (PCSs). . . . Based on the AHMSS and information from the Phase I ESAs, three environmental alignment borings will be advanced prior to the FGEIS to evaluate potential contaminants (e.g., VOCs, PCBs, and metals). Properties to be acquired as part of the No. 7 Subway Extension are presented on Table 14-1." (DEIS at 14-9).

HAZARDOUS WASTE

- Existing Conditions – Convention Center Expansion Parcels – Existing Convention Center: "The Phase I ESA concluded that there is likely subsurface contamination present beneath the existing Convention Center. Additionally, ACM, LBP, and PCB containing equipment could be present within the Convention Center. Prior to completion of the FGEIS, Phase II ESAs or other appropriate site investigations will be completed to more fully characterize possible contamination in the area and to identify any further action, investigation, or management that would be required if the Proposed Action were to proceed." (DEIS at 14-34).

- Existing Conditions – Convention Center Expansion Parcels – Existing Convention Center: "Prior to completion of the FGEIS, a Phase II ESA or other appropriate site investigation will be completed to more fully characterize possible contamination related to Block 685 and to identify any further action, investigation, or hazardous materials management that would be required if the Proposed Action were to proceed." (DEIS at 14-34).

- Existing Conditions – Convention Center Expansion Parcels – Site of Relocated Quill Bus Depot: "The southern portion of Caemmerer Yard is part of the proposed location for the Quill Bus Depot. The eastern portion of this site, between Tenth and Eleventh Avenues, is the location of the former Metal Purchasing Co. Inc. Based on a review of historical documents, the building formerly housing the plant (presently vacant) was constructed sometime between 1930 and 1950. Operations in this building included sheet metal cutting and coating (varnishing). Since it has historically been used for railroad purposes and a portion has been used for industrial purposes, there is potential that the area could contain contaminants, and further action could be necessary. Prior to completion of the FGEIS, appropriate site investigations will be completed to more fully characterize possible contamination in the area and to identify any further action, investigation, or management that would be required if the Proposed Action were to proceed." (DEIS at 14-36).

- Existing Conditions – Convention Center Expansion Parcels – Truck Marshalling Route (From West 33rd to 41st Street): "Prior to completion of the FGEIS, a Phase II ESA or other appropriate site investigation will be conducted to more fully characterize possible contamination in the [Truck Marshalling Route from West 33rd to 41st Streets] and to identify any further action, investigation, or management that would be required if the Proposed Action were to proceed." (DEIS at 14-38).

- Existing Conditions – Convention Center Expansion Parcels – Convention Center Marshalling Yard (between West 33rd and 34th Streets): "Prior to completion of the FGEIS, a Phase II ESA or other appropriate site investigation will be conducted to more fully characterize possible contamination in the [Convention Center Marshalling Yard (between West 33rd and 34th Streets)] and to identify any further action, investigation, or management that would be required." (DEIS at 14-38).

- Existing Conditions – Convention Center Expansion Parcels – Intervening Streets – West 34th, West 39th, West 40th, and West 41st Streets, and Parts of Eleventh Avenue: "Prior to completion of the FGEIS, a Phase II ESA or other appropriate site investigation will be conducted to more fully characterize possible contamination in the [Intervening Streets - West 34th, West 39th, West 40th, and West 41st Streets, and parts of Eleventh Avenue] and to identify any further action, investigation, or management that would be required if the Proposed Action were to proceed." (DEIS at 14-38).

HAZARDOUS WASTE

- Existing Conditions – Caemmerer Yard – Adjacent Uses – Caemmerer Yard East: "ACM, LBP, and PCB-containing equipment could be encountered should buildings or other structures be deconstructed as a result of the development of the Multi-Use Facility. Prior to completion of the FGEIS, appropriate intrusive site investigations will be completed to characterize possible contamination in [Caemmerer Yard East] and to identify any further action, investigation, or management that would be required if the Proposed Action were to proceed." (DEIS at 14-41).

- 2025 Future With the Proposed Action – Rezoning Area (Projected and Potential Development Sites): "99 Projected and Potential Development Sites would be mapped with (E) Designations." (DEIS at 14-51).

- 2006 Future With the Proposed Action – Impacts and Mitigation – Hazardous Materials: "All private development on projected and potential development sites would receive an (E) Designation and would therefore require Phase I, and if necessary, Phase II investigations, and approved remediation plans prior to commencement of construction activities. The investigations and any necessary remediation and abatement would be implemented prior to or during construction and would be subject to review and approval by the DEP, NYSDEC and NYS Department of Labor." (DEIS at 23-86).

- 2010 Future With the Proposed Action – Operational Issues – Hazardous Materials: "There is potential for significant adverse impacts associated with both the projected and potential developments sites related to hazardous materials resulting from the presence of underground storage tanks, subsurface contamination resulting from on- and off-site sources, ACMs, PCB-containing materials, hazardous waste and lead-based paint (LBP)." (DEIS at 24-10).

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The following comments were sent to MTA Government & Community Relations via email by Jenna Orkin on October 1.

"The DGEIS omits crucial facts and grossly understates the devastating impacts from the number seven extension. --The DGEIS fails to disclose details of proposed financing for $7 billion in public borrowing (through authorities) for the #7 line extension ($2 billion), the stadium etc. Impacts and alternatives must also be addressed. --Fare hikes and service cuts in existing transit are inevitable if the current plans are carried out. Those fare hikes and service cuts will drive riders from mass transit and increase traffic and pollution. --Former MTA Chairman Richard Ravitch warns that poor transit spending priorities choices (e.g. the #7 line extension) will send transit back down a "slippery slope" to its near collapse in the 1970's. Why build the #7 extension when there's no demand and no cash to build it, Ravitch says. --The only reason for the $2 billion-plus subway extension is to subsidize far west side development and thus shift development from better locations (e.g. lower Manhattan, where the subways have already been paid for). --The MTA can't even afford to keep the exisiting subway system in a state of good repair with its current resources. New lines should only be built where demand exists already--e.g. the Second Avenue subway."

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Testimony of The Partnership for the Homeless
to the City Planning Commission
Hearing on the Hudson Yards / West Manhattan Rezoning
September 23, 2004

Paige Sayle, CSW
Director of Community Relations and Advocacy

Good Morning, My name is Paige Sayle and I am here on behalf of The Partnership for the Homeless. The Partnership has provided a broad range of services to homeless New Yorkers over the past 20 years. We began in 1982 as a single shelter in a Manhattan church basement. Today the Partnership's public/private collaborations, direct service programs, and advocacy help families and individuals make the successful transition from New York City streets to permanent housing, skilled jobs, and stable lives. One of our programs, Peter's Place is located on 23rd Street between 6th and 7th Ave. Peter's Place is a Multi Service Center for Homeless Seniors.

I am here today because nearly 38,000 men women and children were homeless last night. This number does not include the thousands more still who sleep on the streets or are doubled and tripled up with friends and relatives. Homelessness is dramatically rising not only in New York, but across the nation, and sadly, the most significant increase is families and children. New York City's massive shelter system is the largest in the country and has expanded at a staggering rate, doubling in size over four years. Why is this problem getting so out of hand? The answer is simple. There is not enough affordable housing.

And when I say affordable housing, for this group, I am referring to housing that is affordable to the 1.5 million, or 20% of all New York City residents that live at or below the poverty line which is $18,600 for a family of 4. Today, the opportunity for this family to find housing and climb out of poverty is becoming more of a challenge. In NYC, a full time worker must earn over $20 an hour, almost four times the minimum wage, to afford a modest studio apartment in a non-gentrified community. With the Minimum Wage still fixed at $5.15 an hour and the looming threat of a drastic reduction to the Section 8 Housing Voucher Program, we are running out of options to house the homeless. We need a solution.

The Partnership for the Homeless endorses a wide range of efforts to expand the availability of affordable housing for people of all income levels, but I am here today to strongly support the use of Inclusionary Zoning to ensure the development of affordab housing for homeless New Yorkers who live on extremely low incomes.

The City has proposed new rezoning and development plans that will create housing that is far too expensive for most New Yorkers. The Hudson Yards/West Manhattan rezoning includes 20,000 new units of housing, but none of these units are required to be affordable to extremely low income people. The rezoning plan will only provide 450 units of permanent affordable housing. And affordable in this case, means people making less than 80% of the Area Median Income, or $50,200. That clearly does not reflect the needs of the family living on $18,600 a year as previously mentioned.

The Partnership for the Homeless supports a mandatory affordable housing requirement in areas that are being rezoned to allow for new housing development. In these areas, all developments should be required to include affordable housing for extremely low and low income New Yorkers to help prevent the continuing increase in homelessness.

Thank You.

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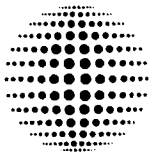


Partnership for New York City

Testimony before the City Planning Commission
Public Hearing on Hudson Yards ULURP Applications
Thursday, September 23, 2004

Presented by
Kathryn Wylde, President & CEO
Partnership for New York City

Thank you for the opportunity to speak in support of this very important proposal to rezone and redevelop the Far West Side of Midtown Manhattan. I want to take this opportunity to thank the Commission and the staff of the Planning Department for the proactive approach you have taken to land use planning and rezoning, not just for this ULURP, but in dozens of communities across the city. The public attention to the West Side has overshadowed the fact that there are similarly bold and important planning and zoning actions going on in every borough.

The Partnership for New York City represents the city's major employers and business leaders. We seek to promote public policies and public investment that contribute to the growth, vitality and diversity of our city economy. After careful review of the Hudson Yards plan for the expansion of Midtown Manhattan's central business district to the Far West Side, we urge your approval of the land use actions associated with this ULURP. The proposed rezoning and various public improvements contained in this plan will generate enormous private investment in redevelopment of a grossly underutilized area and transform it into a tremendous asset for this city.

The importance of the Far West side to the future of the city cannot be underestimated. The Partnership was part of an effort put together by Senator Charles Schumer some five years ago, known as the 'Group of 35', which recommended this extension of Manhattan's midtown business district as part of a five borough strategy essential for New York's economic development strategy in the 21st century. The research by that group projected a need for some 60 million square feet of new office space over the next few decades.

The West Side plan, as proposed, can fulfill a significant portion of the anticipated demand for new commercial space, as well as a major increase in our housing inventory. The plan will insure that an expanded Javits Convention Center will anchor the future growth of our city's hospitality, travel and tourism industries. Importantly, we do not find that this development is in conflict or competition with the rebuilding of 12 million square feet of commercial space in Lower Manhattan or the development of secondary business districts in Northern Manhattan and the other boroughs. Our city can accommodate a wide range of new commercial and residential development activities in all these locations.

The residential, commercial and open space mix that the Hudson Yards plan contemplates for the Far West Side provides an excellent balance of revenue generating activity and amenities. In Lower Manhattan, a combination of federal disaster aid and insurance proceeds are helping to finance the transportation infrastructure and other components required to redevelop and expand our downtown business district. On the Far West Side, a different revenue structure is needed.

The plan proposed by the City -- using zoning incentives to finance infrastructure improvements -- is an important innovation to the city's approach to managing and funding development that should be considered a precedent for other areas in the five boroughs. For the foreseeable future, we will not have sufficient public funds in our capital budget to finance all the public infrastructure and affordable housing that the city needs. The West Side plan includes a bold proposal for the city to capture some of the value created by rezoning to help pay for proposed public improvements, including an unfunded portion of the MTA capital plan. This is the type of creative thinking we desperately need if the city is to emerge from structural fiscal deficits and continue to generate new jobs, affordable housing and quality of life improvements.

The Partnership has taken a particularly hard look at the tremendous economic benefits generated by the extension of the Number 7 subway line. The Number 7 extension will yield more than five times its capital cost in economic development benefits—far more than any other major mass transit project contemplated in the MTA capital plan. Our transit study concluded that the intergovernmental planning and review process used for Hudson Yards should be the model for all future capital programs for expansion of the mass transit system.

During the '80's, our city undertook the largest urban redevelopment program in the nation's history by leveraging its enormous inventory of *in rem* buildings and blighted urban renewal sites into a $10 billion affordable housing program. Similarly, the financing concept in the Hudson Yards zoning resolution could serve as a model for capturing a portion of the value of up-zoned property and reinvesting it in public improvements. There are many derelict manufacturing areas throughout our city, often located along the waterfront that would benefit from the type of proactive planning and district improvement funds being established in Hudson Yards.

In approving this ULURP, the city enters into a new generation of development planning and finance that has enormous potential. It involves moving away from site-specific negotiations and tax abatement programs and toward proactive planning and tax increment financing. The results of this new approach can achieve significant benefits for affected communities and the city as a whole. While there may be no locations with the upside potential for the city that is available from Hudson Yards, this financing model can certainly be adapted to many places where the city's land use actions and the sale of FAR bonuses can be a new source of revenues for needed local improvements or affordable housing.

The Partnership supports the City's plans for the Far West Side and the zoning resolution not just because we believe Hudson Yards is a logical place for Midtown Manhattan to grow, but because in this plan we see the seeds of an idea that could change the way we think about and fund improvements in *every* borough.

CITY PLANNING COMMISSION HEARING
SEPTEMBER 23, 2004

TESTIMONY ON BEHALF OF MADISON SQUARE GARDEN REGARDING PROPOSED HUDSON YARDS ZONING

ULURP C 040499 ZMM and ULURP N 040500 ZRM

Madison Square Garden LP ("MSG") owns the site of Madison Square Garden, which is located in the Penn Station Subarea of Subdistrict B (the Farley Corridor) of the proposed Special Hudson Yards District. The Garden site is the only property that lies wholly within the Penn Station Subarea.

The proposed zoning would establish a base floor area ratio ("FAR") of 10 for the Garden site. A zoning bonus of 5 FAR would be permitted, by certification, in return for a contribution to the District Improvement Fund. An additional bonus of 4.5 FAR would be permitted by special permit for improvements to transit facilities and the pedestrian environment.

Base Floor Area Ratio

The proposed base FAR of 10 is too low for a site located above the City's largest transit hub and it is lower than the base FAR proposed for sites immediately to the east and west of the Garden site. Based on the size and location of the Garden site, the zoning of similarly situated property elsewhere in Manhattan, and the proposed zoning for neighboring sites in Subdistrict B, MSG believes the base FAR on the Garden should be 15. The following facts justify a higher base FAR:

- The Garden site has the best access to mass transit in the City. The site is located directly over Penn Station, the most heavily trafficked transportation center in the City. In addition to the Long Island Railroad, New Jersey Transit, the PATH Train, and AMTRAK, 15 subway lines have stops either under or within a block of the Garden site.

- A review of the zoning for commercial districts at major transit centers in Manhattan reveals a consistent pattern of a base FAR of 15. This is the underlying zoning at Grand Central Station, Times Square, Columbus Circle, and the central business district in Downtown Manhattan. The mass transit at the Garden site is superior to the service at these other locations.

- At approximately 247,000 square feet, the Garden site is one of the largest centrally located development sites in Manhattan. Massing studies prepared by Skidmore, Owings & Merrill have demonstrated that the site is large enough to accommodate an FAR of 19.5.

- As part of the zoning under review, DCP has proposed that the zoning for the 7th Avenue frontage (2 Penn Plaza) of the block on which the Garden site is located, be increased to a base FAR of 15. DCP's zoning proposal makes it clear that DCP believes both sites can accommodate 15 FAR or more. The only reason to set a lower base FAR for the Garden site is to generate a contribution to the District Improvement Fund in return for "bonus" floor area. There is no land use rationale for the disparate base FAR's on the Garden site and the 2 Penn Plaza site. The two properties are part of the same zoning lot. Why should one be subject to the DIF and not the other?

- DCP's proposed modifications to the Hudson Yards District zoning, dated September 2nd, would increase the base FAR on the Farley Building across 8th Avenue from the Garden Site and on the western frontage of 9th Avenue to 12 FAR. Again, this creates an anomaly. The Garden site, directly over Penn Station, would have a base FAR of 10, whereas neighboring sites to the west would have base FAR's of 12, even though they are further away from the 6th and 7th Avenue subways and the PATH train and thus have less good access to mass transit.

District Improvement Fees

MSG believes that the proposed requirement that a contribution of $100 per square foot to the District Improvement Fund (the "DIF") be made in order to achieve an FAR of 15 on the Garden site, is discriminatory and is not based on a legitimate planning rationale.

Consistent with the zoning for other commercial districts over major transportation hubs in Manhattan, the base FAR on the Garden site should be 15 and a bonus should be available if specified on-site public improvements are included in a redevelopment. These amenities would include improvements in access to Penn Station and the 8th Avenue subway, a central public atrium and pedestrian through-block connections. A special permit process, such as that proposed in section 93-35, would assure that these public amenities are well designed and meet appropriate standards.

These on-site improvements would benefit the 500,000 commuters who pass through Penn Station every workday, including people heading to the new development that DCP expects to occur to the west. Unlike the projects that would be paid for with the DIF, these on-site improvements address a need for public space and better connections to the transit hub that are directly related to the redevelopment of the Garden site.

There is no justification, however, for imposing the DIF on the Garden site. City officials have stated that the DIF will pay for the extension of the 7 Train from Times Square to 11th Avenue and 34th Street, and for parks and new streets west of 10th Avenue.

Development of the Garden site would not create the need for the 7 Train Extension or the other improvements west of 10th Avenue. Nor will the Garden site benefit from a new station for the 7 Train or a new park half a mile or more away.

Aside from the privately financed on-site improvements, no new public infrastructure is required to develop the Garden site at 19.5 FAR. There is no basis for requiring DIF payments to finance infrastructure to be built at remote locations.

The application of the DIF to the Garden site ignores the enormous differences in the location of development sites in the area to be rezoned. There is logic to applying the DIF to sites west of 10th Avenue, because those sites, as shown on the attached City Planning Department map, are more than a 10-minute walk from Penn Station, and an extension of the number 7 subway line is required to provide mass transit to those sites. In addition, public open spaces are needed to accommodate people who will live and work at those sites.

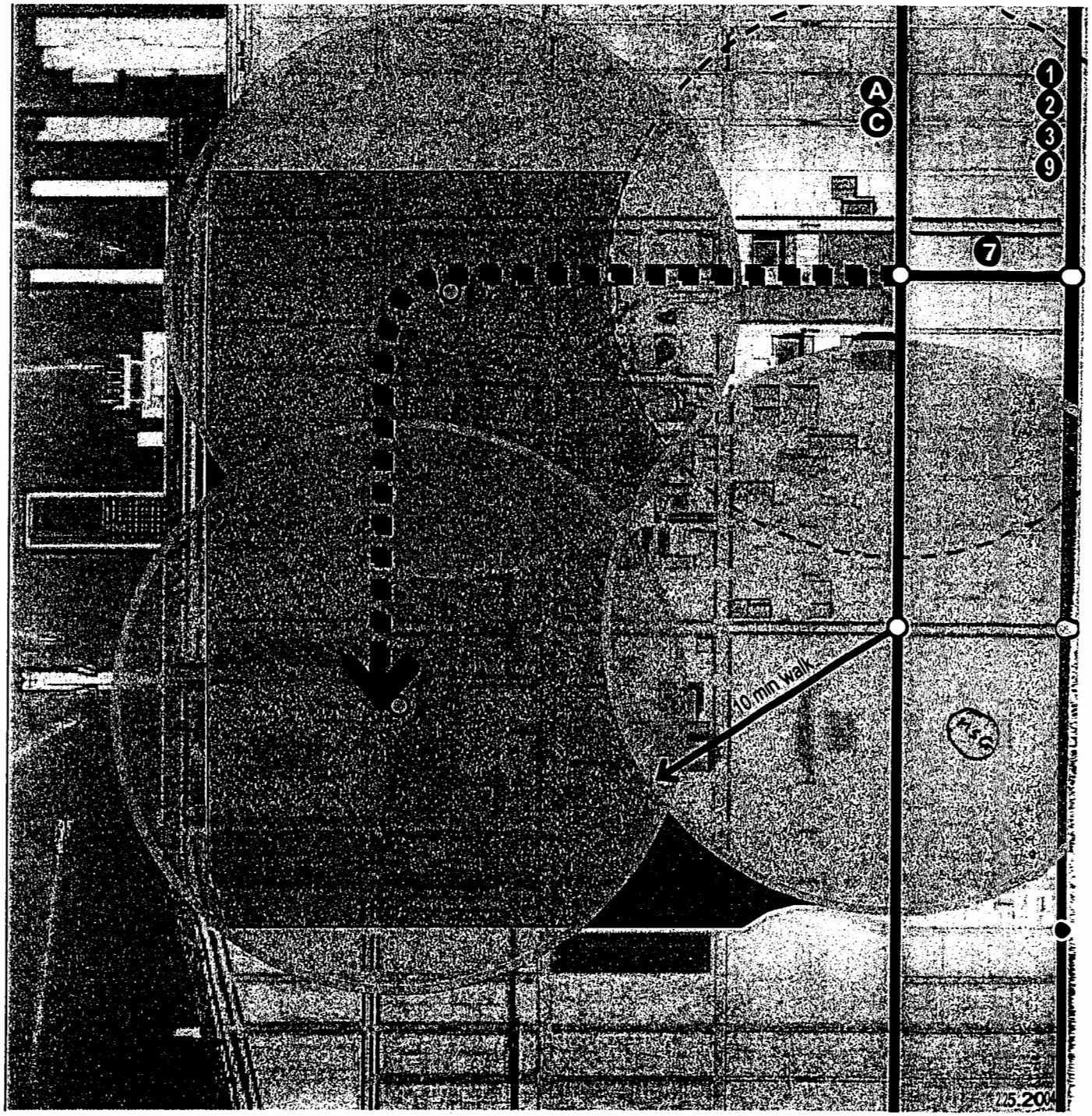
The proposed extension of the 7 Train to 11th Avenue, however, would not provide service to the Garden site, which is more than a 10-minute walk away and already has the best mass transit in the City. Similarly, the public spaces to be built west of 10th Avenue do not benefit the Garden Site. Under the proposed zoning, to achieve the maximum density, a developer of the Garden Site would have to pay twice for infrastructure – first for the transit improvements and public space on the Garden Site and then for the 7 Train and public spaces west of 10th Avenue, from which the Garden Site derives no benefit. No other property in the area would bear such a heavy burden.

The proposed upzoning of 2 Penn Plaza, which is on the same block and the same zoning lot as the Garden Site, illustrates this point. DCP's proposes a base FAR of 15 for 2 Penn Plaza and no DIF payment applies 2 Penn Plaza. There is no rational basis for this distinction between properties on the same block and zoning lot, located over the same train station.

The proposed base FAR and the application of the DIF to the Garden Site are not based on a legitimate planning rationale and conflict with established zoning standards. The Garden Site is singled out for a unique set of economic burdens, with no corresponding benefits. The proposed zoning of the Garden Site is not consistent with the zoning for other major central business district sites over transit hubs. Taken together, the burdens and exactions proposed for the Garden Site to achieve the maximum FAR – in particular, the combination of the district improvement fee and major on-site improvements – unreasonably exceed those applied to other sites in the area to be rezoned.

Extend the 7 subway line

- Existing service
- Increased service from #7 line extension



Testimony of Paul Sajovec of HVS International Convention, Sports & Entertainment Facilities

Consulting Regarding the DEIS for the Proposed Jets Stadium
New York City Planning Commission
September 23, 2004

My name is Paul Sajovec, and I am the Senior Vice President of HVS International Convention, Sports & Entertainment Facilities Consulting. HVS is a leading hospitality consulting firm with an unmatched level of project experience. Our division specializes in feasibility and planning projects for convention centers. I am testifying on behalf of Madison Square Garden.

The development of a football stadium adjacent to the Javits Convention Center carries potential negative implications for not only traffic congestion, but also overall Javits Center event activity. Jets games at the proposed stadium and other sports and entertainment events would create conflicts with convention, tradeshow, and consumer show activities at the Javits Center. These football games and other entertainment events present significant conflicts with the scheduling of large conventions, tradeshows, and consumer shows, particularly in a facility as busy as the Javits Center. Crowds of up to 70,000 attendees moving into and out of the stadium over the span of four to five hours would create immense traffic and other functional challenges for event planners attempting to concurrently conduct events. The negative implications for Javits Center demand are ignored in the draft environmental impact statement.

The negative demand implications are apparent not only from our understanding of the convention center industry, but from a specific set of interviews we conducted with event planners who have held events in convention center complexes that include indoor football stadiums. Event planners are reluctant to schedule events that could occur concurrently with an NFL game or other large spectator event due to concerns regarding noise, traffic, security, ease of move-in and move-out, and others.

HVS asked the event planners to assess the effects of a stadium event occurring concurrently with an event in an attached convention center. Nearly all indicated that the presence of an enclosed stadium would be a liability to the convention center given the chance that their event would occur at the same time as a major spectator event in the stadium. Specifically, the potential problems include the following:

- Traffic congestion and parking problems,
- Security concerns for shows that are closed to the public,
- Competition for limited event services that conventions and other meetings also rely upon,
- Complications during move-in and move-out days at the convention center, and
- Noise levels that can interfere with activities in the convention center.

Given these negative implications, an enclosed stadium introduces a level of uncertainty for event planners as they try to book events two or more years ahead of time. The NFL schedules

games only a few months ahead of time, forcing event planners to avoid periods of several months to ensure that there is no potential for conflict with a football game. Large consumer show events, such as the annual boat show, have no date flexibility and must be held during the football season due to the geographic rotation of exhibitors around the US. In addition, since concerts can be scheduled year round, the is no way for event planners to ensure that their events will not be faced with the negative effects of a concurrent major spectator event in the adjacent stadium.

In summary, the busiest season for conventions and tradeshows, the fall, coincides with the football season. The NFL schedule will greatly decrease the attractiveness of the Javits Center for planners of large events from September through December, compromising the most coveted Sunday dates in the calendar. Additional sports and entertainment events have the capacity to present similar scheduling conflicts throughout the year. There is no way to avoid the scheduling of concurrent larger events in the two facilities and the resultant traffic, parking, and congestion problems without adversely affecting the event potential of one or both venues.

City Planning Commission
Testimony of Gary R. Tarnoff
September 23, 2004
Public Hearing on CPC Nos. 640499ZMM, N040500ZRM and 040507MMM

Good morning Chair Burden and Commissioners. My name is Gary R. Tarnoff of the law firm of Kramer Levin Naftalis and Frankel LLP. I am here this morning on behalf of Robert Born Associates, the owner of 515 West 41st Street, also known as Block 1070, Lot 20. My client's property is located on the block bounded by 10th Avenue, 11th Avenue, West 42nd Street and West 41st Street. It is an approximately 25,000 square foot through block parcel with frontage on West 42nd Street and West 41st Street. It is within the Perimeter Area of the Special Clinton District and is currently zoned C6-4.

Under the proposed zoning and mapping actions, my client's property would become the northern terminus of the Phase 2 Park and the northern end of a pedestrian bridge that would span Lincoln Tunnel access roads and connect to the proposed Hudson Boulevard and Park at West 39th Street. We oppose the mapping of our property as a park and the proposed restrictions on development of the property contained in the zoning text that would apply upon creation of the Special District.

My client's property is a development site. The property is improved with a three-story hotel. It is leased for a period of three years to Icahn House, LLC which operates a Tier II homeless shelter pursuant to an agreement with the Department of Homeless Services. The lease contains a clause enabling the owner to cancel it on 6 months' notice. The property is already zoned C6-4 which allows both commercial and residential development at 10 FAR with an additional 2 FAR bonus for providing inclusionary housing. It can be developed right now on

an as-of-right basis with a 300,000 square foot new building. Indeed, the immediately adjoining site to the southeast on this block was just developed with a new 40-story residential building.

We have serious concerns about the viability and legality of the provisions of the proposed text that prohibit development of our property and theoretically would allow my client to transfer development rights to other properties in certain parts of the Special District until such time as the City is ready to acquire and develop it as a park. The Draft General Environmental Impact Statement states that this acquisition will not occur until sometime between 2012 and 2017. We will address these issues in a memorandum that we will submit to your counsel.

We have informed the Department of City Planning about our plans to develop the site and are now working with the Department to explore the feasibility of developing a new residential building and providing an access point to the new park through our property without a park mapping. We are hopeful that these discussions will have a successful resolution, but we will bring this matter to your attention to express our concerns.

Thank you very much.

TO: City Planning Commission
FROM : Carol Demech Testimony
Date: September 23, 2004

I am here to speak about the need for affordable housing. For 1½ years I lived in homeless shelters because I could not find affordable housing even though I had a small income. While living in a homeless shelter I had three surgeries and was confined to a wheelchair for many months. It was not an easy or pleasant experience for me. I have advanced degrees, have lived and worked in other countries but none of that made a difference. I did not come from the privileged class but I had money in the bank and I thought that I was immune to problems that befall the less fortunate. Then I had a health problem, my money ran out, and I couldn't afford an apartment.

Much to my amazement, living with me at the East Village homeless shelter was a man who is now a Deputy Chancellor at the Department of Education; a lawyer who had a major illness and lost almost everything, a woman who had a serious accident and had been in a nursing home for over a year, a Wharton graduate who had been vice president of a firm, a former nurse, a former teacher, retired people, a scientist who had a PhD. from Cornell, an actress who had been a regular on a soap opera, a former social worker and two people who at one time had thriving businesses making well over six figures.
Each one of them had some sort of income (disability or retirement) but it wasn't enough to afford housing.

The shelter residents were not the type of people that you would expect to find homeless. Yet there we were. There are shelters in this city where all the residents are employed but they cannot find affordable housing. A physical or mental health problem, unemployment, or a serious challenge to a person's financial health would force most people in New York into homelessness because there is not enough affordable housing.

Please, I ask each one of you to include permanent affordable housing in all new rezoning and development plans. New permanent affordable housing would also complement the Mayor's recent initiative to prevent homelessness.

FOR MORE INFORMATION CONTACT:

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Testimony on Behalf of FedEx Express

Before City Planning Commission

September 23, 2004

My name is Howard Hornstein, and I am a partner in the law firm of Fischbein Badillo Wagner Harding. I am testifying here today on behalf of our client, FedEx Express, a subsidiary of FedEx Corporation. FedEx Express opposes the proposed Hudson Yards rezoning plan, because it contemplates the condemnation of the major distribution center the company operates on 34th Street between 10th and 11th Avenue.

We will be making a detailed written submission on behalf of FedEx Express within the comment period. These remarks are intended to supplement that submission.

FedEx Express has two primary objections to the City's proposal. First, the draft EIS is insufficient, in that it improperly glosses over the impacts of the condemnation of the 34th Street facility. With absolutely no reference to reality, the draft EIS presumes that the 34th Street facility can be easily relocated in Manhattan. In fact, given its unique attributes, and the scarcity of industrial zoned land and suitable existing buildings in Manhattan, there is significant doubt that the facility can be relocated at all in Manhattan. FedEx Express is continuing to search, but at this point has been unable to find any available location in Manhattan that would be suitable for a relocation. And even if a site

was found, the occupancy cost of a replacement location may make the cost of relocating in Manhattan prohibitive.

The draft EIS also concludes that there is no "socioeconomic" impact to eliminating a facility that is responsible for one-third of the FedEx Express deliveries that are made each day in Manhattan. Apparently the drafters of the EIS do not believe that FedEx plays a critical economic role in the community, or that the hundreds of jobs that will be lost are significant, or that the thousands of businesses, individuals, and institutions that rely on FedEx Express deserve consideration in the planning process.

The EIS also fails to address the impacts if the 34th Street facility is relocated to New Jersey. In addition to the lost jobs, there will be a significant and disruptive increase in truck traffic through the tunnels during the morning rush hour, exacerbating an already difficult problem. These impacts are simply ignored, on the unproven, irrational and wrongheaded assumption that FedEx can simply pick up and move a unique, state of the art distribution center, which cost tens of millions of dollars to develop, to some other, unspecified place in Manhattan.

The other primary objection reflects a more practical concern. I will put the question to you bluntly: why does the City <u>need</u> to eliminate this facility? There is no question but that all of the economic and planning goals of the Hudson Yards proposal could be met without any disruption to this facility – anybody who tells you otherwise is simply wrong. The anticipated condemnation of this facility results from the discretionary

choice to design a new subway station so that the entrance is in the middle of the block, and a desire to create additional open space. The subway entrance could have been placed in a more traditional corner location, on the avenue, sparing this property. Similarly, the success of this complex redevelopment plan does not depend upon adding a small amount of greenspace where this facility sits. Accordingly, in considering the proposal we ask that the Commission take into account that the intended condemnation of this property is to accommodate an improvident exercise of discretion, without regard to the practical consequences.

Tolerating these gratuitous and discretionary design considerations is not worth the adverse consequences of eliminating this facility. It is not worth the loss of jobs. It is not worth the cost and disruption of a relocation, if a relocation in Manhattan is even possible. And it's certainly not worth chasing this significant operation out of Manhattan, resulting in additional adverse impacts to New York City.

FedEx is a good corporate citizen of New York City. It supports, and frankly will even benefit from, well-planned economic development and the expansion of business and personal commerce in the city. However, by planning the condemnation of the FedEx Express 34th Street facility, and then failing to adequately disclose the adverse impacts in the draft EIS, the City has put FedEx in a position where it must oppose the proposal as it presently stands.

Thank you.

HELL'S KITCHEN/HUDSON YARDS ALLIANCE

212-541-5996 / info@hkhyalliance.org / www.hkhyalliance.org

Testimony before the City Planning Commission on the proposed Hudson Yards plan for Hell's Kitchen South:

This testimony is being submitted on behalf of the Hell's Kitchen/Hudson Yards Alliance. I want to thank you for the opportunity to speak with you today. We appreciate your appearing with us this evening to more fully investigate the ramifications of the Hudson Yards plan for West Siders and the people of Manhattan, and we know that our membership appreciates the opportunity to speak with you and people from your office about the plan.

Today, we are here to ask you to vote No to the ULURP's pending before you unless the City makes serious changes to their plans to redevelop Hell's Kitchen South.

The Hell's Kitchen/Hudson Yards Alliance was formed to provide a balanced community response to the New York City Administration's plans to redevelop the West Side of Manhattan from 28th to 42nd streets, west of Eighth Avenue. The Alliance brings together hundreds of community members, civic and business organizations, your entire local elected officials from Hell's Kitchen/Clinton and Chelsea, and others from across the city.

The Alliance is committed to maintaining and expanding the strong residential community on the West Side. To achieve this the Alliance seeks to:

- Encourage residential and commercial development at rational and balanced densities.
- Preserve and produce affordable housing
- Create and enhance open space, parks and waterfront access.
- Provide for social infrastructure such as schools and libraries.
- Expand the Jacob K. Javits Convention Center.
- Implement comprehensive traffic management and transportation plans

The Hell's Kitchen/Hudson Yards Alliance supports residential and commercial development in Hell's Kitchen that balances the needs of the neighborhood, the city, and the region. Parts of the neighborhood now zoned for low-density industrial use should be rezoned to allow for contextual expansion of residential and commercial uses in Hell's Kitchen and to facilitate affordable housing opportunities. While we appreciate the Mayor's desire to rezone Hell's Kitchen South, he fails to get our priorities right. However, the Lower Density Alternative provides for a density that is closer to what the Alliance seeks for this community with much more affordable housing. The following is the Alliance position on the future development of Hell's Kitchen. The Draft Environmental Impact State is so deficient, that it has failed to provide the public sufficient information to be able to adequately comment on the plan. The city agreed to study the traffic noise, pollution but in their 6,000 pages of documents, they never disclose the impacts or failed to study them. In addition, this is far from a well-constituted plan as required by law. There is more commercial than they can prove they need, not enough residential as the low vacancy rates have proven and a total lack of a plan for decent affordable

housing. We hope that you agree with us and with Community Board 4, which has independently endorsed many of the priorities we put forward here, in saying that the Hudson Yards plan is so flawed in its present state as to be worth a "no" vote from you and from the City Council.

No West Side Stadium

Instead of building a football stadium, use the western rail yards for an expanded Javits Center, a ten-acre rooftop park, and residential and commercial development.

Affordable Housing Development and Preservation

Planning for Hell's Kitchen South requires a substantial public investment in affordable housing. The community's main priority is the preservation of Hell's Kitchen's mixed-income character. The City must guarantee that 30% of all housing units will be permanently affordable (19,000 units of housing assumed in the HKNA plan provides 6,000 affordable units).

These units should be affordable to a large spectrum of individuals and families earning 50% to 165% of the New York Metro Area median income (AMI). The breakdown is: 40% below 80% of AMI, 30% earning 80% to 125% of AMI, 30% earning 125%- 165% of AMI.

A substantial percentage of units in all new construction must be created through mandatory inclusionary housing. The balance of the affordable units can be built through the following additional mechanisms:

- Inclusionary bonuses: FAR bonus in all commercial and mixed-use districts.

- Direct subsidies from city funds (e.g. pass-through federal funds, bonds, capital budget, Hudson Yards District Improvement Fund, or other HPD or HDC programs) equivalent to building approximately 2,600 units of housing.

- Tax incentives (real estate, 80/20 Financing, sales tax and others) so long as the units are permanently affordable.

- Development by nonprofit organizations on publicly owned sites.

Affordable housing should be built preferably within the rezoned area; even if this is not possible, all affordable units must be in Community Board #4. Hudson Yards bonuses and additional HPD units can be used anywhere in CB4.

The plan should prohibit the demolition of existing residential buildings and require Certification of No Harassment and the accompanying cure for alterations or new construction, as already provided for in the Special Clinton District.

Green Space

Open space should be mapped now and developed as parkland not just for the commercial area but also for the residential areas. City resources should be committed during the public review process for residential parks throughout the rezoned area. The plan should provide for enhanced access to the waterfront, particularly on 39th Street, and replace the proposed mid-block boulevard with a string of residential parks.

Transportation

The city should consider alternatives to the proposed route of the No. 7 line extension. Alternatives to consider include a shuttle west from Penn Station to Eleventh Avenue partly along existing rights of way or a moving sidewalk, light rail, and expanded bus services.

If the City makes the above commitments, the ALLIANCE would accept the following changes in our neighborhood:

Density & Use

The substantial upzoning in this plan, particularly the enormous bonus density available to developers, is extremely problematic for our community. The proposed rezoning without any bonuses are the type of rezoning this community needs. Therefore, we ask that all rezoning be limited to the density proposed and prohibit any upzoning bonuses beyond the development of new affordable housing. Mid-blocks should be zoned purely residential, and no portion of the area should be zoned solely for commercial development. (The indicated FAR include bonuses).

Residential

- Maintain medium density with a maximum building height of 95 feet along 9th Avenue, the "Main Street" of Hell's Kitchen, from 41st to 35th Streets; this will be a residential zone with ground floor local retail use (FAR 6).

- Maintain the lower density with a maximum building height of 85 feet between 9th and 10th avenues, from 41st to 35th Streets; this will be a residential zone (FAR 5).

- Increase density with a maximum building height to 125 feet on 10th Avenue, from 41st to 35th Streets; this will be a residential zone and ground floor local retail use (FAR 7.5). This zoning would also apply on each street up to parks over the Amtrak right-of-way.

Commercial & Residential Use

- Increase to a maximum density along the 30th to 35th street corridor from 8th Avenue to 12th Avenue as a mixed-use zone, with FAR limited unless issues of traffic, air pollution and water pollution raised in the Environmental Impact Statement are resolved. This higher density mixed-use designation allows for commercial, hotel, institutional, and residential use.

- Allow high density on 11th and 12th Avenue from 41st Street to 35th Street for mixed-use zone structured in a way that preserves maximum light and air to the neighborhood: above a 13-story base, the towers will have floor-plates no larger than 8000 square feet and horizontal dimension facing 11th avenue and the Hudson river of no more than 80 feet. The total building height will not exceed 37 stories. This allows for commercial, hotel, institutional, and residential use (FAR 12).

Conclusion

I want to thank you for the opportunity to speak to you today and appreciate the commitment you have made to our community. We hope that you will continue to be an ally to the West Side and join us in saying "no" to the Hudson Yards plan, unless the City is willing to excise the stadium and include a genuine plan for affordable housing. The West Side has a vibrant residential and commercial community, one that can expand with further development in our neighborhood—but we need that development to be rational, productive and human-scale, which the current Hudson Yards plan is certainly not.

Housing Conservation Coordinators
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(212) 541-5996 Fax (212) 541-5966

Testimony before the City Planning Commission on behalf of Housing Conservation Coordinators

September 23, 2004

Thank you for allowing me the opportunity to address you today, as well as for all the work you are doing to investigate this plan of enormous consequence for our neighborhood. I'm speaking on behalf of Housing Conservation Coordinators, Inc. (HCC), a not-for-profit organization based in Hell's Kitchen/Clinton that seeks to preserve and defend safe, decent and affordable housing.

The services that HCC provides include legal representation in Housing Court, organizing tenants to improve living conditions, installing energy efficient systems through our Weatherization Program, teaching training courses, and organizing around broader issues like this one that affect the entire community.

HCC is opposed to the "Hudson Yards" proposal as it exists now, and we ask you to vote "No" on the ULURP actions before you right now unless the City makes drastic changes to the Hudson Yards plan. The proposed high-density development would have profound negative impacts on the 21,000 current residents living in the area to be re-zoned and on the hundreds of thousands who live north of 42nd and south of 28th. In particular, HCC is concerned about the lack of height restrictions (particularly when the new zoning district will abut the low-rise Special Clinton District), ambiguity on affordable housing development and the potential for both residential and commercial displacement. Furthermore, the imposition of a stadium in a residential district, already overwhelmed by traffic from midtown, the Lincoln Tunnel, new high-rise developments along 42nd Street and the Port Authority Bus Station, raises quality-of-life concerns.

While HCC could support rational development of this area in context with the existing residential communities and at rental levels affordable to Hell's Kitchen's economically diverse population, it cannot support the City's plan as proposed, for numerous reasons.

The West Side Stadium is not appropriate

HCC strongly opposes the construction of a stadium on the west side of Manhattan. The proposed 30-story west side stadium is the centerpiece of the NYC 2012 Olympic bid and is expected to be used during the football season by the New York Jets. The stadium is the catalyst

A TAX-EXEMPT NOT-FOR-PROFIT COMMUNITY GROUP

for the entire re-zoning plan, spurring the costly extension of the #7 line, and, in theory, will attract later commercial development.

A stadium is inappropriate for this largely residential community, a waste of prime waterfront space and a misguided use of public funds. It would increase traffic, noise and pollution in an already congested area and it is incompatible with effective and sustainable development in the neighborhood.

We agree with most economists that stadiums are poor catalysts for economic development and often hinder sustained growth. Many local businesses, including major Broadway theater owners and actors' unions, have publicly come out against the stadium because the expected increase in traffic and congestion would have a negative impact on attendance and ticket sales.

HCC is most disturbed by the Administration's apparent attempt to circumvent the public review processes to build the stadium and use $600 million in public funds. The proposed stadium site is situated on land owned by a state entity. If disposed of directly, the land transfer would be subject to a state review process, but exempt from the more stringent City review process (ULURP). The Administration, in the past, indicated that it intends to circumvent even the state process, by first creating a local development corporation, and transferring the property to that entity, which could then develop the land as it chooses without public review. It is becoming clearer that some form of public approval would be required.

The City Must Include A Comprehensive Plan for Affordable Housing

The plan as presented by the City fails to provide adequately for affordable housing. We are disappointed that while the City sees the re-zoning as an opportunity to develop its commercial, tax and sports base, it fails to see an opportunity to address its need for affordable housing and, in particular, the housing the needs of our community. The scale of the re-zoned area presents an opportunity to develop model projects that could be applied city-wide, including creative public-private partnerships to produce affordable housing. Unfortunately, the plan presented by the City falls far short of both goals. Concrete mechanisms to produce permanent affordable housing are ambiguous, voluntary and inadequate.

Over the past 10+ years, the steady gentrification of the Hell's Kitchen and Chelsea neighborhoods has caused displacement of many low- and moderate-income residents. More than 80% of Hell's Kitchen's housing stock is rental housing. Rental tenants are more vulnerable to market changes than homeowners. As property values rise, greater incentives exist to displace the lower-income, longer-term, and affordable-rent paying tenants. We have witnessed the steady attrition and displacement of our lower-income population.

The significant rise in property values and high cost of land acquisition in our community has hindered the development of affordable housing. Publicly owned land remains the community's most viable resource for affordable housing. Inclusionary Housing bonuses have provided some permanent affordable housing units, but, as in all bonus programs, the resulting increase in density must be carefully weighed. The "Hudson Yards" plan as presented offers no concrete mechanisms, nor funding streams, to ensure that affordable housing is developed.

In large part, the City's plan appears to rely on voluntary use of the 80-20 program (80% luxury - 20% low-income) and an Inclusionary Housing Bonus to create affordable units in the re-zoned area. HCC does not see the standard 80-20 program as a viable option to produce affordable housing; the proportion is inadequate and, most importantly, the affordability requirement expires after 20 years. Time-sensitive affordable housing creates expiring-use problems in the future, fails to address the underlying need, and ignores the needs of our economically diverse community.

We were pleased to see the expansion of the Inclusionary Housing Bonus to this area. However, Inclusionary Housing Bonuses create additional density to be built in the immediate area. As the plan now stands, it cannot possibly absorb additional density. Furthermore, the Inclusionary Housing Bonus can only be accessed after a developer has first accessed as-of-right development (which may include purchase of development rights from elsewhere in the district), and the District Improvement Bonus. Use of the Inclusionary Bonus is purely voluntary, it is the least desirable of the bonuses available to a developer, and on-site use is not mandatory.

Re-zoning on such a massive scale presents unique opportunities for public-private partnership. Property values will rise significantly once the plan is in place. The City should institute creative mandatory Inclusionary Housing mechanisms to create permanent affordable housing. For example, any developer seeking to build beyond the current FAR should be required to provide 20-30% permanent affordable housing. The bonus should be mandatory, not structured as the third tier after other incentives. The Mandatory Inclusionary Housing must be applied to both Commercial and residential development within the rezoned area. Mandatory inclusionary housing will require developer produce affordable housing to an FAR of 2 for the right to develop their property under the new zoning. This housing can be built on or off site, so long as the development occurs within Community Board 4, Manhattan. The rezoning in and of itself will benefit the owners by substantially increasing their property value that the requirement of affordable housing development is only a small part of overall cost of development.

To achieve our stated goal that 30% of the units be affordable to households earning less than 120% of Area Median Income (AMI), the City must employ a combination of mandatory affordable housing development mechanisms, set aside affordable housing development funds and commit to using publicly owned land in the area to develop affordable housing. A large portion of the area in question is controlled by public and quasi-public entities, such as the State, City, MTA, and Port Authority. The distribution of units by affordability should mirror the needs of the community, and should be weighted toward those of lower income.

The development of this area presents a unique opportunity to provide affordable housing not only for the 21,000 residents living within the borders of the re-zoned area who will be adversely impacted by the development, but also for residents of low, moderate and middle income levels who would otherwise be displaced, to ensure that we remain a vibrant and economically diverse neighborhood. The size of the units should also respond to our diverse household composition and include one-, two- and three-bedroom apartments to allow for long-term residency.

Existing Tenants, Both Residential and Commercial, Need to Be Protected

The plan will inevitably cause the displacement of residents living in the immediate and neighboring areas. The City should create a new special zoning district, modeled after the Special Clinton District zoning regulations, to protect existing tenants from displacement and harassment. This district should include provisions for height limits, demolition protection, and anti-harassment policies. Specifically, if owners wish to alter or enlarge a building, they must get a Certificate of No Harassment from HPD or take a cure of 20% permanent affordable housing. The definition of alteration should be expansive. Furthermore, all rezoning and development must be subject to more stringent city review processes. The Special District should be subject to regular and organized inspections, carried out by the Mayor's Midtown Office of Enforcement (MMOE) in conjunction with community organizations. Funding should be made available to make this a permanent arrangement and an attorney should be assigned at the MMOE to bring enforcement actions.

The City must address the secondary displacement of residents living in the neighboring areas, specifically, in the Special Clinton District and northern Chelsea. One step that could be taken would be to expand the perimeter of the Special Clinton District further west (potentially to the waterfront) and to set 66' maximum height limits for wide streets (avenues).

The City's plan disregards the displacement of viable existing business within the re-zoned area. Large employers such as FedEx and Coach will be displaced by the zoning plan. Properties along the planned "Hudson Boulevard" will also be condemned, leaving the existing occupants unable to expand or maintain their businesses and inevitably resulting in their displacement. To encourage business growth in this district, the City should look to build upon the already viable businesses, which in turn will promote additional growth.

To protect existing commercial tenants, the City should control the increases in commercial rents in impacted neighborhoods and restrict the size of retail space. The City should also obligate developers who are renovating or rebuilding to continue to provide space for existing commercial tenants and/or otherwise facilitate relocation within the area.

Finally, the City fails to address the impact of increased traffic in our district and how that will affect existing businesses such as Broadway theaters and the restaurants and bars that rely on the theater crowd. Broadway theater owners and actors' unions have come out against the plan, fearing that traffic created by sporting events will discourage attendance at their shows.

HCC Supports Height and Density Limits

HCC strongly supports the incorporation of mechanisms to control height and density into the proposed re-zoning. Ninth Avenue should be maintained as a low-rise, residential core with commercial use permitted only on the street level. The maximum height should be six stories. The mid-block between Ninth and Tenth Avenues should also be low-rise residential, with no commercial use permitted. Height limits could gradually increase between 10th-11th Avenues, provided no 11th Avenue development is significantly higher than the adjacent convention center. In general, all zoning should be of variable scale, in the context of the existing neighborhoods.

High-density commercial use is not appropriate along 11th Avenue and in the heart of our residential community. HCC would not welcome high-density commercial use and questions the actual need for it. Nor do we support the creation of a "business district." If, however, the City were to require some commercial development as a mechanism for funding the development of affordable housing, and if it were to preserve the residential community in context with the outlying areas, HCC would argue that the current commercial corridor along 34th street corridor is the logical place to allow for reasonable commercial development. The 34th Street corridor should then be zoned for mixed-use to allow for integrated residential and commercial uses.

Proposed Parkland and Green Spaces Should Benefit the Community

This community (defined as Manhattan Community Board 4) is ranked 52nd out of 54 Community Boards in open space. Any of the designated parkland in the City's plan should be specifically designed to benefit the residents of the neighborhood, not just the commercial tenants. Parks should be open and accessible, and they should be designed for everyday, recreational use. Playgrounds and areas targeted at families and children should be an integral part of any new park in the neighborhood. HCC supports the plan to develop a park around Dyer Avenue. Furthermore, extension of the Javits Center must allow for unencumbered pedestrian access to the waterfront.

Extension of the #7 Line

The extension of the 7 line as proposed by the Department of City Planning is inappropriate for the City at this time. The financing proposal for the 7 extension is unrealistic given the strained financial resources of the City and its commitment to build the Second Avenue subway. The plan for the costly extension was not developed out of sound planning principles, but instead, to respond to the stadium needs and to provide a catalyst for later commercial development (which in turn will pay for the stadium). As we see in evidence in other parts of Manhattan, this borough does not need heavy subsidies and infrastructure investments in order for development to occur; removing the #7 extension from the plan would reduce the need for future tax revenue from inappropriately dense commercial development, allowing the City to reduce proposed densities to more reasonable levels.

Expansion of the Javits Center

HCC would support an extension of the Javits Center if it would effectively expand the city's economy by encouraging growth in the local trade show industry and attracting guests to New York's hotels and restaurants. The City must make a convincing case that a Javits Center expansion would do so, especially taking into account the recent experiences of other cities in the region such as Boston, which continues to subsidize its new convention center at great public expense, despite planning studies to the contrary. We must balance the potential public benefit of an expanded Javits Center with its detrimental effects on the neighborhood, such as further hindering riverfront access and adding to the traffic problem. Any expansion of the Javits Center must preserve, and not further hinder, existing waterfront access.

The City Needs a Plan to Reduce Traffic

Hell's Kitchen is already overwhelmed by traffic, with the Lincoln Tunnel, Times Square, Port Authority Bus Station, Javits Convention Center and new luxury developments along 42nd Street within its borders. The City's plans would only exacerbate these conditions. Increased traffic will also have a negative effect on use of neighborhood businesses.

The City has proposed no significant traffic mitigation measures, while supporting a plan that, in theory, will cause an overwhelming increase in vehicular traffic. The stadium alone, particularly for use by the NY Jets (with a New Jersey fan base and traditional tailgating at football games) will cause a significant increase in traffic. The City must devise a sensible approach to alleviate the existing conditions and plan wisely for the future. Possible steps to alleviate these effects include raising tolls in the Lincoln Tunnel and building a consolidated bus parking facility near the Tunnel to prevent buses from parking on the streets.

In addition to simply planning for traffic amelioration, the City must produce a thorough and honest Environmental Impact Statement exploring the effects of its plans for Hell's Kitchen South. The City should then adequately address the negative effects of planned development which they have failed to do in their draft environmental impact statement.

Conclusion

HCC supports contextual and rational development of this area and sees enormous opportunity to strengthen the infrastructure and economic viability of our community and the city as well as to address the housing emergency facing both our community and the city as a whole. The plan as presented by the city is not a rational attempt to best use a scarce resource --land-- but instead a misguided plan developed from the wrong perspective. The administration is committed to building a stadium on Manhattan's West Side, a goal that necessitated the extension of the no. 7 line. The re-zoning proposal appears to have been developed to create a funding mechanism to pay for the stadium (platform and dome) and public transportation. We see this proposal as a poor use of public funds and prime waterfront property. We urge the administration to step back and look at the opportunities presented with an open mind. The large scale of the proposal presents an opportunity for unique and innovative public-private partnerships to strengthen the community and the city. We ask you to require the city to go back to the drawing board, review their proposed plan and come back with a rational plan for our community that adequately studies, traffic, noise, pollution, sewage so this community can comments on the real aspects of this plan and together we can create a plan for the development of Hell's Kitchen South.

Thank you for allowing us the opportunity to share our concerns with you. We appreciate the work you are doing to gather public opinion about this plan, and we hope that you will agree with Community Board 4 that the Hudson Yards plan as it stands is inappropriate for the West Side and the people of New York.

September 23, 2004
City Planning Commission Review Hearing
FIT, HAFT Auditorium, Building C

TESTIMONY OF GERALD SCHOENFELD

I am the Chairman of The Shubert Organization, Inc., which own and operates sixteen and one-half Broadway legitimate theatres (the remaining one-half is owned by The Estate of Irving Berlin) and one new Off-Broadway theatre (the first constructed from the ground up with wholly private funds) on 42nd Street and Dyer Avenue. Additionally, The Shubert Organization is a producer of Broadway theatrical productions including *CATS, DREAMGIRLS, JEROME ROBBINS' BROADWAY, AIN'T MISBEHAVIN', THE GIN GAME, AMADEUS, SUNDAY IN THE PARK WITH GEORGE, PASSION, NICHOLAS NICKLEBY, THE BLUE ROOM, AMY'S VIEW* and *THE DANCE OF DEATH.*

Since 1970, I have been intimately associated with West Midtown, particularly the area from west of Sixth Avenue to the Hudson River and from 40th Street to 53rd Street. Among the various projects with which I have been involved are:

- The creation of the Times Square Task Force by Mayor John Lindsay which included a number of city agencies such as police, fire, buildings, sanitation, among others
- The Office of Midtown Enforcement dealing with legal issues such as pornography, sex-related businesses, street prostitution and drug dealing
- The development of Manhattan Plaza between 42nd and 43rd Streets and between Ninth and Tenth Avenues, a middle income subsidized housing project with middle income amenities which, unlike other Section 8 housing projects, effectively turned up the western part of 42nd Street and neighboring streets– a unique achievement unparalleled in the nation
- The midtown location of The Javits Center instead of a Battery Park City location
- The creation and operation of the Discount Ticket Booth in Duffy Square
- The development of the Marriott Marquis Hotel
- The land-marking of Broadway's legitimate theatres
- The down zoning of the East Side and up zoning of Broadway and Seventh Avenue which expedited the redevelopment of Times Square
- The enactment of ordinances and statutes relating to zoning, loitering for the purposes of prostitution, street vending and sex-related businesses
- Police and sanitation efforts which created a clean, safe and wholesome environment in Times Square for New York residents and domestic and foreign tourists
- The financing and creation of the Midtown Community Court
- The development of Theatre Row on 42nd Street
- And other projects which led to the transformation of 42nd Street and the restoration of Disney's New Amsterdam Theatre and Clear Channel's Ford Center.

THE EVOLUTION OF THE WEST SIDE DEVELOPMENT PLAN

The emergence of The West Side Development Plan, which includes an Olympic-size stadium, came to my attention when the City proposed the construction of an Olympic stadium over the Hudson Yards on the West Side of Manhattan. This plan was later enlarged to include an expansion of The Javits Center and an extension of the Number Seven Line of the Subway System to Eleventh Avenue. I made inquiry of the planner why a stadium was included in the development plan and I was told that this was a mandate from the City and an integral part of the planner's commission. No plan that incorporated zoning and zoning bonuses and other support mechanisms such as those that led to the development of Battery Park City has been considered. The contention that a platform over the rail yards was essential to development was not considered, either in connection with rezoning and the various bonuses that could be afforded to developers or by the utilization of the MTA's property and air rights, or possible financial involvement in the creation of the platform, or the MTA's participation in the proceeds of any sale or lease of air rights. Indeed, the utilization of $325 million dollars of Battery Park City Authority funds and the statement that the value of the air rights must be substantially diminished because there is no present platform have not been the subject of public discussion.

As the plan evolved, it appeared that an Olympic Stadium, financed in large measure by the City and State contributions of $600 million dollars, would not be justified by a twelve-day 2012 Olympics. To overcome this obstacle, it is now proposed that if we are awarded the 2012 Olympics in July 2005, the stadium would be converted from a 75,000 seat football stadium for the Jets to an approximate 110,00 seat Olympic Stadium. Subsequent to the Olympics, it would then be reconverted to a 75,000 seat football stadium. $800 million dollars of the projected $1.4 billion dollar cost would be contributed by the Jets, a private, profit-making organization. The remaining $600 million dollars would be contributed by the City and State to the extent of $300 million dollars each. A stand-alone football stadium used by the Jets for approximately eleven football games a year is sought to be justified by speculations that New York would be awarded a Super Bowl, perhaps the NCAA Basketball Games and other sporting events. Apparently these few events would not be adequate to generate sufficient income to pay the debt service and other costs attributable to the construction of the stadium. To overcome this obstacle the Jets later proposed that the stadium would be used for 140 other events and are now saying that it will be used all year long. Most of these events would be at night and whether or not any of them will utilize the stadium and, if so how many, is totally speculative.

The stadium alone, however, needed to have further support to justify its construction and the necessary transportation for people attending the stadium events. Since strong support exists for an expansion of the Javits Convention Center, the stadium is now suggested as the vehicle for the expansion in the

form of allocating up to 200,000 square feet of stadium space for utilization by the Javits Center where and if a need for such use may arise. Patron access was originally to be created by the extension of the Number Seven Line, which is projected to go from 42nd Street to 34th Street and Eleventh Avenue without any link back to Pennsylvania Station. Unfortunately, the MTA does not have the funds to build the Seven Line. The fair market value for MTA's railyards and air rights are apparently still a point of negotiation.

Now the Jets say they do not need an extension of the Seven line and their patrons can walk to the stadium. This is an absurd conclusion since less than 50% of the 20,000 spectators that attend an event at Madison Square Garden, located in the midst of one of the City's main transit centers, utilize mass transit.

So where will these people go to park their cars and buses? The amount of street parking and parking lot parking will be inadequate. The traffic problem will extend throughout the theatre district and, indeed throughout all of West midtown. One need only look at the traffic problems near Yankees Stadium on baseball game days, which extend to the Major Deegan Expressway, the West Side Highway and The George Washington Bridge. Have you ever tried to access the Lincoln Tunnel, The Holland Tunnel, Seventh, Eighth, Ninth, Tenth or Eleventh Avenues from early afternoon or when events are occurring at Madison Square Garden? Moreover, in order to alleviate present traffic problems, changes in traffic patterns have occurred in Times Square, which now prohibit turns from cross-town streets onto Broadway, which create express streets through the Times Square district and which have reconfigured the bow-tie area.

THE PROPOSED HUDSON YARDS PLAN IS AN EXAMPLE OF AN ATTEMPT TO PUT A SQUARE PEG (A 75,000 SEAT, 300 FOOT HIGH, 4 BLOCK LONG STADIUM) INTO A ROUND HOLE (THE MOST VALUABLE REMAINING UNDEVELOPED WATERFRONT PROPERTY IN THE CITY OF NEW YORK). IT SHOULD BE REJECTED OUT OF HAND FOR THE FOLLOWING REASONS:

1. There is no record of a stadium having a positive economic impact upon an urban center.

2. The economic projections for the stadium are based upon speculations created and paid for by the intended user, The New York Jets, which are disputed by reputable organizations such as: Regional Plan Association (RPA), Citizens Union of the City of New York, Natural Resources Defense Council (NRDC) and New York Public Interest Research Group (NYPIRG) among others.

3. The intended operation of the stadium is now projected to be 365 days a year and there is no independent study as to its feasibility for such an operation and its environmental impact.

4. There is no consideration of the impact the stadium will have upon the theatre district, New York's main tourist attraction and a generator of $4.3 billion dollars on New York City's economy.

5. The Broadway Theatre attracts approximately 240,000 people a week. It is the largest tourist attraction in New York City. It generates approximately 36,000 local jobs.

6. The parking surveys used in the Draft Environmental Impact Statement were conducted during June, one of the slowest months of the theatrical season and, therefore, an absurd example.

7. Patrons coming to Jets football games and other events at the stadium and an enlarged convention center will be unable to find adequate parking spaces either within the redevelopment area or the theatre district and will deprive patrons of the theatre of their already limited parking spaces.

8. The Draft Environmental Impact Statement concedes that 91% of parking would be utilized by Jets fans during a Sunday afternoon game, one of the Broadway theatres busiest matinee days, in an area from the Village to 59th Street; from the Hudson River to Fifth Avenue. Evening and other daytime utilization of the stadium would create gridlock throughout midtown, Chelsea and the Upper West Side and block traffic into and out of the Lincoln Tunnel. Every 34th Street intersection from 8th to 12th Avenues would be level of service "F" effectively creating a ¾ mile long wall of traffic blocking north-south movement.

9. The Draft Environmental Impact Statement nevertheless fails to mention any impacts upon the Theatre District resulting from the development of the stadium on the patrons, the businesses, or the theatre business itself.

10. There is no consideration as to whether unlimited new garages in the redevelopment area, if any are constructed, would violate the Clean Air Act.

11. There is no validity in making analogies to the past redevelopment of Times Square since;

a) The FAR Bonus for new legitimate theatres in new office buildings was 3.6 FAR and was limited to a five-year period commencing in 1982 and ending in 1987;

b) The sunset of the five-year period was tied to a further down zoning of the entire theatre district and Times Square area than the zoning requirements that existed prior to the 1982 amendment to which they were supposed to revert; public garages were not permitted as of right; and there was no provision for a District Improvement Development Fund as a mechanism to generate additional FAR.

12. There is no definition of a legitimate theatre, its need in the affected area and the economic benefit, if any, it may provide.

13. There is no consideration whether there are any prospective legitimate theatre operators who can afford to operate a new full-size proscenium stage Broadway-type legitimate theatre.

14. There is no consideration that there is an oversupply of Off-Broadway theatres.

15. There is no consideration of the cost of a new legitimate theatre and whether Eleventh Avenue or any other locations within the development area are suitable for these types of venues.

16. There is no consideration of whether the Javits Center expansion will be better served by an extension south of 34th Street.

17. There is no consideration of the implementation of the development plan if the predictions for the construction of new office buildings over the next twenty-eight years and the failure to build a Number Seven subway line extension to Eleven Avenue do not materialize.

18. There is no consideration of the financial aspects of the redevelopment plan and its impact upon other projects such as the MTA's expansion and Lower Manhattan development.

Insofar as the other aspects of the redevelopment plan are concerned, I adopt the recommendations set forth in the letter from Richard Gottfried to Manhattan Borough President C. Virginia Fields dated September 13, 2004 and the Hudson Yards Plan and Land Use Applications Summary of Recommendations dated August 23, 2004 of Manhattan Community Board Number 4 chaired by Walter Mankoff.

I, THEREFORE, URGE THE REJECTION OF THE PROPOSED REDEVELOPMENT PLAN AND URGE THE CITY PLANNING COMMISSION TO FORMULATE A NEW PLAN WITHOUT THE ALBATROSS OF A STADIUM AROUND ITS NECK. A NEW PLAN WILL RESULT IN AN IMPROVED JAVITS CENTER AND A BETTER REDEVELOPMENT OF THIS INVALUABLE PIECE OF REAL ESTATE AND REMOVE A DIRE THREAT TO NEW YORK'S CROWN JEWEL -- IT'S THEATRE DISTRICT.

Respectfully submitted,

Gerald Schoenfeld

JUJAMCYN THEATERS

June 2, 2004

James Sanders, Jr., Chair
Economic Development Committee
The Council
City Hall
New York, New York 10007

Dear Mr. Sanders,

I am the president of Jujamcyn Theaters, a company that owns and operates five Broadway theaters and produces Broadway shows. I also produce shows myself, most recently, "The Producers" at the St. James Theater. I have been active in New York City civil affairs for some time, serving on the boards of The Municipal Art Society and the Times Square Alliance.

I want to add my voice in support of the letter written by my colleague Gerald Schoenfeld. I agree with it in every aspect and share his alarm about the impact a new stadium on the West Side of Manhattan would have on the Broadway theater and the quality of life for all New Yorkers. Legitimate questions about the best use of limited financial resources and the potential to push an already strained and congested logistical grid past the breaking point, have yet to be fully addressed, let alone answered.

I know that a great many in our community share this opinion.

Yours sincerely,

Rocco Landesman

Rocco Landesman

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OFFICE OF THE PRESIDENT

June 2, 2004

Mr. James Sanders, Jr., Chair, Economic Development Committee
The Council
City Hall
New York, New York 10007

Dear Mr. Sanders:

I am Thomas C. Short, the International President of the International Alliance of Theatrical Stage Employees, a/k/a the "IA". The membership of the IA is in excess of 103,000 with over 75 national term agreements. Among the many locals of the IA located in the City of New York, those who work in Broadway's legitimate theatres are:

- Stage Hands Union, Local One, IATSE
- Treasurers and Tickets Sellers Union, Local 751 IATSE,
- Association of Theatre Press Agents and Managers Union (ATPAM), IATSE
- United Scenic Artists Union, Local USA 829, IATSE
- Theatrical Wardrobe Union, Local 764, IATSE
- Make-Up Artists and Hairstylists Union, Local 798, IATSE
- Ushers, Doormen and Ticket Takers Union, Local 306, IATSE

Many of my members reside on the West Side of Manhattan in the Clinton and Chelsea areas and many reside in other portions of the City. Their services are essential to the staging of performances and operations of New York's legitimate theatres. Without the services of our members, many of whom are especially skilled technicians, the Broadway theatres would not be able to function to the economic and cultural benefit of New York.

The IA and its locals are firmly opposed to the building of a stadium on the West Side of Manhattan for the following reasons:

1. The negative financial and credit rating consequences to New York City and state if the stadium does not generate the projected income
2. Multiple instances of avoidance of civic and legislative review process
3. The lack of any positive economic impact of a stadium on an urban center when the whole plan is predicated on delivering a positive economic impact
4. Refusal by the City to consider for the Far West Side the positive economic development which has been accomplished by zoning alone in Battery Park City and Times Square
5. The Jets' abandonment of the #7 Subway line
6. Parking problems and competition for parking spaces amongst IATSE union members on their way to work, residents, theatre patrons, Jets fans and convention patrons
7. Lack of compliance with Federal Clean Air Act
8. Far reaching environmental concerns and negative effects
9. Terrorist risk, especially because stadium is placed over a rail yard
10. Interference with the existing economic generator of Broadway which brings 240,000 people per week every week of the year into theatres
11. Limited funds of the MTA would be further constricted by additional cost demands of #7 which could cost Second Ave Subway and other public works projects
12. Lack of independent appraisal of fair market value of land and air rights of both the East and West Rail Yards at a time when the MTA has limited financial resources.
13. These are but a few of the reason why IA and its locals are firmly opposed to a stadium on the West Side of Manhattan.

What we are talking about here is the economic future of New York City. There has been no public discussion prior to today of the merits of the West Side Development plan and particularly the economic impact of a stadium. Indeed there has been an effort to avoid any public discussion and to utilize public authorities and other esoteric methods to avoid legislative involvement.

I see no reason for any need to expedite the building of a stadium even if New York should be designated as the site for the 2012 Olympics. There is ample time after July 2005 to commence construction. Furthermore, if New York is not the designated city, I see no reason to expend public funds of the city and state to the extent of $600 million dollars in furtherance of a project benefiting a

private business that has previously elected to move from the City of New York and now wishes to move back for its own private profit.

New York needs schools, affordable housing, firehouses, sensible real estate development, health care, social services and needs them now. Let us not allow this ill-conceived plan, seemingly buttressed by opinion and appraisals of so-called experts hired and paid for by the Jets, to deter us from what is best for all the residents of New York City and state.

Of the five remaining cities still in the running for the 2012 Olympic in IOC-designated priority are:

1. Paris- already has an existing stadium
2. London- requires building a new stadium, has no plan to build prior to July 2005 city designation
3. Madrid- has an existing stadium which would require upgrades
4. New York City- seeks to build a new stadium prior to IOC July 2005 designation
5. Moscow-existing stadium, built in 1956, hosted 1980 Olympics, minor upgrades proposed

The remaining cities are content to defer building or upgrading their stadium until after the IOC site selection committee has made its choice. Indeed, as reported in the May, 2004 issue of The Economist, a leading international periodical, London's sentiments are opposed to a stadium. I believe New York's sentiments are the same.

Very truly yours,

INTERNATIONAL PRESIDENT

TCS/dah

Testimony of Jeff Spiritos
City Planning Commission
September 23, 2004
CPC No. 040499ZMM

Good morning Chair Burden and Commissioners. My name is Jeff Spiritos from Edison Properties. We are the owners of the approximately 25,000 square foot parcel that occupies the entire block front on the west side of 9th Avenue between West 35th Street and West 36th Street. The parcel is improved with a public parking lot operated by an affiliate of Edison Properties.

Under the proposed zoning map amendments, our property would be rezoned from C6-2A to C1-7A. We oppose this rezoning. A C6-2A zoning district has a commercial FAR of 6.0, a community facility FAR of 6.5 and a residential FAR of 6.02, equivalent to an R8A district. The proposed C1-7A district is also an R8A equivalent district, but the floor area ratio for commercial uses is only 2.0.

We oppose this rezoning because we believe our property is more closely aligned with the commercial corridor running along 34th Street than with the 9th Avenue corridor running from 42nd Street south and it is an important site for the anticipated migration of commercial buildings to the west. Our property is immediately south of a significant entrance to the Lincoln Tunnel which breaks traffic and impedes the flow of pedestrians further to the south on the west side of 9th Avenue. For these reasons, our property is more closely related to the Farley Corridor, the Central Blocks portion of which immediately to the south is being rezoned to C6-4 <u>for commercial use only</u> and which would be upzoned to allow the acquisition of additional floor area through a district improvement bonus. Rather than mandate residential zoning immediately north of a high density commercial zone, we suggest that the Commission

should leave our property available for commercial or residential development based upon market conditions after further development pursuant to the Hudson Yards Plan.

We note that this is not the first time this issue has come before the Commission. In 1993, the 9th Avenue Local Development Corporation proposed to rezone the 9th Avenue corridor including our property to the equivalent of C1-7A. We objected and convinced the Local Development Corporation to file an amendment to rezone our property to C6-2A instead of C1-7A, which this Commission ultimately adopted. The Commission's report (C900607 (A) ZMM) on adopting the amendment allowing our property to be rezoned to C6-2A is noteworthy since it still applies today. The reports states that "the Commission believes that the mixed-used development potential of this site would strengthen the retail corridor by attracting pedestrian traffic, thereby contributing to the improvement of the quality of life along the rezoning area. Therefore, the City Planning Commission believes that the C6-2A zoning as proposed in the modified application is appropriate."

We reviewed the application submitted by the Department of City Planning for this current rezoning. There is absolutely no rationale presented for rezoning our property from C6-2A to C1-7A. Accordingly, we request that the Commission remove our property from the rezoning to allow the flexibility for it to be developed commercially or residentially in the future based upon market conditions after further development pursuant to the Hudson Yards Plan.

Thank you.

Mercedes-Benz

Mercedes-Benz
Manhattan, Inc.
NEW & USED CARS
Service and Parts
Paint and Body Repairs

Mercedes-Benz Manhattan, Inc. Testimony Before the New York City Planning Commission - September 23, 2004

Good morning. I am Anthony LaSpada, Assistant Secretary of Mercedes-Benz Manhattan, Inc. Thank you for this opportunity to share some continued concerns regarding New York City's Proposed Hudson Yards Rezoning action.

We greatly appreciate the City's August 30, 2004 proposed modifications to the Hudson Yards Plan, which addressed our ability to expand our auto service component at our 41st Street showroom and service facility. This modification will permit Mercedes-Benz Manhattan (MB) to proceed with a planned expansion at the site.

However, we have some additional concerns with the proposed zoning action that needlessly and negatively affects the planned expansion and operation of the 41st Street site; we believe these concerns can be easily addressed.

1. The proposed zoning prohibits auto showrooms on the ground floor. The MB 41st Street facility currently has a ground floor showroom and a small on-grade sales lot; it is our intention to enclose the on-grade sales lot into the showroom area. The proposed zoning would therefore prohibit the expansion of the showroom. Therefore, we request that MB be permitted to expand the Use Group 9 showroom use.

2. The proposed transit easement for the eastern 100' of the 41st Street facility will result, as presently proposed, in the demolition of our showroom and service facility. The proposed mapped transit easement, which would be triggered at the time of the auto service expansion, would result in the demolition of the entire 41st Street facility because the existing building's interior vehicular access ramp is located in the proposed required transit easement. A reasonable compromise would require a transit easement for any proposed building expansion or development greater than 5 FAR.

Our hope is that at some time in the future the MB showroom and service site at 41st Street will be redeveloped pursuant to the proposed rezoning. However, we have identified several issues that will make that redevelopment more problematic.

1. Though the August 2004 modification permits up to 6 residential FAR, we believe this level of residential use may be insufficient to permit the development of a mixed-use building. We propose a maximum 10 residential FAR.

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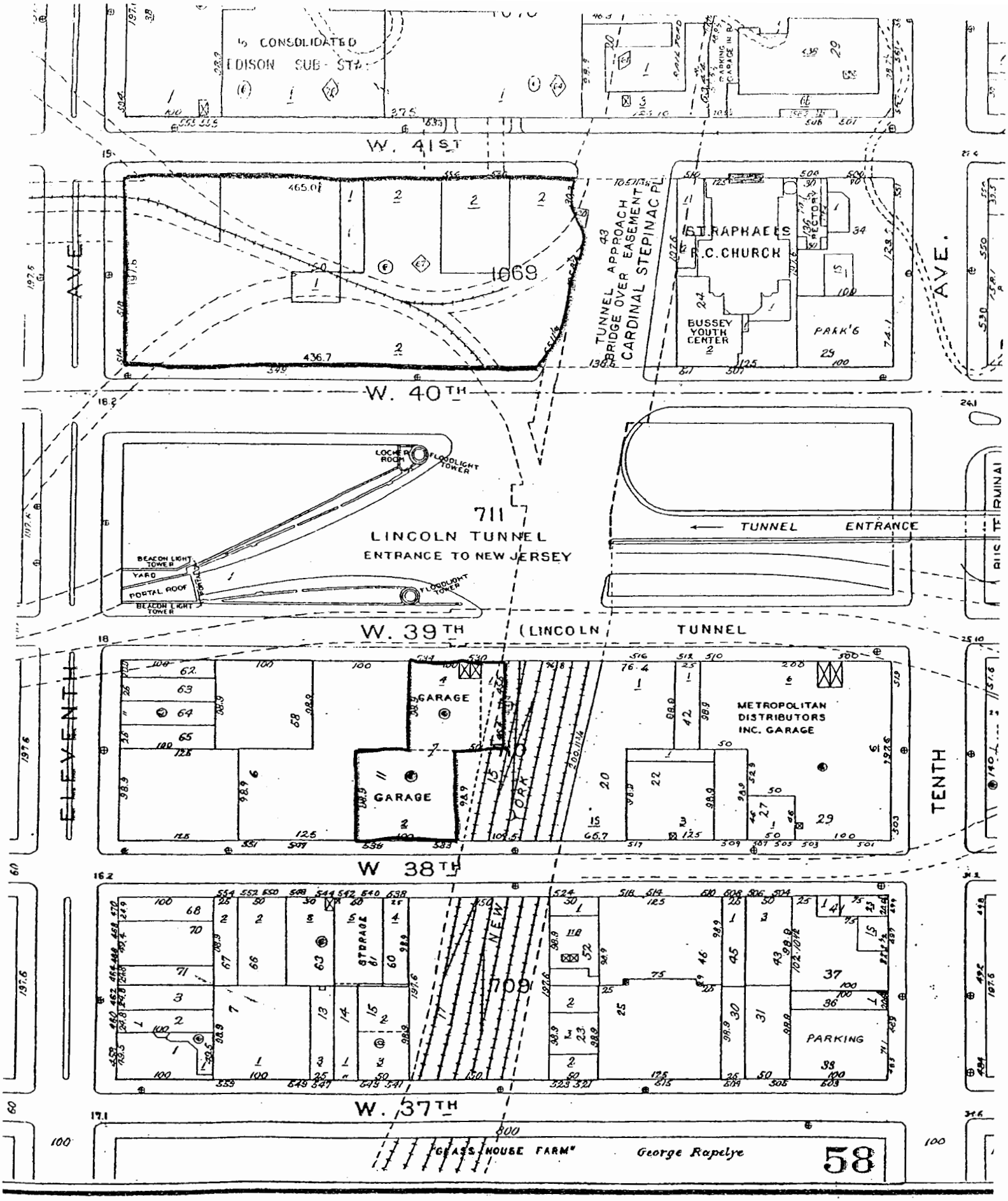
2. Due to the unique location of the MB site, adjacent to the Lincoln Tunnel entrance, we believe a mid-block driveway may be necessary. The proposed zoning text prohibits a mid-block driveway. Therefore, we proposed the elimination of this prohibition.

3. The proposed transit easement is mapped 100' deep. Our concern is the 100' deep easement will constrain the core of a future building. The proposed subway entrance does not require 100'. Therefore we propose a 30' subway easement.

Mercedes-Benz Manhattan is supportive of the City's efforts to revitalize the Hudson Yards/Hells Kitchen South area of Manhattan. However, we believe the City can adopt the above suggested modifications without harming the City's basic goals and objectives for the area. However, without these modifications, MB is unnecessarily harmed without substantive benefit to the City.

Again, thank you for facilitating today's public hearing.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George Rapelye
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BUILDING & CONSTRUCTION TRADES COUNCIL OF GREATER NEW YORK

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OF WASHINGTON D.C.
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BUILDING AND CONSTRUCTION TRADES COUNCIL
OF NEW YORK STATE
—
AMERICAN FEDERATION OF LABOR OF CONGRESS
OF INDUSTRIAL ORGANIZATION

EDWARD J. MALLOY
PRESIDENT

Statement of
Edward J. Malloy
President
Building and Construction Trades Council of Greater New York

New York City Planning Commission
Public Hearing on the Hudson Yards Plan
September 23, 2004

Good morning.

Thank you for the opportunity to speak today on such a critical issue for New York City's future.

My name is Edward J. Malloy. I am president of the Building and Construction Trades Council of Greater New York. On behalf of the 100,000 working men and women represented by our affiliated unions, I urge you to endorse the Hudson Yards rezoning plan.

The Hudson Yards rezoning plan is good for the far west side, good for the entire City of New York and good for thousands of middle class families.

This plan will allow us to create thousands of good-paying construction jobs -- jobs with health insurance and pensions -- that have helped so many who have come to New York City from diverse backgrounds achieve the American dream.

Specifically, the rezoning will create 150,000 direct and indirect construction jobs over the next two decades. It also will create 110,000 permanent private sector jobs.

Rejecting or diluting this plan would, simply put, hurt our industry and the families it supports. In fact, for every one million square feet of commercial density that is eliminated from the plan, New York City will lose 4,000 permanent jobs and as many as 3,000 construction jobs. With 76 percent of New York City construction workers living in the five boroughs according to the 2000 U.S. Census, rejecting

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or diluting the plan would be acting to harm the employment prospects of our own citizens.

Since we are talking about a plan with long-term implications for New York City's work force, particularly in construction, it is worth considering who the long-term beneficiaries of the plan will be. They will be the young people entering our industry today as union apprentices, 51 percent of whom are minorities, beginning rewarding and lucrative careers in the skilled trades.

These apprentices will include young people graduating from our public high schools who obtain access to careers in the skilled trades through our industry's efforts with Construction Skills 2000, Inc. This initiative has now placed 421 students into union apprenticeship training programs, where they attend classes at the industry's expense and also earn a living as union members working on projects throughout the city. The promise of this initiative is borne out by a recent survey showing that after the first three years of operations, the retention rate for students put into union apprenticeships through Construction Skills 2000 is an outstanding 85 percent, a figure exceptionally high for efforts targeted to inner-city youth.

Jobs created in the Hudson Yards area will help all New Yorkers. New Yorkers will be working here and revenue will be staying here. With increased public revenue—over $2 billion by 2025—the City and State will be able to provide better mass transit, new investments in schools, parks and public safety, as well as other priorities.

For the far west side, this rezoning plan will transform an area that is currently underutilized. It will bring needed economic development and jumpstart the revitalization of this area. With a mix of residential, commercial and retail space, as well as new parkland, the Hudson Yards area could soon become an extraordinary and vibrant center of activity in the city. That would stand in stark contrast to what it is now, which is at best an eyesore when it is not a ghost town.

The rezoning plan also would enhance the city's ability to attract and retain businesses thinking about fleeing to the suburbs. The commercial growth planned for the Hudson Yards will occur somewhere. Job projections make it clear that economic growth will occur in the region and that office and other space is needed to accommodate this increased activity. Will it be in New Jersey, other suburbs or New York City?

The Hudson Yards would have the right space for any company looking to stay in New York City or call it home for the first time. Businesses look for areas with a solid and diverse workforce. In conjunction with improved mass transit, led by the extension of the Number 7 Subway line, this area would represent an outstanding and accessible location for any number of growing businesses.

In the end, this plan is about the economic prosperity of both the far west side and the city as a whole. It's a winner for taxpayers, a winner for working families and, most of all, a winner for New York City's future. We again urge you to support it.

Thank you.

Regional Plan Association
NJ CT NY

My name is Jeffrey Zupan. I am Senior Fellow for Transportation for Regional Plan Association, for whom I am speaking today.

Regional Plan Association supports the redevelopment of the Far West Side and the rezoning under discussion today, although we remain opposed to certain aspects of the development plan, most notably the stadium. Another representative from RPA will provide an overview of our position, but I would like to focus on some of the transportation issues that are of concern to RPA.

First, the DGEIS leads us to believe that major traffic congestion could exist on the west side of midtown Manhattan during peak weekday hours, on football Sundays, and during special events, should the development plan proposed become reality.

The EIS indicates that during special event days 26 intersections will be seriously affected and on "football Sundays" 35 intersections seriously affected. Mitigation measures are identified for the majority of intersections, but the effectiveness of these proposed mitigation measures is in serious doubt. Moreover, their ability to work in concert with one another has not been tested or demonstrated, i.e., can mitigation at one intersection

negatively affect adjoining intersections? Worse still, at some intersections no mitigations capable of relieving traffic have been identified.

Further, the combined impact of traffic congestion on streets and vehicles entering and leaving parking facilities has not been evaluated. There will be a high potential level of frustration caused by such huge numbers of vehicles wishing to exit mostly structured parking facilities more or less simultaneously onto streets paralyzed with traffic.

Moving on to impacts on the transit system, the extension of the #7 Flushing line is expected to be the primary, but not the only, means of public transit to the project area. The build-out of the project area will result in conditions on the subway extension that will push up against the crowding standards established by the MTA and beyond the more humane standards set by RPA. Even more critical will be the added pressure placed on the transit system by transferring passengers at #7 stations in Manhattan, most particular at Grand Central and Times Square. At Grand Central, transferring with the #7 for the Lexington Avenue line and Metro North riders will create an especially serious problem not explicitly evaluated. The DGEIS silently assumes that the Second Avenue Subway will be built to address the problem, but it would have been more helpful if the DGEIS explicitly acknowledged that without the Second Avenue Subway there will be a serious condition at Grand Central Terminal as a new "reverse flow" will interact with current major direction flows in narrow corridors and stairs. As the EIS shows, the Second Avenue Subway is vital to the success of the #7 extension and the Far West Side, a fact which should be acknowledged by City Planning and the City.

Commuter rail is expected to be another major source of travel to the subject area. The DGEIS indicates that the commuter rail system will have the capacity to handle the trips generated by the full build-out of the project. This is not true for travel on NJ TRANSIT under the Hudson on both demand and supply grounds. First, the DGEIS bases its conclusions on a low estimate of the share of rail commuters who will travel to and from points west of the Hudson River. The DGEIS assumes that the current share of commuters coming from west of the Hudson will remain despite evidence that the vast majority of commuting growth in the last 20 years has come from west of the Hudson suburbs. Second, the DGEIS ignores the fact that current peak hour commuter rail capacity under the Hudson River is at or close to its limits. As a result the DGEIS assumes that the commuter rail capacity from the west will be adequate, when more capacity will be needed in the form of a new rail tunnel. The absence of this tunnel will likely curtail the ability to achieve the projected growth for the project. The DGEIS should assume the new rail tunnel is in place and support it as a mitigation measure.

Thank you for this opportunity to express RPA's position on this important project. More information is available on our website, *www.rpa.org*, including several reports on this topic.

Regional Plan Association (RPA) is an independent, not-for-profit regional planning organization that improves the quality of life and the economic competitiveness of the 31-county New York-New Jersey-Connecticut region through research, planning, and advocacy. For more than 80 years, RPA has been shaping transportation systems, protecting open spaces, and promoting better community design for the region's continued growth.

We anticipate the challenges the region will face in the years to come, and we mobilize the region's civic, business, and government sectors to take action.

The nation's most influential independent regional planning organization since 1922, RPA has a storied history but is more relevant than ever in the 21st Century. RPA's First Plan in 1929 provided the blueprint for the transportation and open space networks that we take for granted today. The Second Plan, completed in 1968, was instrumental in restoring our deteriorated mass transit system, preserving threatened natural resources and revitalizing our urban centers. Released in 1996, RPA's Third Regional Plan, "A Region at Risk," warned that new global trends had fundamentally altered New York's national and global position. The plan called for building a seamless 21st century mass transit system, creating a three-million acre Greensward network of protected natural resource systems, maintaining half the region's employment in urban centers, and assisting minority and immigrant communities to fully participate in the economic mainstream.

RPA's current work is aimed largely at implementing the ideas put forth in the Third Regional Plan. Our efforts are focused in five project areas: community design, open space, transportation, workforce and the economy, and housing.

TRI-STATE TRANSPORTATION CAMPAIGN

Mobilizing the Region

Hudson Yards Rezoning, City Planning Hearing, Testimony of Teresa Toro, Tri-State Transportation Campaign, Sept. 23, 2004

My name is Teresa Toro and I am the NYC Coordinator for the Tri-State Transportation Campaign, a transportation advocacy group that works to reduce car dependency in New York, New Jersey, and Connecticut.

We worry that the congestion on our streets will be worse than the unrealistic stadium transit ridership assumptions presented in the DEIS. We also wonder if our transit system will be able to handle thousands of new riders per day without large capacity expansion projects, and are concerned that the zoning would result in more parking than a transit oriented district needs.

First, the West Side DEIS predicts around 68% of Jets stadium attendees will use mass transit. But no sports venue in New York City or in the rest of the United States sees a mass transit travel rate close to this number. For example, according to a study performed last year, Madison Square Garden sees at most 52% of patrons arrive at Knicks and Rangers games by mass transit. In other words, if the same percentage of sports fans travel by car to Jets games as to events Madison Square Garden, 4,700 more cars would be added to the local street network than the DEIS admits, a 66% increase over that presented in the DEIS.

Throughout the country, other urban stadiums near transit service and close to highways see about 50% of attendees using local bus or train routes. Those farther from transit service see fewer attendees using transit – for example, 17% of Mets fans and 30% of Yankees fans use transit to get to NYC games.

A big problem for the city's transit ridership estimate is the proposed stadium's lack of proximity to transit. Madison Square Garden is directly atop the busiest train station in the U.S., served by two major commuter railroads and seven subway services. Another six subway services and the PATH train are just a block away in Herald Square. The proposed West Side stadium may be directly served by a single subway line – the proposed #7 extension – and will be a long walk from Penn Station. It will be directly adjacent to the West Side Highway and close to the Lincoln Tunnel and people will be tempted to drive.

Second, the parking requirements presented for the West Side will further promote car use and discourage people from taking transit. The recommendations are .33 spaces per dwelling unit, yet the rest of Midtown has no parking space requirement. In fact, the

city limits parking supply in order to promote transit use. Similarly, the proposed .35 parking spaces per 1,000 square feet of office space will discourage transit use; most of Manhattan requires less – only .25 spaces per 1,000 square feet of floor area.

Third, the traffic and transit studies are inadequate. The environmental impact statement looks only at specific intersections, and fails to look at cumulative impacts. Mitigation for traffic congestion is weak – can restriping and new traffic signal timing really fix the 100-150 intersections (or more if we are right about how people will get to the stadium) that will see significant impacts?

The transit study fails to note that the NJ Transit capacity into Penn Station will be full by 2009, and does not explain how Grand Central will handle the thousands of new #7 riders if the Second Ave subway is not completed before new development occurs.

Simply put, the businesses will not be attracted to the West Side if employees experience gridlock during their daily train or car commutes. New traffic studies that predict a variety of circumstances, not just one Disneyland condition where ¾ of Jets fans jump onto trains or buses, must be completed before any approvals are given.

I have included a few graphs for the panel's review. Thank you for your time.

What percentage of Jets fans will take transit? Three possible scenarios

	City assumption of 68.7% transit use	At Madison Square Garden transit rate (52%)	At Shea Stadium transit rate (17%)
Total game-day attendees	75,000	75,000	75,000
Transit riders	51,525	39,000	12,750
Drivers	21,600	35,925	62,175
Additional car trips at City-asserted rate of 3 fans per car	7,200	11,975 (+4,775)	20,725 (+13,525)
Additional car trips if vehicle occupancy does not increase (current Jets game occupancy of 2.75 fans per car)	7,855 (+655)	13,064 (+5,864)	22,609 (+15,409)

Mass transit share of New York and other metropolitan fans
traveling to sports venues

Venue	Share of fans traveling by mass transit	Info/data source
Madison Square Garden	52% average for Knicks/Rangers games.	*Madison Square Garden Modal Split Analysis.* Sam Schwartz Co, August 2003.
Yankee Stadium	30%	NYC Transit estimate, expressed during 2000 subway World Series, cited in *Forbes.*
National Tennis Center/ U.S. Open	44.8%	Patron surveys by the U.S. Tennis Association. Share indicated here from 2003.
Shea Stadium	17%	Cited in Madison Square Garden Modal Split Analysis, Sam Schwartz Co. August 2003

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Planning for the West Side's Future

Statement by Assembly Member Richard N. Gottfried
At the City Planning Commission and Metropolitan Transportation Authority Public Hearing on the "Hudson Yards" Plan
September 23, 2004

I am Assembly Member Richard N. Gottfried. I represent the 75th Assembly District in Manhattan, which includes Clinton, Chelsea, Midtown, Murray Hill, and part of the Upper West Side, including the entire area that the Bloomberg Administration has proposed to rezone in its "Hudson Yards" plan. I thank the City Planning Commission and the MTA for the opportunity to testify at this public hearing.

The Administration continues to advance a plan that incorporates few of the principles endorsed by the people who live in this community. It should be rejected and replaced with the much more reasonable and productive alternative proposed by the community.

I want to address one point before I discuss the merits of the plan.

The Governor and the Mayor stress that all the elements of the Hudson Yards plan are inseparable as a package. And it is a huge package, including the spending of $4 billion by New York City. Yet for major elements of this package – the West Side stadium; the Javits expansion (including street closings); the convention center hotels; and the financial plans for the #7 train extension, the Rail Yards development, and the new boulevard – the Governor and the Mayor are determined to cut the Borough President, the community, the City Planning Commission, the City Council and the State Legislature out of any meaningful review of the plan.

This is not acceptable. The City Planning Commission should demand to have a voice in this major planning decision. Both the West Side Stadium and the expansion of the Javits Center should be subject to the ULURP process, as the Assembly has advocated.

I support reasonable development that will create jobs and promote economic development. But the Administration's plan is not the answer.

The "Hudson Yards" plan has serious problems:

- The misguided West Side stadium proposal prevents sensible planning for the West Side Rail Yards site.
- The excessive commercial density in the plan could threaten the rebuilding of Downtown, wall off the waterfront, and rob the City of an opportunity to plan for housing that is affordable to low- to middle-income New Yorkers.
- The development would have a stunning harmful environmental impact on the existing community, including an unprecedented level of vehicle and pedestrian traffic congestion and noise pollution.

- Thriving businesses would be uprooted to build a new boulevard.
- The proposed extension of the #7 train does not connect to Penn Station and will compete with other much-needed transportation infrastructure improvements such as the Second Avenue Subway.
- Using the Rail Yards for a stadium, rather than more productive development, would deprive the MTA of the opportunity to maximize its benefit from one of its most valuable assets, a loss that will have to be made up by taxpayers and transit riders if we are going to fund needed transit improvements.
- Many important elements of the financing plan for the development and for the stadium remain unclear, but it is already clear that it will impose a huge cost on taxpayers and pose a tremendous risk to the City's long-term fiscal health.
- And perhaps most importantly, the Pataki and Bloomberg Administrations have proposed that the stadium, the Javits expansion, and the development plan be approved through a process that evades nearly all meaningful public review and approval, including oversight and approval by the legislative bodies of the State and City.

I urge the Planning Commission to oppose the Hudson Yards plan unless it is dramatically changed and these problems are solved. The Commission should follow the recommendations of Community Board 4 and the Manhattan Borough Board: support a reasonable rezoning of this area by accepting the proposed zoning map changes, but deny the proposed changes to the zoning text.

Public Process

Officials from the Pataki and Bloomberg Administration have referred to the proposed West Side Stadium as the centerpiece of the "Hudson Yards" plan. But the plan going through ULURP does not include the stadium or the Javits expansion. The Pataki and Bloomberg Administrations claim that ULURP is not required because the stadium and Javits are state projects — even through the proposed zoning text would allow revenue from the development plan to support the stadium.

The Governor and Mayor Bloomberg would use three Governor-controlled public authorities to push the stadium through without public bidding, public review through the city's land use review process or approval by the City Council. Charles Gargano, head of ESDC, has testified that they plan to do it without approval of the State Legislature, either. This is unacceptable. A project this massive, including huge financial commitments for the State and City, requires a full and complete public review.

As the Assembly Member representing the Javits site and the sponsor of the original legislation that created Javits, I am delighted to be a co-sponsor of Assembly Speaker Sheldon Silver's bill on Javits expansion, which passed the Assembly in August. That legislation would require that the Javits expansion be subject to New York City zoning and the City's Uniform Land Use Review Procedure (ULURP).

Speaker Silver has also stated that there will be no state funding for a stadium without public input and review of that project through ULURP.

Even the development plan is not getting the full review it should. While this rezoning plan is going through ULURP, the accompanying financial plan is not. In order to ensure that the City Council is not effectively cut out of the City's capital budget process for this huge package, the Administration must fully detail its plan to raise and spend billions of dollars on West Side infrastructure, and submit it to the Council for review and approval.

The Development Plan

Development in Hell's Kitchen South should be on a normal scale comparable to the development patterns of most other areas of Manhattan. We need a mix of residential, commercial, and manufacturing space that reflects the needs, diversity, and scale of this neighborhood. We can best attract new residents and economic development to the West Side by emphasizing and extending the characteristics that make Chelsea and Hell's Kitchen special.

I strongly challenge City Planning's unexamined assumption that the City has a pressing need for so much commercial space in Manhattan. The City *does* need to develop more affordable housing, both to meet the needs of the City's residents and to aid the City economy. As Mayor Bloomberg said when unveiling his housing plan, "you can make the case that we need housing more than we need office space." But the rezoning plan would create much more commercial office space than residential, and there are no guarantees that any of this housing would be permanently affordable. This puts the City's priorities backwards.

The City's Independent Budget Office believes that the Administration is planning for too much office space. Community Board 1, which represents Lower Manhattan, has already expressed concern that excessive commercial development in Hell's Kitchen South could rob Downtown of office tenants it needs to rebuild the World Trade Center area.

The Administration should alter its plan to allow for a more reasonable density of commercial development, and devote more of the area for residential use. There must be a detailed plan to ensure that a significant amount of the housing created – the community's goal is 30% – be permanently affordable to low- to moderate-income New Yorkers. Mandatory inclusionary zoning, as – well as other mechanisms, should be used. Any development plan that does not do that does not plan adequately to meet New York's most pressing need.

The development plan should also be changed to eliminate the proposed new mid-block boulevard, which would unnecessarily displace hundreds of businesses, thousands of jobs, and many residents.

Environmental Impact

The Administration's Draft Environmental Impact Statement (DEIS) for the development plan and the stadium is unrealistically optimistic about the project's environmental impacts. The DEIS uses a survey of Jets' season ticket holders to determine transit usage to the stadium, rather than observing the actual transit usage to Madison Square Garden. The DEIS only examined traffic at individual intersections, ignoring spillback.

Some of the DEIS' proposed mitigation measures are questionable at best, such as speeding up subway escalators in order to mitigate the increased subway traffic. Many other mitigation measures are entirely missing from the DEIS, but will supposedly be in the *final* EIS, such as additional traffic and air pollution mitigation measures. Many analyses have yet to be completed, such as the hazardous waste investigation, and detailed analysis of air quality and

noise impacts. Failing to include these elements in the draft EIS deprives the community of it opportunity to study and comment on them.

Even *given* its unrealistically rosy assumptions, the DEIS predicts nightmarish environmental impacts.

When the stadium is in use, traffic congestion would increase beyond the limits of normal measurement and parking would be almost completely unavailable. Subways would be completely overcrowded. Congestion at corners and crosswalks would cause pedestrians to have what is delicately called "unavoidable contact with other pedestrians." Air and water pollution will increase, overwhelming the North River Water Pollution Control Plant in Harlem in wet weather and causing overflow of raw sewage into the Hudson River. Added noise pollution will require the City to install double-glazed windows and air conditioners on residential buildings. The new development will require a new power plant and two substations, new water mains, schools and fire houses. No sites or money have been identified for any of these.

These impacts lead to two obvious conclusions. First, eliminate the stadium, which is clearly inappropriate for one of the most congested parts of the most developed borough in the City. And second, scale down the density of the development to a level that Manhattan's infrastructure can handle.

The Stadium

It is impossible to discuss the Hudson Yards plan without discussing the Governor and Mayor's misguided West Side stadium plan. Using the Rail Yards for a stadium, rather than more productive development, wreaks havoc on the rest of the plan by forcing excessive development onto Eleventh Avenue that would wall off the riverfront. On the Rail Yards site itself, the 30-story, 3-square-block stadium would block access to the waterfront and choke off the Hudson River Park.

The Governor and Mayor want state and city taxpayers to put up $600 million – and recently we discovered the cost to taxpayers will actually be about $1.2 billion – to help pay for the stadium's $1.4 billion cost. This money would be by far the largest taxpayer giveaway to a sports franchise in the nation's history.

Using the MTA's extraordinarily valuable riverfront property for a stadium – rather than for more productive development – would mean a loss of future MTA revenue estimated at more than $2 billion. That loss will have to be made up by tax money or fare increases if the MTA wants to improve commuter lines and mass transit.

Some claim that this massive taxpayer expense is an investment that will create jobs and pay for itself. But stadium jobs would be created wherever the stadium is built. It does not have to be located in the most expensive site in the most congested borough of the city. And the majority of economists who studied the issue believe that sports stadiums do not generate enough economic development to justify major public expense.

When this stadium fails to pay back its enormous cost – like nearly every other stadium – New York taxpayers will be left holding the bag. And when that happens, either taxes will be raised, or real needs will go unmet.

And the argument so far has been whether the stadium will generate enough economic activity to cover a $600 million taxpayer cost. No one claims it would come anywhere near

covering the actual $1.2 billion taxpayer cost, or making up for the MTA's lost $2 billion real estate asset.

With the economic case for the stadium so weak, the Governor has argued that it is needed for the Javits Convention Center expansion. The Jets claim that the *combination* of the stadium and expansion of the Javits Center will generate economic activity, permanent jobs, and tax revenues. But that's like saying that together, Bill Gates and I are worth billions of dollars. I don't contribute much to the total. The stadium is dead weight.

The Javits Convention Center's own expansion plan – before they were ordered to support the stadium – never called for a connection to a stadium. Javits expansion is not helped by being linked to a stadium. Convention center experts agree that the vast majority of major convention centers around the country do perfectly well without being near a stadium, and the three that have a link to a stadium get no benefit from it.

Furthermore, the West Side stadium does not make sense for New York's bid for the 2012 Olympics. The International Olympic Committee has long said it wants Olympic plans that are less costly, less spread out, and not located in the heart of cities. This plan violates all three.

A sensible alternative at the Rail Yards site would be a real expansion of Javits, plus commercial and residential buildings at the four corners of the site. That would be good for jobs, for taxpayers, for Javits, and for the MTA.

If the Jets were good for a state's economy, you would think that New Jersey would have tried to keep them. But in waving goodbye, New Jersey Sports & Exhibition Authority President George Zoffinger said, "we don't like to lose a tenant, but we have decided in New Jersey that our priorities are in the areas of education, health care and social services." Here in New York, the Governor wants to offer the Jets an unprecedented public subsidy and the exclusive rights to a valuable piece of public property that could be used for real job-producing economic development. What are New York's priorities?

A growing chorus of voices from throughout the City – including New York City Public Advocate Betsy Gotbaum, the Regional Plan Association, Citizens Union, NYPIRG, Natural Resources Defense Council, the Sierra Club, Citizen Action of New York, Broadway theater owners and unions, *The New York Times*, *Newsday* and the *New York Observer* – opposes a West Side stadium. About 60% of New Yorkers oppose the stadium. That number climbs to 80% if the stadium does not pay back the taxpayer cost.

Better Alternatives

The debate over the West Side's future need not be an all-or-nothing argument. The Hell's Kitchen/Hudson Yards Alliance has proposed a detailed alternative plan for the area that meets the goals of the City and the community. I support that alternative. The Regional Plan Association has advanced its own principles to guide development in the area, including a call for a mixed-used master plan for the development of the West Side Rail Yards. The Administration must show enough flexibility to incorporate these progressive visions for the West Side's future.

Working together, we can develop a plan for this community that West Siders can support and of which all New Yorkers can be proud.Thank you for the opportunity to testify.

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TESTIMONY OF STEVEN SPINOLA, PRESIDENT, REAL ESTATE BOARD OF NEW YORK, INC. BEFORE THE NEW YORK CITY PLANNING COMMISSION CONCERNING THE PROPOSED HUDSON YARDS PLAN

September 23, 2004

Good morning. I am Steven Spinola, President of the Real Estate Board of New York. REBNY is a broadly-based trade association of 6,000 owners, builders, brokers and real estate professionals active in New York City.

REBNY supports the Hudson Yards plan that is the subject of this ULURP hearing.

In addition, we support the expansion of the Javits Convention Center and the development of the multi-use facility that is part of the EIS for this proposal and a separate state action.

The city and state planning has been bold, thoughtful, comprehensive and right for this area.

The zoning and development of this area as a dense, mixed-use neighborhood includes a new extension of a major subway line, a necessary expansion of the Javits Convention Center, and the elegantly designed, environmentally-sensitive New York Sports and Convention Center.

The NYSCC would be the home of the New York Jets and would provide a venue for sports and convention activity that we are currently unable to attract. As part of its development, the NYSCC would link the Hudson Yards open space network, the public space along the High Line to the south and the Hudson River Park to the west.

The private and public capital investment would expand our tax base and provide enormous revenue for public amenities--open space, transportation and affordable housing funded now. Other basic services – teachers, police officers, and fire fighters – would be paid for in the future as this neighborhood's value and tax revenue grow.

New York's greatness as a world-class city and the generous and incomparable level of services it offers its citizens would be sustained and enhanced by the adoption and implementation of the entire plan.

The capital investment in Hudson Yards, the public benefits for the area, the jobs created and the taxes collected would only occur with a plan of this size, scope and vision. These are the reasons for REBNY's support.

In 1999, the city faced a critical shortage of office space. Senator Schumer assembled a Group of 35 – a collection of real estate, business and civic leaders – who studied how the city could accommodate business expansion and retain and attract jobs that were moving across the river to the Jersey waterfront and around the country.

Over the last five years that intense demand has diminished. However, as we witnessed in the later half of the 1990's that surge in demand can occur quickly. At that time, the large supply of available space was quickly absorbed and new office construction was underway in Times Square, one of the few locations with available, ready to build sites.

The Group of 35 report identified a number of areas in the city suitable for redevelopment. Two areas – Long Island City and Downtown Brooklyn – have been rezoned to accommodate office use. Another critical area was Hudson Yards. The report's conclusion then is true today. It is vital for the City to have room to expand the office market over the long term, not just the next year or two. The Hudson Yards proposal is an important realization of the report's sound recommendation.

REBNY has studied new office development for more than 100 years. Our study shows an ongoing pattern of expansion that began in Lower Manhattan. At the end of the Second World War, it moved to Midtown, expanding north and east. With the use of zoning and incentives, office development marched west to Sixth Avenue then toward Broadway and Times Square. In addition, new office construction continued to occur downtown at the World Trade Center and in Battery Park City.

At the same time, Midtown South's large inventory of loft and factory buildings were being transformed as the manufacturing sector declined from more than 1 million jobs to less than 200,000 jobs. Today this area contains approximately 65 million sf of office space which would make it the fifth largest CBD in the country.

Many businesses still want to move to Manhattan; many businesses here want to stay and grow as long as space is available and competitively priced. The Hudson Yards proposal would put in place – with numerous large sites, new transportation and open space and existing sports, entertainment and convention activity – a land use plan for growth in the 21st Century.

The densities proposed here for commercial buildings reflect what is necessary for a real expansion of the Central Business District. In addition, situated between the largely residential neighborhoods of Clinton and Chelsea, the proposal contains significant density for residential development at varying floor area ratios based on location – lower in the vicinity of Ninth Avenue , the community's Main Street, and higher in the area of the predominately commercial sections.

The City's history of housing production has been in a long period of decline from a high 60,031 of in 1963 to a low of 5,579 in 1993. In the last three years we have seen a rise in housing permits. This reliable indication of new, increased production is welcomed news.

We believe that the residential development in Hudson Yard would move more quickly than commercial. We believe that the revised "A" version of zoning text is the appropriate version because it provides a better mix of uses. The controls built into this plan to promote the use of the Inclusionary Zoning bonus and the availability of tax exempt financing for 80/20 development would create an equally large supply of affordable housing.

This plan – with significant and appropriate commercial and residential density, with an abundant and well planned open space network that would be linked to the Hudson River Park and the transformed High Line; with sports, entertainment and trade show activity along the convention corridor – would make Hudson Yards the best planned; the best designed; and the most exciting mixed-use neighborhood in the City.

Lastly, we think that the development of the NYSCC would have a positive impact on new development for a number of reasons.

Covering the railyards promptly, as anticipated, would be a crucial step in enhancing the area and in inviting new commercial development.

The NYSCC has been the most economically feasible and practical proposal for this site in more than two decades. It is not often that we have a plan whose passage will trigger immediately $800 million in private sector and $600 million in public sector investment. This investment as well as the people and activity this facility would attract is sure to be a catalyst for commercial development, especially as our economy improves and new jobs created.

There are those who would point to the original development of the Javits Convention Center and argue that this history demonstrates that such projects do not spur development. We think this position is mistaken. They have misread the history of the original project and ignored how the intervening 25 years of development have changed the development potential that such a project could spur.

The initially proposed location for the Javits Convention Center was in the mid-40's. However, the Clinton community vigorously opposed this location. They believed that its proximity to an existing neighborhood would spur new development. Presumably, its current location had been less objectionable. Its remote location in the mid-30's would not likely lead to the additional development the community feared. This logic proved correct.

Since that time much has changed. Office development has pushed west and south. Residential development is occurring on the perimeter of the area where the existing zoning is appropriate for high density development.

Today, vibrant residential and thriving commercial activities are poised to extend into Hudson Yards, once the zoning is changed. The Javits Convention Center or the proposed NYSCC are no longer remote from established neighborhoods.

This proximity to established neighborhoods, a comprehensive, mixed-use, high density rezoning anticipated to be in place, an extension of a major subway line are new and significantly positive circumstances that must be acknowledged in evaluating the NYSCC impact on the area. These factors were not present a quarter century ago.

For these reasons we have maintained that the NYSCC would spur development in the surrounding area. This judgment is also supported by recent multi use facility development.

Our review of other cities' experience with stadium construction showed that it spurred new development if it has at least one of these features – 1) it was a multi-use facility; 2) it was part of a larger more comprehensive plan for development in the surrounding area; 3) the stadium and comprehensive plans were located within or adjacent to a densely developed urban area, generally along a waterfront.

A number of stadium projects – Skydome in Toronto, Petco Park in San Diego, Jacob Field in Cleveland and American Airlines Arena in Miami – had a beneficial impact on the surrounding area.

The Toronto Skydome, built on the shore of Lake Ontario, has successfully spurred new development around the stadium, according to Ken Greenberg, the city of Toronto planning official responsible for the renewal of this section of the city.

The Skydome with a retractable roof, home to the MLB Blue Jays and the CFL Argonauts, is located in downtown Toronto. It seats 50,000 and parking is provided for 500 cars. Ken Greenberg, who resides downtown, notes that traffic is heavier on the day of the event but it is neither a disruption nor inconvenience to local residents. The Skydome is part of a comprehensive plan to create a mixed-use district in the vicinity of the former railyards.

American Airlines Arena in Miami opened at the end of 1999 and is home to the Miami Heat NBA team. Architect Bernardo Fort-Brescia reports that the Arena spurred commercial and residential development in Miami's downtown. He describes it as a

bridge between the downtown and the waterfront and a revitalizer of a rundown neighborhood.

Petco Park was built in downtown San Diego with access to the regional transportation system, including trolley, bus and future water taxis with the financial assistance of the City. The owner of the Padres, as part of his commitment to the City, built a 512 room Omni Hotel with residential condos on top and oversaw the development of an adjacent four block area with residential condos and low-income housing. According to the internet magazine Slate, "Other private sector developers, who have nothing to do with the Padres or the ball park, piggy-backed on [the Padres' owner's] efforts. The Parkloft, a loft-style apartment building was completed last summer. Another condo project, Diamond Terrace was sold out before its completion. A housing project for seniors is open. And at least a dozen more projects are in the works or the planning stages. The Center City Development Corp. [San Diego's economic development agency] has a list of projects in the East Village area that, should they all come to fruition, would represent private sector investment of $1.2 billion and create about 3,700 housing units." The article concludes with a quote from Andrew Zimbalist, a Smith College economist and frequent critic of public private stadium deals. "It's a remarkable ballpark, and the peripheral development that they talked about is happening. Whether or not it all comes to pass, it does appear to be a promising situation down there."

The impact of Cleveland's new sports facilities were studied by Timothy S. Chapin, assistant professor in the Department of Urban and Regional Planning at Florida State University. The sports facilities were part of a larger redevelopment called Gateway. Chapin concludes "A comparison of the Gateway district in 2000 with the same area in the mid-1980's would support the conclusion that sports facilities do offer opportunities to catalyze redevelopment in urban districts." This redevelopment included reuse of existing buildings, seven new residential buildings (with more in the pipeline), renovations of historic structures, new hotels and additional retail and office space.

Hudson Yards is good for the community, good for Manhattan and good for New York. We encourage the City Planning Commission to support this plan.

Testimony for Hudson Yards Rezoning
Public Hearings

My name is Elvin Nuñez, and I live in Manhattan. I will like to share with all of you how difficult it is to find and affordable apartment in this area, hence the possibility that no low and moderate income apartments will be included in the proposed plan presented by The Hudson Yard.

The proposed Hudson Yards Plan is likely to produce as many as 20,000 new housing units. However, there is no guarantee that any of this new housing will be affordable to low and moderate income New Yorkers. **The benefits of growth in the Hudson Yards Area must be shared.** This large-scale rezoning is a perfect opportunity to build desperately needed affordable housing in neighborhoods on the west side of Manhattan. **The Hudson Yards Rezoning should be amended to include Mandatory Inclusionary Zoning.**

I understand that the City is considering expanding existing programs in Manhattan to include affordable housing in new developments. This is positive; **however** I am concerned that this will not create enough affordable housing units to meet even the current demand.

We must have Mandatory Inclusionary Zoning in order to guarantee that affordable housing units are built. Developers are required to set aside a percentage of units as affordable to low and moderate-income households, and experience in other cities across the U.S. has shown that mandatory inclusionary zoning produces the greatest number of affordable units.

Inclusionary Zoning creates mixed-income communities. Affordable units are, in most cases, integrated with market–rate development, which creates more units, and ensures that they are distributed across the City. This will address the housing needs of a range of New Yorkers at different income levels, by producing both affordable condominium and rental units.

I want to be able to remain in my community, and I want it to continue to be a mixed-income neighborhood. This area needs a diverse, stable affordable housing stock to serve the needs of **all New Yorkers**, and the only way to make this happen is to include Mandatory Inclusionary Zoning as part of the Hudson Yards Plan.

Much appreciated,

Elvin Nuñez
Manhattan resident

Hudson Yards Testimony
City Planning Commission Hearing
September 23, 2004

My name is Dana Comfort. I am the Executive Vice President at George Comfort & Sons, Inc., a commercial real estate management company.

My family has owned and operated property in the Garment District and the Westside for 85 years.

I fully support the City's Hudson Yards plan, including the building of a new stadium, the Javits Center expansion and the extension of the No. 7 Subway line.

This portion of the Westside has been struggling to improve itself for years. The huge exodus of garment manufacturing jobs over the past few decades, the significant age of most buildings in the area, and the ineffective zoning have contributed to its dilapidated condition.

The formation of the Fashion Center Business Improvement District and vigilant police work have greatly improved the cleanliness and lowered the crime in the area, but this is not enough. Many buildings are still in very poor condition and require huge investments in plumbing, electric, fire safety, elevators, and other basic infrastructure.

The Hudson Yards plan will make the area much more attractive, spur outside investments, and we, the existing building owners, will make similar investments to upgrade our properties. There is little incentive to do so now. The City will benefit from the new residential units, increased real estate taxes and other revenues from the increased economic activity of the area.

The stadium and the enhanced convention center will anchor the development of a prime piece of real estate, which is now languishing unnecessarily. The present convention center is an island with very few amenities; the Hudson Yards plan can intelligently turn our area into a New York City showcase.

This neighborhood can be efficiently served by the prime transportation hubs in midtown, Penn Station, the Port Authority and Grand Central. The infrastructure investment will more than pay for itself with the many jobs and private investment it will bring to the Far Westside.

The City needs to take bold steps to maintain its position as the Capital City of the World. This is one of those steps. I urge you to keep this project on track.
Thank you.

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Comments of Michael J. McGuire
before the meeting of the City Planning Commission
Re: Hudson Yards
September 23, 2004

Good morning. My name is Michael J. McGuire and I am the Director of Governmental and Legislative Affairs for the Mason Tenders' District Council Political Action Committee (MTDCPAC). MTDCPAC is affiliated with the Mason Tenders' District Council of Greater New York and Long Island (MTDC), an umbrella group of six local unions within the Eastern Region of the Laborers International Union of North America. The MTDC represents 15,000 men and women employed as construction laborers, demolition workers, mason tenders, plasterer tenders, recycling plant workers, office and professional personnel and high school teachers. One of the most important components of the MTDC is the 9,000-member strong Construction & General Building Laborer's Local 79.

I have testified on this topic several times since June 21st, when the Department of City Planning certified the Uniform Land Use Review Process application for the Hudson Yards proposal as complete. The biggest components of the plan are the Zoning Map Change and Zoning Text Amendment proposals. While seemingly complicated, these proposals are genius in their simplicity: providing for much needed housing and future commercial space, while redeveloping a tremendously underutilized area, all the while keeping predominantly residential areas residential and predominantly commercial areas commercial.

Approaching from the east, the mixed-use residential and commercial districts that dominate Ninth Avenue would be zoned to encourage mixed-use development. The Tenth Avenue corridor would be the transition area, with the east side of the avenue zoned to encourage residential development and slightly higher density and building

height allowed on the west side of the avenue to transition into the new commercial district west of Tenth Avenue.

In the Hell's Kitchen South area, the proposal would permit medium density residential development with ground-floor retail space. More importantly, it would encourage the development of open space by through the creation of platforms above the Lincoln Tunnel access ramps that currently slice the neighborhood in two.

Along West 34th and West 42nd Street the high-density mixed-use character typical of major cross town thoroughfares would be reinforced. Higher densities would be allowed adjacent to existing and newly planned subway stops. And a grand boulevard, stretching from 41st Street to 32nd Street, akin to a Park Avenue for the west side, would be created.

This proposal is sensible, well thought out, and plans for New York City's future. The Group of 35 recently concluded that the city desperately needs to build office space in order to capture and retain our growing service-based economy. The natural extension of the midtown core to the West Side provides opportunities for New York City that are unavailable anywhere else in the five boroughs. It is an unfortunate reality that except for a few select industries, most of America's corporations are now part of a service-based economy, requiring office space not manufacturing facilities. Many of the structures in the Hudson Yards are former manufacturing facilities that now lie fallow because so many of those jobs were lost to other states or countries. We can not allow further erosion of employment...our unemployment rate is already 2% higher than the national average. The Hudson Yards rezoning would allow us to retain jobs in New York City.

The original rezoning plan for this area calls for as much as 28 million square feet of commercial space and 12 million square feet of housing of housing. The Manhattan Borough Board, along with the representatives of Community Boards 4 and 5, voted on Tuesday to reduce the commercial density to 25 million square feet with 12 to 13 million square feet of residential. Not quite as good, but as the community approves, we can accept that figure also. The housing is just as sorely needed as the commercial development, but must include a strong affordable and middle-income component.

To accommodate the new residents and newly employed workers—many of whom we hope span both groups—dozens of acres of open space, a truly scarce

commodity in New York City, will be created. Additionally, the number 7 IRT subway will be extended into the district with stops at 42nd Street and Tenth Avenue and 34th Street and Eleventh Avenue. With the exception of the Lower Eastside, the far Westside is the least accessible neighborhood by subway in Manhattan. These parks, coupled with an additional million-and-a-half square feet of hotel space and an expanded Javits Center, will make the Hudson Yards community the destination it deserves to be. The extension of the 7 train will move visitors and residents alike in and out of the district with relative ease.

By 2025, the West Side rezoning is projected to produce over $13 billion in private investment resulting in over $2 billion in new revenue for the City and State annually; more than 110,000 new direct permanent private sector jobs in the Hudson Yards; more than 90,000 indirect private sector jobs elsewhere in New York City; and 150,000 direct and indirect construction jobs for New York City and New York State. When coupled with the income generated by the proposed expansion of the Javits Center, the numbers are even better: some $67 billion in tax revenues for the City and the State over the next 30 years. Because of its source, this is money that actually *can* go for new schools, firehouses, teachers and cops, unlike the funds discussed on extremely misleading billboards and in television ads being paid for by Jim and Charles Dolan, owners of Madison Square Garden, about another proposed improvement for this community, the New York Sports and Convention Center.

The Hudson Yards rezoning is a win-win for the New York City. It will create much needed housing, office space and parks; improve mass transit; and revitalize an entire section of the City, all the while increasing revenue that can be spent on essential services like public safety and education. On behalf of the 15,000 members of the six constituent local unions of the Mason Tenders' District Council of Greater New York and Long Island, I urge approval of the Hudson Yards rezoning as soon as possible.

Respectfully submitted,
Michael J. McGuire
September 23, 2004

abny

Testimony before the City Planning Commission and
The Metropolitan Transportation Authority
Re: Hudson Yards Project
Thursday, September 23, 2004

Michelle Adams, Executive Director
Association for a Better New York

Thank you for giving me the opportunity to speak this morning.

My name is Michelle Adams… and I am the Executive Director of the Association for a Better New York… a civic organization…founded in the 1970s… to bring together leaders from every sector to make New York City a better place to live… work and visit.

ABNY is an enthusiastic supporter of the Hudson Yards Plan… The development of the far Westside of Manhattan is a crucial step to ensure that New York City remains the capital of the world.

New Yorkers must now come together with innovation and vision… similar to the creation of Central Park… Lincoln Center and Times Square…to develop the Hudson Yards plan.

We need that same ingenuity and ability to see beyond the immediate future in order to recognize the long term benefits of this plan.

Through the creation of the New York Sports and Convention Center and the expansion of the Javits

Center…we will give a tremendous boost to several of our City's most critical industries – in particular… tourism… hospitality and entertainment.

Today…however… I would like to focus my comments on the proposed rezoning for the area east of 11th Avenue.

City Planning and the MTA should be commended for the comprehensive plan they have put forth to create a vibrant mixed use district on Manhattan's Far West Side.

Through the implementation the Hudson Yards Plan… all New Yorkers have an opportunity to develop the last frontier of Manhattan ~~to create~~ creating much needed housing and jobs… Not only will this project forever change the

landscape our City…but it will yield substantial economic benefits.

This development is expected to spark:

- Over $13 Billion in private investment;
- Over $2 billion in new revenue for the City and State annually;
- Over 100,000 new private sector jobs in the Hudson Yards and over 90,000 indirect private sector jobs elsewhere in New York City.
- And an additional 150,000 direct and indirect construction jobs for New York City and New York State.

It is also important to note that the development of the Hudson Yards provides the last opportunity this City has for the long-term expansion of the Midtown commercial core…

As the Group of 35 report… commissioned by Senator Charles Schumer… pointed out a few years ago…long terms trends clearly indicate that in order for New York City to retain and recruit our fair share of jobs… we must continue to redevelopment Lower Manhattan…grow central business districts in areas like Downtown Brooklyn and Long Island City and develop the Hudson Yards.

Finally… it is important to note…that the growth of these business districts… do not help a select few…. They fuel our city's economy… For example… the central business

districts in Lower and midtown Manhattan… account for 45% of the total tax revenue generated by the City… It is this revenue that permits our City to maintain our city services.

The Association for a Better New York hopes that the City Planning Commission will give the Hudson Yards Plan its full backing.

Thank you.

Testimony
of
Richard T. Anderson, President
New York Building Congress
before
New York City Planning Commission

RTA credentials
Dept. of City Plg
has served the Commission
well — good proposal

September 23, 2004

Thank you for the opportunity to testify on how the rezoning of the Hudson Yards district will benefit the City of New York.

From the standpoint of members of the Building Congress, who consist of New York's largest and most diverse coalition of design, construction and real estate organizations, the rezoning plan put forth by the City is smart urban planning. New York City is at a defining moment. We have a critical need to expand and diversify our inventory of commercial office space, as Senator Schumer's Group of 35, and many others, have found. Housing is a much needed resource, as is more open space. Our mass transit system, which has not grown in decades, needs to expand to accommodate the burgeoning population and increased commuters. The rezoning proposal put forth by the City allows us the unique opportunity to fulfill all of these needs, and the Building Congress strongly supports City Planning's proposal.

The majority of the Hudson Yards district has remained derelict for the past forty

years. It is zoned for a manufacturing based economy that no longer exists. The lack of mass transit in the area has further inhibited development. The City's proposal has foresight in allowing midtown to expand into the area, with 28 million square feet of office space to accommodate our future needs.

Acknowledging that only mixed use developments offer the vibrancy of a 24/7 neighborhood, the City has gone further by allowing the development of 12,600 housing units among 24 acres of new parks and open space. Connecting this new neighborhood to the rest of the City is the extension of the number 7 subway, giving mass transit access to the district for the first time. Designing the density so that it finances the subway extension prevents competition with other transit projects the City desperately needs. In its entirety, the rezoning will result in a tremendous economic boon to the City, both from the standpoint of public revenue and economic activity

The rezoning alone will lead to the development of over 150,000 jobs over the course of the build-out. In conjunction with an expanded Javits Center and the New York Sports and Convention Center, the rezoning will solidify Manhattan's unique one-of-a-kind role in the global economy.

The Building Congress commends the City and State of New York for launching

the Hudson Yards planning process in a manner that has solicited, and continues to solicit, input from the community. This City/State partnership is far-reaching and deserves the full support of all New Yorkers. Our membership continues to be involved with many of these steps, so we know firsthand how critically important they are. We are confident that this rezoning plan will be one of the most important and long-lasting public/private investments that New York can possibly make and encourage you to support it.

Testimony of Public Advocate Betsy Gotbaum at
City Planning Commission Hearing on West Side Development, 9/23/04

At a City Council hearing this past summer, I said that the problem with the Bloomberg Administration's plan for the redevelopment of the West Side is that it is the vision of only a handful of men. New Yorkers have learned from the Robert Moses years that grandiose schemes are not the way to make this city better. We have learned that it is wrong to ignore the needs and aspirations of residents when it's their space being used and their tax dollars being spent.

But Deputy Mayor Doctoroff is still trying to force his narrow vision for the West Side on neighborhood residents and the city as a whole. The purpose of today's hearing is to make the public's concerns and desires known to the Administration. It is their obligation, under the Uniform Land Use Review Procedure, to listen.

As the recent votes of the Community Boards and the Borough Board make clear, it is not the land use change, which is to say the act of rezoning, that New Yorkers find objectionable. Everyone concerned agrees that the redevelopment of the West Side is an exciting opportunity to realize the development goals and ambitions of New York City. As is so often the case, the devil is in the details, which is to say the text changes.

For example, the administration has slipped a massive parking lot into its plan, even though it has claimed from the start that 70% of the people who will visit the proposed

Jets stadium will take public transportation. And even as he assures residents that the neighborhood will not become one giant parking lot, the Deputy Mayor is asking for a higher maximum parking allowance on the West Side than anywhere else in the City, welcoming a traffic nightmare into the neighborhood.

The Doctoroff plan ostensibly sets limits on the density of development, but again, look closely at the text and you'll find a so-called "district improvement bonus," which allows developers to pay for the right to build at even higher densities. This "zoning-for-sale" provision will add to the already excessive density proposed for 10th and 11th avenues, especially the four corners of the Eastern railyards.

The Doctoroff plan calls for the creation of the Hudson Yard Infrastructure Corporation, which will float the bonds to pay for this scheme. The Independent Budget Office has concluded that the Deputy Mayor's house-of-cards financing plan will cost 1.3 billion dollars more than a standard, capital-budget-based plan, and ~~stick future~~ it will burden future administrations with enormous, unnecessary debt. If Deputy Mayor Doctoroff has his way, the City will approach its bond limit paying for a pie-in-the-sky vision that lacks public support.

The Hell's Kitchen/Hudson Yard's Alliance has offered a plan that will develop the economy of the West Side and spur job growth *without* sacrificing the entire neighborhood—not to mention hundreds of millions in tax

dollars—to a stadium for the Jets. It will create affordable housing and attractive public spaces without forcing monolithic skyscrapers and giant parking lots down the throats of residents.

A comparison of the Doctoroff plan and the Alliance plan makes it clear that New Yorkers don't have to accept an unpalatable, take-it-or-leave-it proposal. They have a choice:

- The Doctoroff plan includes an artificial limit on residential development--even though the market may ultimately call for residential development over commercial development. And it squanders a golden opportunity to offer a creative and far-reaching program for the creation of affordable housing, affordable housing this City desperately needs. The Alliance plan encourages residential over commercial development and includes a substantial, meaningful affordable housing component.

- The Doctoroff plan concentrates open space on an expensive boulevard that displaces homes and businesses, including major employers like Federal Express. The Alliance plan calls for small, neighborhood-friendly parks located throughout the area without sacrificing homes or jobs.

- The Doctoroff plan allows for buildings of unlimited height on the four corners of the Eastern railyards. The Alliance plan calls for reasonable height limits on

all buildings and shifts the high-density office space to a more logical location around Penn Station and the 34th Street corridor.

- The Doctoroff plan cuts off access to the waterfront and to the Hudson River ferry. The Alliance plan doesn't.

I urge Mayor Bloomberg and Deputy Mayor Doctoroff to stop thinking about ignoring their constituents and start thinking about cooperating with them. Instead of trying to sell us their vision, they should be heeding the Community Boards, which voted against their proposed text changes. They should be working with the Hell's Kitchen/Hudson Yard's Alliance, and with all of us, to fulfill a collective vision.

→ I urge them to heed the wishes of the Community Boards which voted against the text changes + work with the Hells Kitchen Hudson Yard alliance + with all of us to fulfill a collective vision

Testimony before New York City Planning Commission regarding
<u>the Proposed Hudson Yards Rezoning</u>

Good morning.

Thank you for this opportunity to share our major concerns regarding the City's Proposed Hudson Yards Rezoning. I am Kitty Burke, President of the Bulwark Corporation, granddaughter of Franklin Starr Jerome, who purchased 524-6 West 34th Street and 528-56 West 34th Street over 70 years ago.

<u>The Site</u>

This Site is presently occupied by two separate and active businesses with over 600 employees; the bulk of these jobs are entry level positions. The Site is long-term leased by Federal Express Corporation and a growing catering company. Both businesses have spent substantial money (over $60 million) upgrading and outfitting the facilities over the past several years, planning on continuing operations in this Site for many years to come; both businesses are presently integral to New York City and will become even more important as the West Side develops.

<u>Bulwark's Response to the City's Proposal</u>

When New York City, in February 2003, released a Master Plan--A Preferred Direction, we found the Bulwark property was identified for potential condemnation **ONLY** for open space, as part of a mid-block park system that stretched from West 33rd Street to West 42nd Street. In response to the City's proposal, Bulwark proposed an alternative, prepared by the well

known architectural firm Fox and Fowle, that satisfied the goals of the City's open space plan, reduced the cost of condemnation and relocation, and preserved needed jobs and services that cannot be easily relocated.

The City's "New" Plan is Wrong and Impractical

After we submitted our alternative, the City now proposes for the Bulwark site, a road way, subway entrance and open space. We believe the City's revised justification for taking the Bulwark property is bad planning and bad urban design. The City's plan also creates unsafe and convoluted access to the No. 7 Subway; the proposed subway access also conflicts with the MTA's siting criteria used for the 2nd Avenue Subway.

An Alternative

A commonsense alternative would be siting the transit easement at the corner of Eleventh Avenue and West 34th Street, with a north/south stair/escalator orientation that would provide access to the subway platform. Such access would eliminate needless pedestrian passage through lengthy tunnels, shorten the distance for pedestrians coming from the Javits Center and whatever is ultimately built over the rail yards, and would result in a safer, more traditional and user friendly subway access.

CB 4, Manhattan Borough Board and Manhattan Borough President Support

The local community board, the Manhattan Borough Board and Borough President Fields have recognized that the condemnation of my family's site and the relocation of the existing striving businesses is unnecessary. As stated in the Borough Board Report, "The City's Plan to redevelop the

Hudson Yards area would not be compromised by removing Block 705 Lots 53 and 54 (collectively known as the Bulwark/FedEx Site) from the proposed condemnation. Public access to the #7 Subway and an enclosed public open space can be accommodated on Lot 68 (which fronts on 11th Avenue, between 33rd and 34th Street); there is no planning rationale for a north-bound only roadway from 33rd to 34th Streets, which would require all subway-bound pedestrians to cross a mid-block street. Removing the Bulwark/FedEx Site from condemnation will save over 600 jobs and permit businesses that do not have relocation opportunities (other than New Jersey) to continue to service the mid-town business community."

Summary

Therefore, we continue to strongly oppose the taking of the Bulwark site. Sacrificing jobs and important businesses for extremely convoluted open space at the Bulwark Site is bad urban design and is the wrong decision for this site. It is bad planning to eliminate two important existing businesses at this location that employ a large number of entry level jobs, especially for a flawed and policy-inconsistent subway access plan.

Madam Chair and Planning Commissioners: we have met with City staff, have retained experts and have proposed an alternative that does not violate the basic goals and objectives of the City's plan. We believe our alternative is a win/win in that the existing businesses are not displaced **and** the City can redevelop the area. We are hopeful that you too will concur with the recommendation of CB 4, the Borough Board and Borough President.

DEPARTMENT OF CITY PLANNING

Testimony of Lewis D. Gitlin
At
September 23, 2004 Hearing on ULURP No. 040507 MMM

First, I wanted to thank the Department, particularly its Chairperson, Amanda Burden, and its Director, Vishaan Chakrabarti, for their efforts to date on behalf of our community and for the opportunity to discuss here today the varying views on the Department of City Planning's proposal for our neighborhood.

My name is Lew Gitlin. We run a growing catering business on 34th Street between 10th and 11th. We oppose the Hudson Yards plans as currently drafted because we believe they will force the otherwise needless relocation of businesses like our own.

In our case, we spent a number of years overflowing our original space here in the City until we could find a building with rent we could afford and a location that would grant ready access to our fresh food suppliers and our catering clientele. After six years of looking and building out our premises, and after the expenditure of significant funds on improvements, we still have over twelve years left on our long-term lease. However, if the City and the MTA have their ways, we will not be around to reap the benefits of all of our efforts.

Rather, our business will be told to go find a new location. We will lose the benefit of a major cross-town thoroughfare at our front door. We will lose the benefit of easy up- and

down- town access via the West Side Highway. This would present a great hardship to our clients, suppliers and to our dedicated employees, which, during the prime season, number approximately 40 full-timers and 300 part-timers. They, in turn, would lose access to the major transportation hub that is Pennsylvania Station. All of this despite the fact that there are numerous acceptable alternatives, including having the MTA relocate its planned subway station to the corner of 34th and 11th.

Our views have been strengthened in light of the recent decision of the State of New York not to pursue expansion north of the Javits Convention Center. We believe such easterly expansion, when combined with the growing likelihood that no stadium will be constructed on the West Side of Manhattan, would obviate the need for the contemplated pedestrian promenade south across West 34th Street. Accordingly, if the rezoning efforts are to continue, we believe there is no need to expand the pedestrian promenade beyond the north side of West 34th. This, in turn, would allow the City to remove the Premises from the list of properties subject to eminent domain.

We urge you at least to review closely the Bulwark and Fed-Ex proposals and we ask the City and the MTA not to turn their backs on existing businesses like ours.

Thank you.

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Testimony of

Cristyne L. Nicholas
President & CEO, NYC & Company

TO

New York City Planning Commission

September 23, 2004

Testimony of Cristyne L. Nicholas, President & CEO, NYC & Company

New York City Planning Commission, September 23, 2004

Good morning.

I am Cristyne L. Nicholas, President & CEO of NYC & Company – the city's official tourism marketing organization. Our mission is to build New York City's economy and positive image through tourism and convention development and by marketing the city on a worldwide basis as the premiere business and leisure travel destination.

Thank you for the opportunity to address this Commission on the importance of the Hudson Yards plan, an initiative we believe is critical to the city's ability to maintain and grow the multi-billion dollar convention and meetings business.

Tourism is an important engine that powers New York City's economy. Last year, New York City welcomed more than 37 million visitors, including a record number of domestic, leisure and family travelers. Visitor spending generated more than $23 billion in total economic impact and $3 billion in city, state and federal taxes.

Tourism currently supports more than 226,000 jobs throughout all five boroughs and generates a payroll in excess of $6.5 billion. Employment in travel-related jobs accounts for 7.5% of the total private labor force in the city and that number is rising. As New York City's visitor volume and spending increased, so did jobs and wages with a 3% growth in citywide employment in leisure and hospitality last year.

A large part of our role as the city's convention and visitor bureau is to generate economic activity for the city by securing meetings, convention and trade show business for New York.

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Each year, New York City hosts nearly 3.5 million tradeshow and convention delegates, plus several million more people who travel within the region to attend shows and meetings held in the city. The economic impact of spending by this segment alone is worth at least $3 billion annually.

Because meetings and conventions are often booked 3-8 years in advance, they exert a stabilizing force on the city's economy, insulating us from unforeseeable downturns and broadening the city's tax base.

The city was able to count on that business as we weathered global and economic challenges. Over the past several years meetings and convention visitors helped sustain business travel to the city, accounting for a steady one-third of the overall business visitor market.

Without the Hudson Yards Plan, New York City will be unable to grow its meeting and convention business – currently stagnant at 37% of the business market – and is at risk to lose even more business as other cities invest in new and modernized convention facilities that meet the changing needs of the industry.

Business travelers – especially convention delegates who tend to stay longer – spend more per person than leisure visitors. In current dollars, it is $600 per delegate each time they visit New York City.

The city cannot afford to lose these travelers to other destinations. If they go elsewhere, so do New York City jobs and additional tax revenue that help pay for essential city services. And unfortunately, we have been losing meeting and convention delegates by the thousands each year.

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We believe there is no better city in the United States – or the world – to do business. No other destination can offer the breadth and depth of New York City's visitor resources and tourism product. And the Javits Center, under the leadership of Bob Boyle and Gerry McQueen, is a well-run facility that is operating at capacity with the highest attendance numbers and the second highest number of shows in the country.

The demand for New York City has outgrown its supply. The current size and configuration of the Javits puts New York at a competitive disadvantage in today's multi-billion dollar convention and meetings marketplace. New York City's convention center ranks 16th in North America, and we no longer compete in the first tier for major meetings and trade shows.

In 1993, New York City held the number-one share of the major trade show market. Since then, in the decade that NYC & Company has been advocating for expanded and modernized convention space, New York City's share of the major tradeshow market has slipped to fifth place behind Las Vegas, Chicago, Orlando and Atlanta – all cities who have heavily invested in their convention facilities.

That's billions of dollars in business other cities are realizing while New York stands still. Important annual meetings and conventions are forced to go elsewhere because New York City convention facilities are not configured to meet the needs of these shows.

Last year some of the most lucrative and well-attended conventions were held in other cities. Cities that have the plenary seating and meeting room capacity they require. Between March and December of last year – 32,000 Radiologists, 16,000 Cardiologists, 25,000 Oncologists went to Chicago while 19,000 heart specialists headed to Orlando and 39,000 automotive engineers met in Detroit.

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By expanding the Javits Center and building the New York Sports and Convention Center, New York City has an unbeatable opportunity to expand the economic impact of visitor spending across the entire city and create thousands of additional tourism-related jobs held by New Yorkers who live in all five boroughs.

Every day we delay, the city loses money, jobs and opportunity. We simply cannot afford to wait any longer. NYC & Company estimates the city loses nearly $1 million every day in direct visitor spending because we do not have the convention facilities to host the conventions, trade shows and meetings that want to bring their business to our city. By postponing action on the far West Side, we run the risk of the delay costing New York City more than the price of the entire Convention Corridor.

Along with the expanded Javits Center and the New York Sports and Convention Center, NYC & Company also advocates for the proposed rezoning. The immediate area surrounding the Javits Convention Center does not currently provide visiting delegates with the kind of visitor experience which reflects well on the city's image.

The Hudson Yards proposal to revitalize the far West Side will give New York a better advantage to attract new meetings and convention business and keep annual business in New York by building a great neighborhood with parks, hotels, businesses and residential housing alongside state-of-the-art convention facilities.

The current rezoning plan is good for New Yorkers and for the city's visitors. The proposed rezoning will create 24 acres of parks; 12,600 units of housing; 28 million square feet of commercial space and at least 2 hotels aside from the much-needed headquarters hotel.

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Industry studies show that ease of access and transportation infrastrure are key to the selection and retention of convention business. As we all know, the transportation infrastructure on far West Side does not give convention attendees easy access to the rest of the city. The combination of an under developed area and the lack of public transportation does not inspire additional visitor spending by convention and trade show delegates in New York City.

Convention delegates now load into motor coaches to travel from midtown hotels to Javits, and at the close of business these same delegates wait in long lines to board the same buses to return right back to the host hotel. All of this discourages spending in restaurants, shopping, recreation and entertainment at attractions and cultural organizations throughout the city.

The extension of the 7-train from Times Square only makes New York City a more desirable place to visit, live and work. It will improve the visitor experience and the city's ability to benefit from additional spending. In addition, the 7-train will reduce reliance on automobile and bus transportation to get to the Javits Center or the Sports and Convention Center.

NYC & Company believes that the revitalization of the far West Side is critical to the overall success of our tourism industry and the city's economic future. We look forward to working with you as we make this project a reality for New York businesses, residents and overall economic development.

Thank you for allowing me to testify this morning.

# # #

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Meeting & Convention Delegates in New York City – 2003

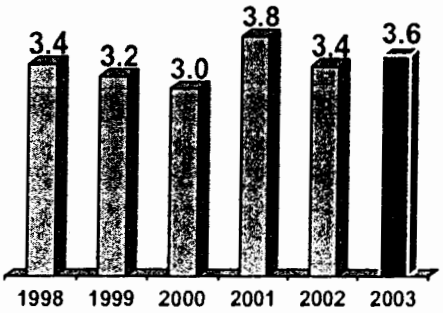
7/21/04

Delegates are visitors who came to New York City for a "group meeting" – seminars, tradeshows, corporate meetings, etc.

New York City welcomed 3,580,000 delegates in 2003 slightly above the 3.4 million in 2002 (+5%). The stronger domestic market played a considerable role as domestic group business climbed to 3,369,000 visits, although down from the unexpected 2001 peak (3.68 million). International delegate visits fell back to 2001 levels wiping out the gains in 2002.

Spending by delegates recovered as travel parties grew in average size, stay length inched up and spending on shopping and dining rose. In total, delegate spending accounted for $2.16 billion, a 35% increase over 2002.

NYC Delegates (millions)



Domestic – 3,369,000 visitors (up 258,000 visitors, a gain of 8%)

- ✓ Top Origin Markets:
  - Regional: Middle Atlantic – 31% (vs. 35% in '02), Pacific – 19% (up from 12%), South Atlantic – 18%, New England and West North Central come in at 9% each.
  - States: New York – 17%, California – 18% (vs. 10% in '02), Pennsylvania – 8%, New Jersey – slipping from second to fourth place fell to 7%, Texas and Massachusetts were 5% each.
  - Metropolitan areas: NY metro excluding residents – 19% (vs. 24% in '02), Los Angeles – 15%, Philadelphia – 11% (up from 7%), Boston and Washington DC at 5% each.
- ✓ Travel Parties: Average travel party size reached 2.9 people (up from 2.4 in 2002). Solo travel – 35% (vs. 55%), families – 18%, couples – 13%.
- ✓ Length of Stay: Daytrippers held at 42%. Overnight stays: 1-3 nights – 43%, 4+ nights – 15%. The average rose to 2.5 days. Three-quarters (77%) found hotel accommodations.
- ✓ Activities: dining out – 54% (vs. 37% in '02), shopping – 44% (vs. 18%), sightseeing – 30%, concert/play/dance – 15%, nightlife – 15%, historic site – 11%, museum/art exhibit – 8% (down from 22% in '02 and 27% in '01).
- ✓ Demographics: Average age – 42 years. Age groups: 18-34 years – 38% (up from 24%), 35-49 years – 38%, 50+ – 24%.
- ✓ Average Household Income fell to $88,000 from $95,000. Two-thirds (64%) earned $75,000 or more.
- ✓ Spending: The average spending was $239 (up from $225) pp/d in 2003.

International – 211,600 (a decrease of 42,300 visitors, a loss of 17%)

- ✓ Travel Parties: Average party size was 1.4 people. Solo – 49% (up from 41% in '02), business associates – 18% (down from 30%), spouse – 9%, friends and family – 19%.
- ✓ Length of Stay: Average stay – 4.1 nights. 0 to 1 night – 15% (vs. 21% in '02), 2-3 nights – 32% (vs. 38%), 4-7 nights – 41% (vs. 31%), 8+ nights – 11%. Delegates averaged 7 trips to the U.S. in the past 5 years.
- ✓ Accommodations: Hotel – 76%, private home – 26%.
- ✓ Activities: shopping – 86% (vs. 75% in '02), dining out – 86%, sightseeing – 41%, historic sites – 40% (down from 52%), art gallery/museum – 24% (vs. 36%), concert/play/musical – 19%, cultural heritage site – 13% (vs. 20%), nightclubs – 9%.
- ✓ Demographics: Average age – 45. 18-34 year olds – 24%, 35-54 year olds – 54%, 55+ year olds – 17%.
- ✓ Average Household Income slipped to $91,000 from $95,700 but a greater proportion (15% vs. 8%) earned $200,000+.
- ✓ Spending: The average spending was $203 per person per day (pp/d).

Definition of a NYC Visitor: one who travels 50+ miles one way (excluding commuters/students/residents) or stays overnight. D.K.Shifflet & Associates *Directions®* and U.S. Dept. of Commerce/OTTI, *In-Flight Survey of International Air Travelers.*

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Business Travel to New York City – 2003

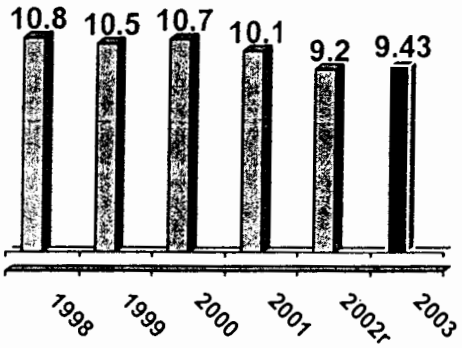
Revised 9/22/04

Business travel to New York City was depressed for the third year in a row, although a rally in the second half of the year brought the total for the year to 9.43 million total business trips on a mixed response from domestic travel (up 2.5%) and international business (down -8%). The continued contraction of the international market undercut the growth in the domestic. The year finished up 230,000 total business trips from the 2002 low of 9.2 million (a 5% increase), but well below peak levels.

In addition to the slow pace of economic recovery and general business caution, the war in Iraq pulled the seasonal travel pattern below average from January through April, only returning to normal in May.

Business spending patterns, worth about $5.6 billion, were mixed with overseas visitors spending more per trip, while domestic visitors per diem spending dropped a bit and yielded $4.1 billion, even as business travelers remained cautious. Among domestic business visitors dining out and shopping are on the rise in 2003.

Business Travel to NYC (millions)



Domestic – 8,010,000 visitors (up 310,000 versus 2002, a gain of 4%)

- ✓ Purpose of Visit: Transient business – 58%, meeting/conventions – 42%.
- ✓ Top Regional: Mid-Atlantic – 40%, South Atlantic – 20%, New England – 10, Pacific -- 10%, East North Central – 9%.
- ✓ Top States: New York – 23% (up from 19% in '02), New Jersey – 10%, Pennsylvania fell to 8% from 11%, California rose to 9% (vs. 7% last year), Maryland – 6%, Florida – 5%, and four states with 4% each (Connecticut, Massachusetts, Texas, Illinois).
- ✓ Top Metro areas were more diverse in 2003. NY metro excluding residents – 17% (vs. 23% in '02), Philadelphia – 12%, Los Angeles – 7%, Washington DC – 5%, Chicago – 4%, Hartford/New Haven – 3%. Travel from Boston and Baltimore was way down.
- ✓ Travel Parties: Average travel party size was 2.5 people. Solo – 41% (vs. 54% in '02), families – 17%, 3+ adults – 19% (up from 10% in '02), couples – 10%, 2 males or 2 females -- 14% (up from 10% in '02).
- ✓ Length of Stay: Daytrippers account for less than half (47%) of all business travel. The average stay (all business) held at 2.4 days, overnight business (53%) averaged 4 days. Among all business stays were 1-3 nights – 39%, 4+ nights -- 14%.
- ✓ Accommodations (overnight visitors only): Hotel – 82%.
- ✓ Activities: dining out – 48%, shopping – 31% (vs. 18% in '02), sightseeing -- 28%, nightlife – 14% (compared to 11% in '02 and 9% in '01), concert/play/dance – 11%, museum/art exhibits – 7%, visiting historic sites and watching sporting events – 6% each.
- ✓ Demographics: Average age: 42 years. 18-34 year olds – 33% (up from 23% in '02 and 29% in '01 but less than the 37% in 2000), 35-49 year olds – 40% (back down from 50% in 2002), 50+ year olds – 26%.
- ✓ Average Household Income registered lower levels ($87,000) than last year ($94,000) due in part to the younger traveler, while 61% earn $75,000 or more (vs. 63% in 2002).
- ✓ Spending: Average spending was down slightly ($217 per person per day (pp/d) compared to $232 last year and $240 in 2001).

International – 1,519,000 (down 116,000 visitors, -8% compared to 2002)

- ✓ Purpose of Visit: Transient business – 87%, meeting/conventions – 13% (vs. 17% in '02).
- ✓ Travel Parties: Average travel party size was 1.3 people. Solo – 60%, business associate – 23%, spouse – 9%, families/relatives – 5%, friends – 3%.
- ✓ Length of Stay: Average stay – 6.3 nights. Daytrip – 3%, 1 night – 16%, 2-3 nights – 40%, 4-7 nights – 30%, 8+ nights (12%). The international business traveler is a repeat visitor averaging 11 trips to the US in 5 years.
- ✓ Accommodations (overnight visitors only): Hotel – 82% and private residence – 17%.
- ✓ Activities: dining out -- 89%, shopping – 79%, sightseeing -- 31%, historic sites -- 27%, art gallery/museum – 20% (vs. 24% in '02), concert/play/musical – 17% (vs. 20%), nightclub – 13%, cultural heritage site – 11%, guided tour – 9%.
- ✓ Demographics: Average age: 42. 18-34 year olds – 30%, 35-49 year olds – 44%, 50+ year olds – 26%. Women -- 20%.
- ✓ Average Household Income: $110,600 with 22 (up from 18%) earning $200,000 or more.
- ✓ Spending: The average spending was $169 per person per day (pp/d) as compared to $147 last year.

Definition of a NYC Visitor: one who travels 50+ miles one way (excluding commuters/students/residents) or stays overnight.
Source: DKSA *Directions®* and OTTI, *In-Flight Survey*

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The city was able to count on that business as we weathered global and economic challenges. Over the past several years meetings and convention visitors helped sustain business travel to the city, accounting for a steady one-third of the overall business visitor market.

Without the Hudson Yards Plan, New York City will be unable to grow its meeting and convention business – currently stagnant at 37% of the business market – and is at risk to lose even more business as other cities invest in new and modernized convention facilities, that meet the changing needs of the industry.

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~~Every day we delay, the city loses money, jobs, and opportunity. We simply cannot afford to wait any longer.~~ NYC & Company estimates the city loses nearly $1 million every day in direct visitor spending because we do not have the convention facilities to ~~host the conventions, trade shows and meetings that want to bring their business to our~~ city. ~~By postponing action on the far West Side, we run the risk of the delay~~ costing New York City more than the price of the ~~entire Convention Corridor~~. Any delay of the Hudson Yards plan C adequet expansion

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The Hudson Yards proposal ~~to revitalize the far West Side~~ will give New York a better advantage to attract new ~~meetings and convention~~ business and keep annual business in New York by building a great neighborhood with parks, hotels, businesses and residential housing alongside state-of-the-art convention facilities.

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Industry studies show that ease of access and transportation infrastrure are key to the selection and retention of convention business. As we all know, the transportation infrastructure on far West Side does not give convention attendees easy access to the rest of the city. The combination of an under developed area and the lack of public transportation does not inspire additional visitor spending by convention and trade show delegates in New York City.

Convention delegates now load into motor coaches to travel from midtown hotels to Javits, and at the close of business these same delegates wait in long lines to board the same buses to return right back to the best hotel. All of this discourages spending in restaurants, shopping, recreation and entertainment at attractions and cultural organizations throughout the city.

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Thank you for allowing me to testify this morning.

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TESTIMONY OF THE WOMEN'S CITY CLUB OF NEW YORK
PRESENTED BY BARBARA ZUCKER, CHAIR
HOUSING AND PLANNING COMMITTEE
BEFORE THE CITY PLANNING COMMISSION
REGARDING HUDSON YARDS ULURP APPLICATION
DATE: SEPTEMBER 23, 2004

The Women's City Club of New York is an 89-year old nonpartisan advocacy organization concerned with a broad range of public policy issues in New York City. Our hundreds of members are dedicated to making New York City a better place in which to work and live. We recognize that the development of Hudson Yards is a unique opportunity to create a vibrant mixed-use community in mid-Manhattan fronting on the Hudson River. Because of the scarcity of large potential development sites in Manhattan, and the major capital investment involved, it is essential that we "get it right."

Affordable Housing. One of the Women's City Club's long-standing concerns is the lack of affordable housing in New York City. While there are a number of programs with various incentives to encourage development of affordable housing, these are voluntary and temporary. We believe that affordable housing must be made an integral and mandatory element of all residential developments constructed with government assistance, whether the assistance is in the form of tax subsidies or abatements or Brownfield cleanup or upzoning.

Only 3% of the Hudson Yards area is currently zoned for residential use. The zoning amendment in the ULURP application proposes that density in Hudson Yards be greatly increased. If adopted, the Department of City Planning projects that it would result in a likely 30-year build-out of 12 million square feet of residential development, in the form

of 12,600 new residential units. However, not one single housing unit of those 12,600 need be affordable. That is left entirely up to the developers. Those who choose to build so called 80/20 houses will receive an additional benefit – greater density through an increased FAR. But it is entirely voluntary, and the affordability is for a limited period of time. We submit that the upzoning should mandate that a portion of the housing be affordable to low and middle income residents.

More Flexible Zoning. The major portion of Hudson Yards, some 28 million square feet, is to be zoned for commercial use. Even taking into account the extended build-out period, some economists question whether the area can really support this much additional commercial space. In view of the uncertainty, we suggest that a portion of the rezoning be sufficiently flexible that it permit either commercial or residential use, depending on future demand.

Financing. The original agreement between New York City and the Battery Park City Authority provided for payments to the City to be used for affordable housing. Nevertheless, ~~any amounts received went~~ most receipts have gone into New York City's general revenue fund. Now the City is proposing to use reserve funds from the Battery Park City Authority for its share of the infrastructure improvements in Hudson Yards. We oppose such diversion of funds.

Football stadium/convention facility. The Women's City Club does not believe that a stadium belongs in midtown Manhattan where it would create traffic, noise and air pollution. Moreover, a structure equivalent to a 30-story building would block both visual and physical access to the Hudson River. There are other possible locations for an Olympic Stadium in New York or New Jersey. There are no other vacant waterfront locations of similar size in mid-Manhattan.

In addition to the very substantial cost of the infrastructure for the multi-use facility, there is a quality of life cost for our residents. The proposed financing plan includes sale of development rights in return for permitting developers to build with greater density.

Absent a stadium, a redeveloped Hudson Yards would likely still include a platform over the rail yards. However, without a need for $225 million to pay for a retractable roof, the Department of City Planning might be less generous with density bonuses.

Javits Convention Center. We do support expansion of the Jacob K. Javits Convention Center. For many years there have been complaints that the existing convention center is too small to attract large meetings and multi-day events. Conventioneers bring needed revenue to New York City. With the planned adjacent hotel and more convenient subway access, the expanded Javits Center should attract additional convention business.

As a State project built on State land, there is little provision for public comment on the particulars of the Javits Center expansion and little oversight on its implementation. Despite the lack of input, New York City is expected to contribute $350 million towards the cost of the Javits Center project. As previously noted, we particularly object to the use of Battery Park City funds for that contribution since Battery Park City surplus was supposed to be earmarked for affordable housing.

Transportation. Lack of public transportation has been a major impediment to the development of Hudson Yards and full use of the Javits Center. We believe that the proposed two-step extension of the #7 subway line would improve access and is likely to speed up development. As an interim solution, we suggest the MTA provide more frequent bus service on the 42nd Street corridor, such as bus-only or express bus lanes. And to improve access from the west, we support plans to increase ferry service from New Jersey.

ACTORS' EQUITY
ASSOCIATION 1913

Eastern Regional Board Resolution re Hudson Yards ULURP /Inclusionary Zoning

Unanimously approved, Sept 21, 2004

WHEREAS, The massive rezoning effort of the Department of City Planning which forms the basis of the Hudson Yards ULURP Applications presents the single greatest opportunity to create permanent affordable housing in Manhattan benefiting the members of Actors' Equity Association, other theatre and entertainment industry professionals, and their low, moderate, and middle income neighbors since the creation of Manhattan Plaza, and

WHEREAS, The Hudson Yards ULURP Application as initially offered contains no serious or permanent affordable housing provisions for the above named groups, offering only the optional, seldom used Inclusionary Housing Bonus, and the optional, temporary 421a, "80/20" variety of 'affordable housing' which excludes entirely middle income theatre professionals, especially those working on Broadway, therefore be it

RESOLVED, That Actors' Equity Association strongly recommends to the Department of City Planning that the Hudson Yards Plan be amended, so that permanent, genuinely affordable housing is created for Equity's members, other theatre and entertainment industry professionals, and their neighbors. Be it further

RESOLVED, That Actors' Equity strongly supports the affordable housing goals described in the response of Community Board 4 to the Department of City Planning dated August 23, 2004, and calls for **Inclusionary Zoning,** among other instruments to be employed to achieve those goals, and **will accept as a successful result no less than the quantity of permanently affordable housing for an economically diverse population outlined in that document.**

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Actors' Equity Association Testimony
Hudson Yards ULURP/Inclusionary Zoning
Department of City Planning Public Hearing

Sept.23, 2004

Good Morning.

My name is Paul V. Ames, and I am on the Council of **Actors' Equity Association**, the national stage actors' union, some 15,000 of whose members live (and vote) in the five boroughs of New York City, nearly 11,000 in Manhattan alone.

I also Chair Equity's Housing Committee, and today I am submitting a resolution from our Eastern Regional Board stating that **Equity cannot support any Hudson Yards Plan unless it includes permanent and mandatory affordable housing for an economically diverse population.**

Hudson Yards is a very complicated project, but unfortunately, for all its complexity and sweep, it does not address the issue of affordable housing in any serious and permanent fashion. **The Plan's optional Inclusionary Housing Bonus and the optional and temporary 421a program suggestions are just not acceptable solutions.** Here's one example why:

From 1998 to 2004, while Equity's national membership grew by **21%**, the number of our members living in the five boroughs of New York City rose by only **12%**, and the number living in Manhattan increased an anemic **2/10th's of 1%.**

So, over six years, in that part of New York City closest to our best jobs – we had a net gain of 28 people. Not a good trend. What happens when entertainment industry professionals can't afford to live here anymore? It's hard to imagine that Broadway will continue to flourish as the #1 reason tourists give for visiting New York City.

So I stand here on behalf of those professionals with a suggestion that I believe benefits both them and New York City's economy: **Zone Us In.**

Actors' Equity supports the affordable housing recommendations proposed by Community Board 4 and endorsed by the Borough Board. They call for no less than 30% of the housing to be built as part of Hudson Yards to be permanently affordable and mandatory. We agree those goals are reasonable, real-world, and doable. **Inclusionary Zoning is an excellent instrument with which to start fixing what's wrong with Hudson Yards.**

Two weeks ago came the good news that negotiations to transfer ownership of **Manhattan Plaza** had been successfully concluded, with the new owners committing to continue that experiment in affordable housing for at least another 20 years. So Manhattan Plaza's stature as one of New York City's great win-win-win stories seems secure. Both government and the marketplace just said so.

Which, in turn, suggests **the Manhattan Plaza experiment should be extended into Hudson Yards.** Not necessarily replicated, but complemented by versions that makes sense for 2004 and beyond.

And Equity believes that if another Manhattan Plaza for performing artists is a good idea, then similar efforts for cops, firefighters, teachers, construction workers and other New Yorkers are also good ideas.

Ms. Burden, Equity hopes that you will agree with us and CB 4 and the Borough Board that **fixing this flaw in the Plan is a priority**, and that the final version that goes to City Council must include no less than the permanent, mandatory affordable housing component that we join those two groups in recommending.

We hope that you will include Actors' Equity and the rest of the Entertainment Industry in discussions to **make those recommendations a reality,** both for our members and all low, moderate, and middle income New Yorkers. We are eager to bring our experience to that table.

Again, just **Zone Us In.**

Thank you.

Also, we are aware that our sister unions, Screen Actors' Guild and the American Federation of Television and Radio Artists, are considering action on this issue, and we request that the record be kept open so that their testimony may be added in the near future.

Gabrielle Kurlander

New York City Planning Commission Testimony

Good afternoon. My name is Gabrielle Kurlander and I am the President of the All Stars Project.

I am testifying today to express my support for the Hudson Yards plan, including plans for the West Side stadium.

We come at this from a very different perspective. Let me tell you what that perspective is and why. The presumption is that community-based organizations are opposed to this project, on the grounds that it is importing a big business culture into the community, one which is going to be unresponsive to ordinary New Yorkers and certainly to dis-advantaged New Yorkers.

The All Stars Project is a community based non-profit organization that sponsors after-school performing arts and leadership training programs for over 11,000 poor and working class young people annually in Jamaica, Queens, Bedford-Stuyvesant, Brooklyn, Harlem, and the South Bronx, among other neighborhoods.

Less than a year ago, the All Stars Project moved into 543 West 42nd Street, between 10th and 11th avenues, opening a new $12 million performing arts and education center, which we own.

Since the All Stars is about connecting inner city young people and their families to the heart of the City and the wealth of resources it offers, we believe the proposed development of the West Side is an opportunity to create new partnerships and a new culture that is in no way negating and exclusionary.

For example, we work with thousands of African American, Latino and immigrant young people between the ages of 5 and 25 who are very, very sports-minded. A recent survey we conducted of over 300 inner city youth showed more than half are fans of the Olympics and two-thirds say they watch the Olympics on television. Therefore, as a member of the Youth, Sports and Education Committee of NYC 2012, I believe the Olympics will be of great interest to inner city young people.

We would like to invite the New York Jets to get to know the All Stars and all the programs and institutions in the neighborhood so that they can dialogue with those of us who are part of the community.

GABRIELLE L. KURLANDER
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Richard Tucillo

Statement
by Richard Tucillo
NYC District Council of Carpenters

Manhattan Community Board #4
August 3, 2004

Good afternoon.

My name is Richard Tucillo. I am the Trade Show Business Representative for New York City District Council of Carpenters which includes the Javits Convention Center.

I have been employed on the far west side for nearly twenty years, the first twelve as a worker and the past eight years as a representative. I am here today to show my support for the Hudson Yards Development Plan as a whole and the increased trade show floor space in particular. Since its opening the Javits Center has been outdated and undersized. Over the past ten years, city after city have surpassed New York in terms of amount and types of space. Clearly all parties agree the Javits northern expansion's time has come. We are working hard to make sure this long overdue project becomes a reality this year. We also strongly support the building of the New York Sports and Convention Center. For decades New York City enjoyed a mid-sized convention and exhibition center, the New York Coliseum, which was demolished to make way for the new Time WARNER AOL complex. Similar in nature to Chicago's Navy Pier, the New York Sports and Convention Center will not only give New York additional space, but a different type of Trade show venue, which we have been lacking. The forty shows initially projected for this space will keep our members working for at least 200 days a

year, something that would not be possible if this facility is built anywhere but the Far West Side.

Simply put, the Javits Center is the single largest employer of the carpenter's union and it would mean a lot to our members and our families if this plan were to go forward.

The Hudson Yards Plan offers an extraordinary opportunity to revitalize an underutilized section of the far West Side of Manhattan.

The Plan will not only revitalize this area, but it will also:

- Create good jobs
- Provide the city with additional tax revenue, and
- Attract and retain businesses

These are good jobs that pay taxes and help boost the city's economy. Revenue taken in by the city and state will help enhance our city's priorities in education, public safety and recreational space, as well as in other areas.

The Carpenters and our brother and sisters in the rest of the building trades believe that this project will help all New Yorkers—from the West to East Side, UPTOWN AND DOWNTOWN, AND FROM BOROUGH TO BOROUGH. ITS A WIN-WIN FOR NEW YORK.

THANK YOU FOR YOUR TIME AND ATTENTION.

Testimony at the City Planning Board, September 23, 2004

Daniel Elman

My thanks to the planning commission for the honor of speaking today. My name is Daniel Elman. I'm a born-and-bred third-generation New Yorker. I was born on the West Side, although I grew up in Sunnyside, Queens. I lived in Brooklyn for nine years in the 1980s and I now live and operate a small business in Manhattan. I believe it's fair to say I have a broad perspective of our city. I'm also deeply interested in the economic development and prosperity of our city for all New Yorkers, especially the generations to come.

I'm here to express my support for the New York Sports and Convention Center. I support this Jets Stadium because it will have long-term, *permanent* benefits for our city.

The convention corridor will turn the Hudson Yards district into a living, thriving, welcoming 24-hour community. Just the opposite of what many of the opponents predict.

Look what Rockefeller Center did for our city in the 1930s. Look what Lincoln Center did in the 1960s. These are magnets for visitors and New Yorkers alike, and centers of culture and commerce. Look how the United Nations complex transformed the East Side stockyards and slaughterhouses – "Blood Alley," as it was called – into a thriving international community.

Now, I'm not saying the Hudson Yards district is as bad. But the difference is only in degree. The similarity is what's important. And the similarity is in the opportunity to shape the physical and economic future of New York on an order of magnitude we haven't seen in a generation. The Sports and Convention Center will be the catalyst.

All big developments stirred up controversy in their day. But can you imagine our city without Rockefeller Center? Can you imagine our city without Lincoln Center? Can you imagine our city skyline without the U.N. Building?

Now imagine the underused, uninviting Hudson Yards district permanently transformed into a symbol of international trade, urban planning and design, and athletic

achievement. That's the perspective I hope this body has when it decides on the future of our city – of our entire city.

Let me conclude with two more thoughts.

One, it's important that everyone in our city understands that issuing public debt to invest in the future is not the same as using taxpayer money for this project. The West Side politicians and the New York Times certainly deserve their say, but they're doing the people of New York a disservice by stoking this misconception. It's important to remember this distinction as you make your recommendations.

Lastly, there are plenty of reasons *not* to build the Sports and Convention Center. Fear of change is one. Narrow self-interest is another. But these aren't *good* reasons. Fear and narrow self-interest aren't the things that built our great city. It was vision, confidence, smart investment and, most of all, a belief in the greater good. That's what we need from all of you.

Thank you very much.

TESTIMONY OF LOWELL D. KERN, ESQ.
BEFORE THE NEW YORK CITY DEPARTMENT OF PLANNING
IN SUPPORT THE OF HUDSON YARDS DEVELOPMENT PLAN

September 23, 2004

My name is Lowell Kern. I am an attorney and I have lived in Chelsea for almost twenty years. As I sit at my desk preparing this testimony, I can look out my window and see the Hudson rail yards, 11th Avenue and the Javits Center. What I also see is a completely underutilized part of Manhattan.

The far West Side has remained the city's last wilderness for too long. When the Javits Center was constructed 25 years ago, it was supposed to be the impetus for the development of the same area of the city we are still discussing today. But we all know how that turned out.

One reason that the neighborhood around Javits never grew is because there is no easy public transportation in the area. Conventioneers must travel by shuttle bus to and from their hotels. This has to be resolved if the neighborhood is to become a vibrant part of the City's daily life. The way to resolve this is to extend the subway.

The extension of the 7 line takes a train that passes through both Grand Central and Times Square and extends it out into the wilderness. In this sense, it is no different than the building of the transcontinental railroad, which spurred development of the western United States. Bringing public transportation will be the catalyst for development of the entire Far West Side.

One example, from my neighborhood in Chelsea, should suffice to demonstrate how public transportation is the key to development of a neighborhood. Until the Chelsea Piers complex was built, there was no reason to venture west of 10th Avenue on 23rd Street. However, once Chelsea Piers opened, along with the development of the fields and the dog run at Chelsea Waterside Park, which brought green space into an area that previously had none, the development of West Chelsea took off. The art galleries moved in after Chelsea Piers. The apartment buildings along 23rd Street and elsewhere didn't go up until after Chelsea Piers was in use. And while the Chelsea Piers are a wonderful complex, they wouldn't have been successful if they were inaccessible. It is a rare day when you don't see someone on the M23 with hockey equipment or a golf bag.

Easy access to the complex provided by public transportation was essential to the success of Chelsea Piers.

To me, the other key aspect of the neighborhood revitalization plan is the construction of the stadium. Its location in the southwest corner of the area to be rezoned will not interfere with the appropriate development of the area in question. This multipurpose facility, in addition to its well-publicized role as the home for the wandering New York Jets, the only NFL team without its own stadium, will serve as an extension of the undersized Javits Center, making it possible to bring to New York City the large-scale conventions that currently bypass the greatest city in the world. It will also allow access to the Hudson River by providing park space in lieu of the tow pound that currently sits as an obstacle between the citizens of New York and the river.

I won't pretend I fully understand the housing and the density issues in question. There are people far more experienced than I am that should have a say as to those aspects of the plan. But as to the other issues, namely the subway extension and the stadium, I urge you to approve the plan as proposed.

Campaign for Inclusionary Zoning

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Testimony of Julie Miles, Campaign Director,
on the
Hudson Yards Rezoning
Presented to the
City Planning Commission
September 23, 2004

I represent ACORN, Coalition for the Homeless, the Association of Neighborhood and Housing Development, the Interfaith Assembly on Homelessness and Housing, Tenants and Neighbors, the New York Immigration Coalition, Habitat for Humanity NYC, and the 60 member groups that form the Campaign for Inclusionary Zoning.

These groups, many long-term advocates for affordable housing, along with community groups, residents, and congregations from neighborhoods all over the City have come together to call for guaranteed, permanent affordable housing in the Hudson Yards and all other upzonings in the City. Groups from neighborhoods including Greenpoint-Williamsburg, Harlem, the South Bronx, Flushing, Bedford-Stuyvesant, the Northwest Bronx, West Chelsea, the Lower East Side, the Upper West Side, Park Slope, Forest Hills and Hell's Kitchen recognize that the Hudson Yards rezoning impacts everyone in the City and sets a precedent for the rezonings that follow.

New York City desperately needs more affordable housing. Yesterday's (9/22) *New York Times* featured more front-page, bad news about expected cuts to existing affordable housing subsidies. Currently, more than 500,000 renter households spend more than 50% of their income on rent, and even so, families have a difficult time finding such housing, with a vacancy rate under 3% and under 1.5% for low-rent units.

The City Planning Commission and other responsible bodies should not let this opportunity - the large-scale rezoning of Hudson Yards - go by without including average low- and moderate- income New Yorkers in the plan. There is a tremendous amount of detail in this ambitious proposal about many aspects of the rezoning, but at present, there is no plan for guaranteeing any amount of affordable housing in the Hudson Yards rezoning proposal. As we have heard, the community supports the idea of redevelopment and is willing to accept additional density in their neighborhoods, if affordable housing is part of the package.

Inclusionary zoning works. It is working in big cities all over the country, cities such as San Diego, Boston, greater DC, and San Francisco. With an Inclusionary Zoning policy, developers in exchange for added density or use change – as proposed in this rezoning – include affordable housing in their developments. Mandatory Inclusionary Zoning is a proven policy too. It works to build affordable units, to preserve and strengthen diverse communities, and to encourage economic development. Mandatory Inclusionary Zoning is a tried and true method for creating thousands of units of desperately needed affordable housing.

The Hudson Yards rezoning will change the face of the City for decades, if not forever. Most of us support economic development and want the rezoning to occur; we want new housing to be built. We also want low- and moderate-income New Yorkers, regular New Yorkers to be able to continue to live in the communities they have built and in the City. However, they are absent from the proposal you consider today.

As a citywide coalition, we cannot support the Hudson Yards rezoning as currently proposed, with no plan for guaranteeing affordable housing.

This area needs a diverse, stable affordable housing stock to serve the needs of all New Yorkers and the only way to make this happen is to include mandatory Inclusionary Zoning as part of the Hudson Yards Plan. The Campaign for Inclusionary Zoning encourages the City Planning Commission to support this position and act accordingly.

Campaign for Inclusionary Zoning

Abyssinian Development Corporation * ACORN * AIDS Housing Network * Anti-Discrimination Center of Metro New York, Inc. * Asian Americans For Equality * Association for Neighborhood & Housing Development * Beulah HDFC, Inc. * Beyond Shelter Coalition of West Side Synagogues * Blessed Sacrament Parish * Brooklyn Architects Collective, P.C. * Carroll Gardens Association * Central Brooklyn Churches * Churches United for Fair Housing * Coalition for the Homeless * Community Board 1, Brooklyn * Community Service Society * Cooper Square Mutual Housing Association * Council on Homeless Policies and Services Cypress Hills Local Development Corp. * Dunn Development Corp. * Eastside Congregations for Housing Justice * El Puente * Erasmus Neighborhood Federation * Fifth Avenue Committee * Fifth Avenue Presbyterian Church (Manhattan) * Forest Hills Community House * Goddard Riverside Community Center * Good Old Lower East Side (GOLES) * Habitat for Humanity NYC * Harlem Operation Take Back / West Side SRO * Housing Conservation Coordinators * Hudson Guild * Interfaith Assembly on Homelessness and Housing * Jan Hus Presbyterian Church * Jonathan Rose Companies LLC * Legal Aid Society * Little Italy Neighbors Association * Met Council on Housing * Mothers on the Move * Municipal Art Society Planning Center * Neighbors Against Garbage * Neighbors Helping Neighbors * New York Industrial Retention Network * North Brooklyn Development Corporation, Inc. * Northwest Bronx Community & Clergy Coalition * The Partnership for the Homeless * Pier 41 Associates * Pratt Area Community Council * Pratt Institute Center for Community & Environmental Development * Project Hospitality * Society of Jesus (Jesuits), NY Province * Southside United HDFC * St. Nicholas Neighborhood Preservation Corp. * Tenants & Neighbors * The New York Immigration Coalition * United Neighborhood Houses * Urban Agenda * Urban Justice Center * Urban Homesteading Assistance Board * West Side Federation for Senior & Supportive Housing Inc. *

(17) opposed to the taking. Chair Burden

William H. Whyte.

A great American urbanist thinker taught us to see "Cities as habitats for people, rather than simply as economic machines, transportation nodes, or grandiose architectural stagesets." Bottom up

While I am personally appalled by the nepotism and knavery that taints this proposal, never the less I oppose this project on ~~design, economic, political policy and the grave social deficiencies associated with it~~. on reason

~~NYC is the nexus for a GDP 500 trillion dollar economy, larger than that of Australia.~~ The ~~jewel and engine of this economy has always been its immigrants, not the skyscrapers, tenements, and street grid-system that awaited them.~~ New York's magnificent harbors ~~provided an invaluable venue for the exchange~~ of ideas and energy, its abundant water supply guaranteed unprecedented sustainability. You all agree that the value of the harbor is intangible and of the rights of New Yorkers to enjoy its magnificence is intangible. Yet a wall will be extended between them and their harbor, ~~and~~ will pay for it themselves through fore-gone tax revenues and a suppression of their autonomy. If this does not constitute a taking by the state without due process, I don't know what else is.

The economic justification for this taking is to justify a venue that hosts as little as 100 guests per diem and that did not host events for 129 days ~~in~~ 1999, and a average daily attendance of 14,321 persons for the year. The justification for the expansion is that it needs much larger contiguous space, yet only one-event fulfills those requirements, "the car show". Only a combined car, boat and helicopter show can justify this bulk. The core economic justification for this design can't be the stadium. ~~The good year blimp had their cameras pointed at adjacent arson fires in the Bronx, during one World Series.~~ Out of the 8 games played during the year, suppose the Jets miraculously manage to go into a Playoffs, will the area be able to handle the predicted 5,000 extras cars going into the area at peak-rush hour. This area is extremely valuable, so why do New Yorkers not maximize their economic return and provide for the highest and best use by utilizing the market place.

New York City has demonstrated an office surplus over the last two decades while it has experience an emergency housing crises for the past half century. ~~It is miserly~~ and reckless to propose that only 1 out of 22 district zoning changes is strictly residential. According to the EIS chapter 5-27 by 2010, the project is expected to ad a net increase of 1500 units or 2,700 residents, the same rate experienced during the last decade. The scarcity of supply adversely affects the residents who are already experiencing the market pressures of a city that has been negligent in its obligation to build or zone for residential units. The promised jobs will certainly go to native new Yorkers who moved out of Manhattan because they were no longer able to afford to live here.

"The human backside is a dimension architects seem to have forgotten." I will ad technocrats and the prevailing plutocracy.

The greatest taking associated by this project is not our harbor, democratic determination, autonomy or land, it is represented in the economic and social exclusion experienced by immigrants who recently gambled everything to rebuild this city from its previous debacle. They will be denied the market place of ideas because they do not have the deeply routed social connections or economy of scale to participate in the prosperity of the area. An area that will be ultimately be poorer because of such exclusion, and all new Yorkers ultimately loose out. The streets will be robbed of a rich and robust tapestry.

1 Gustavo Ortiz park

If you can't provide good + ~~best~~ beautiful planning than copy it. Let the people participate in the future. I have faith in them do you

Pathetic throwba[illegible] days of ~~robert~~ robert [illegible]ses
autonomous corporations w/ ~~the~~ added fla[illegible] of nepotism + knavery.

Immigrants are ~~the~~ The economi[illegible] ~~Immigrants~~ motor of this $[illegible], trill[illegible]n
dollar economy [illegible] larger than Australia

New Yorks hart[illegible] are an invaluable [illegible]nel
exchange of idea[illegible] energy. It is intangible.

Now you will [illegible]t a wall between
the harbor an[illegible] this precious
citizen body.

If this is no[illegible] an ecological
assault I don't know what is.

for what = Box that did not (dop 19 AP 15 1[illegible]
host events for 29 day 1999
average daily atte[illegible]dance 14,321 and stadiums
everybody loser
Does this cons[illegible]tute highest + best use.
It is a taking [illegible]at lacks a proper
due process of law. ~~The greatest architectural~~
~~had tragedy to~~

park 11/18 area

I don't see integrated transport system or
dedicated Bicycle [illegible], dog walks (community center spect[illegible])

PARKING

The zoning proposal before you would encourage a huge number of parking spaces — somewhere between 13,000 and 30,000 spaces — to be built in the area. This is an enourmous number, considering that there are only about 140,000 off-street spaces in all of Manhattan south of 60th Street. More parking means more commuter traffic entering and leaving the area. And traffic in this area around the Lincoln Tunnel is already at the breakdown point.

The proposed parking requirement, along with construction of new public garages, would reverse a twenty-year zoning policy originally adopted for traffic control and environmental reasons. Since 1982, the zoning ordinance manages parking and traffic by allowing a limited number of additional accessory spaces in the Central Business District south of 60th Street, with no minimum requirement. The rationale for the current parking policy is the conviction that building more parking spaces would only encourage more traffic to enter the Central Business District, an undesirable result.

How undesirable is detailed in the current EIS, which shows that the Hudson Yards plan would result in significant adverse traffic impacts at numerous locations. Mitigation measures consist of traffic engineering "improvements" such as signal timing changes and adding traffic lanes by removing on-street parking, both of which will make crossing the street more difficult and dangerous for pedestrians.

Many of the locations requiring mitigation already have a high accident rate. For example, a total of 44 pedestrian and bicycle accidents, one of which was fatal, occurred on Ninth Avenue at the 41st and 42nd Street intersections. These intersections are dangerous now and with more traffic in the future, conditions for pedestrians will be frightening. Programs for improving the efficiency of vehicular traffic (such as the changes in signal timing and increasing the number of traffic lanes) should not be implemented at the cost of creating more hazards for pedestrians.

It is clear, as shown in the EIS, that vehicle trips either begin or end at parking garages, confirming the notion that more parking means more traffic. The amount of accessory parking allowed in the Hudson Yards area should be no greater than the amount currently allowed by the Zoning Resolution. We understand that current rules would allow up to 7,500 parking spaces, which is more than enough, especially given the 25,000 parking spaces already in the area. We have enough traffic already; please do not add to our problems.

My name is Meta Brunzema, an urban designer and consultant to the Hell's Kitchen Neighborhood Association.

~~I would like to point out some of the planning problems in the Hudson Yards Plan.~~

~~First, the stadium [illegible] subvertsions the Hudson Yards plan.~~

- ~~The stadium [illegible] the west rail yard [illegible] a large and valuable waterfront site that could otherwise be used for high density development and the south expansion of the Javits convention center.~~

- ~~The stadium also requires a large plaza on the east rail yard that [illegible] removes potential development from [illegible] MTA owned site.~~ North

- Because the stadium and stadium plaza are not used for development, it forces high density office development ~~in the Hudson Yards Plan~~ to go on between 10th and 11th avenues ~~in a north-south direction~~. on 39th 40th & 41st streets

- The location of the stadium also forces the Javits convention center to expand north – eliminating waterfront access. ~~A south convention center expansion – (not north) was not was originally intended. – in fact THIS is why the west rail yard is currently included in the Javits center boundary.~~

- ~~The stadium also requires substantial amount of parking – leading to the proposed under ground garage under the mid-block boulevard between 33rd and 36th streets as well as on top of the deck at the east rail yard plaza – causing the plaza to be 18 feet above street level.~~ leading

- ~~The stadium also requires that the construction of the #7 subway start immediately. The # 7 is otherwise not necessary right now – because the proposed office buildings on 11th avenue are only expected to be developed 15 to 20 years from now. In fact, the stadium is driving the timetable for the public infrastructure.~~

- The net result is that ~~by~~ putting ~~dense~~ office buildings ~~and the Convention center~~ expansion to the north ~~,~~ creates a massive wall of tall office buildings that prevent the expansion of a real residential neighborhood ~~to the waterfront~~. The north convention center expansion closes ~~west 39th, 40th street and 41st~~ streets to the waterfront. This cuts off access of the neighborhood to the river and cuts off the access from the new and expanded 39th ferry terminal to the proposed office development. WEST.

- The north-south orientation of the Hudson Yards plan is all wrong !
  Show: *the boulevard and high density building form a wall to the river and limit the expansion of the south hells kitchen neighborhood*
  Show: *the north convention center expansion closes west 39th, 40th street and 41st streets to the waterfront.*

IN FACT, THE STADIUM IS DICTATING THE PUBLIC INFRASTRUCTURE INCLUDING THE TIMETABLE FOR #7 SUBWAY AND THE DRAMATIC DOUBLE DECKER [illegible]

Brutally new

~~Because of~~ STADIUM, ~~[illegible]~~

results in

- LOCATING THE STADIUM ON a valuable WATERFRONT SITE DICTATES ONLY BAD CHOICES FOR THE REST OF THE PLAN —

HUDSON GUILD

A Commitment to Community Since 1895

Testimony for Public Hearing of the City Planning Commission
on the Proposed Hudson Yards Rezoning

Thursday, September 23, 2004
Fashion Institute of Technology

My name is Miriam Rabban and I am the Director of Community Building at Hudson Guild, a non-profit Settlement House that has served the Chelsea community for over a hundred years. My brief comments focus on the critical need for affordable housing and the importance of using the proposed rezoning of the Hudson Yards to create a significant amount of affordable housing.

Since its founding, Hudson Guild has recognized the need for decent, affordable housing, and has worked on ways to address contemporary needs, such as developing a model tenement effort in the early 20th century, participating in efforts to create public housing along with other Settlement Houses, and helping with the initiative that led to the creation of Mutual Redevelopment Houses (known as Penn South). Our current work on decent, affordable housing for community residents makes us painfully aware of the scarcity of affordable housing in our area.

The city's proposals to rezone Hudson Yards - as well as West Chelsea and other riverfront communities – will result in development that will transform communities across the city. Development should foster strong and diverse communities rather than only provide for commercial development and homes for the wealthy.

The city's proposal to rezone Hudson Yards - and the upcoming West Chelsea proposal - should ensure that at least 30% of the housing developed is permanently affordable. We are very pleased that Community Board 4 has clearly and strongly stated that an overriding condition of its response to the city's proposal for Hudson Yards is that it must include a real plan for affordable housing that would provide that no less than 30% of all housing units constructed in the rezoned area must be permanently affordable.

We urge the City Planning Commission to oppose any rezoning plan that does not ensure that at least 30% of the housing in the rezoned area will be permanently affordable.

Hudson Guild has endorsed the City-Wide Campaign for Inclusionary Zoning and its call for a requirement for development of affordable housing as part of rezoning proposals. We must ensure that the public action of rezoning results in the public benefit of affordable housing.

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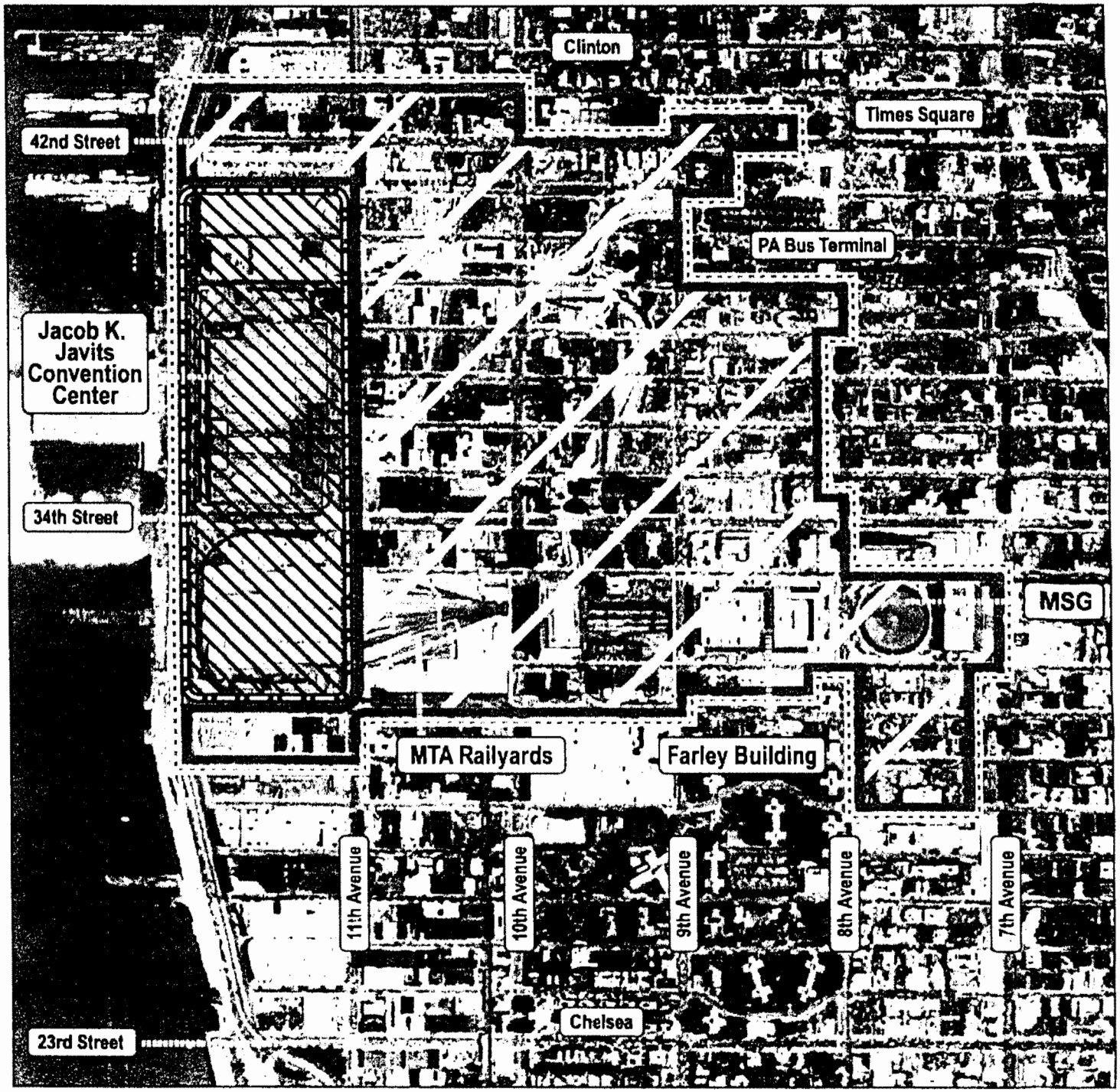
United Way Helps Here

Hudson Yards Plan

EIS Project Area

Rezoning Area (City ULURP)

Convention Corridor (State Action)



My name is KB ~~and I am not a hired gun.~~ I live 4blks from the proposed stadium and have done for over 35 years. I am also a Football fan, season ticket holder + a music fan so I did not come by my oppositon lightly or quickly.

My testimony today is based on experience ~~and not fantasy. as the figures prove~~

Sports fans DO NOT use public trans in large #'s to get to games or events attendees. FACT is they arrive in SUV's + BUSES ~~[illegible]~~ laden with ALCOHOL + UNCOOKED FOOD. This is fact, expecting over 70% of attendees to ~~take~~ use public trans is PURE FICTION

~~Jet fans in particular are well known for their drunken + violent behavior so much so that the meadowlands sells NO Alcohol after 1/2 time. I once arrived late to a game and had to park 1/2 mile away from Giants stadium which has an abundance of parking around it.~~

Tailgating is a BIG part of the game day experience. ~~It will not be stopped~~ No one will be able to stop this! What many don't know is that it occurs after games as well as before.

I have come out of Concerts to find cars on FIRE / which also occurs @ FOOTBALL GAMES.

Games + events will require extra police as the RNC did. During the RNC the city was unable or unwilling to require the police to take public trans. ~~As a result~~ personal cars owned by officers parked with immunity at every hydrant on my block. I have the pictures! ~~It~~ is fantasy to think this would not happen regularly should ~~this~~ this stadium go ahead. ~~If~~ the city can't

~~Never has a city project come in at Budget.~~ get their employees to use public trans there is zero chance of getting private citizens to.

~~I wonder if~~

My neighbors are primarily elderly they do not deserve being subjected to steady streams of honking SUV's and jet fans tailgating on our lawns.

As a resident I beg you to not use our tax dollars ~~get rest bill~~ require the jets to pay for their own stadium as NE did, ~~to not use our tax dollars~~ And to build it where their fan base is. Queens or LI. We don't need a new stadium 20 minutes from the existing Giants Stadium

CORNELIUS BYRNE

BORN HERE

PROPERTY OWNER

EVERYBODY TALKING ABOUT US

HORSE STABLE - RELOCATE

MAKE WAY FOR PROGRESS

PLAN 50 STORY BUILDINGS

NO COMMUNICATION

EVIOLATION

UNDERMINE INTIMIDATE

TROUBLE FOR OWNING

TRUE VALUE

JAVITS CENTER EXPANDED

UNIONS NEED WORK

SUCCESSFUL PROJECT

JETS 8 games LOW LEVEL TEAM

COMPETE NOT AUXILIARY

MANHATTAN – ULTIMATE PREMIERE CHOICE

- YANKEES • 80 GAMES •

CHAMPIONSHIP GROUP

WORLD CLASS BASEBALL EMBLEM

BABE RUTH JOE DIMAGGIO

MAKE PEACE MADISON SQUARE GAR

80 STORY BUILDING

MAKE NO MISTAKE $600 MILLION

HOTELS RESTAURANTS

PICKUP TRUCKS, HOT DOGS

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Maurice Schnakenberg

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M. SCHNAKENBERG
LICENSED PLUMBER # 0299

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GOOD AFTERNOON, MY NAME IS MAURICE SCHNAKENBERG, I'M A LICENSED MASTER PLUMBER, AND THE PRESIDENT OF A LOCAL ONE PLUMBING COMPANY LOCATED IN THE WEST 40'S. MORE IMPORTANTLY, AND THE REASON THAT I AM HERE TODAY, IS THAT FIRST AND FOREMOST, I'M A NEW YORKER.

YOU HAVE HEARD FROM MORE LEARNERED PEOPLE THEN ME, JUST WHAT BENIFETS THE ENTIRE HUDSON YARDS PROJECT WILL BRING. THEY HAVE DISCUSSED THE NUMBER OF JOBS THAT WILL BE CREATED, THE CHANGES IN TRANSPORTATION, NUMBER OF PARKS CREATED AND THE NEW UNITS OF AFFORDABLE HOUSING. I'M NOT AN URBAN PLANNER OR A HOUSING SPECIALIST, I AM HERE TODAY TO SPEAK TO YOU TODAY AS A WEST SIDE BUSINESS MANAGER.

I WAS BORN ON THE UPPER WEST SIDE. DURING THE 40'S AND 50'S, WEST 83RD STREET WAS CONSIDERED THE WORST BLOCK IN NEW YORK. DRUGS AND PROSTITUTION WERE RAMPANT, AND GANG WARS TOOK PLACE OPENLY ON THE STREETS. IT WAS SO BAD THAT WHEN THE POLICE DEPARTMENT BUILT THE NEW 20TH PRESINCT THEY RELOCATED IT FROM WEST 68TH ST TO WEST 82ND STREET

MY FATHER OPENED HIS BUSINESS IN 1926, IN THOSE DAYS, PLUMBING SHOPS WERE IN THE BASEMENTS OF BUILDINGS. I REMEMBER MORE THEN ONCE WALKING DOWN THE BACK STAIRS OF OUR BUILDING TO HIS SHOP, ONLY TO FIND SOMEONE WHO WAS PASSED OUT ON THE FLOOR, OR AS ON 2 OCCASSIONS, DEAD FROM AN OVERDOSE.

I LISTENED VERY CAREFULLY TO THE RESIDENTS WHO SPOKE BEFORE ME AT THE BOROUGH PRESIDENTS PUBLIC HEARING THE OTHER NIGHT, THEY TALKED ABOUT LOSING A NEIGHBORHOOD, THAT THEY WOULD NOT HAVE HOUSING OR AREAS IN WHICH THEIR CHILDREN COULD PLAY. SINCE THAT NITE, I HAVE DRIVEN ALL THROUGH THE PLANNED RESTORATRION AREA, AND WHAT I DO NOT UNDERSTAND IS THAT I DO NOT SEE ANY RESIDENTIAL BUILDINGS ON 11TH AVENUE, SOUTH OF 44TH STREET, I DO NOT SEE PEOPLE WALKING ON THE STREETS, NOR DO I SEE CHILDREN PLAYING OUTSIDE. WHAT I DO SEE ARE THE DRUG DEALERS AND PROSTITUTES SELLING THEIR WARES,

WHAT DID IT TAKE TO CHANGE 83RD STREET? THEY HAD TO KNOCK DOWN TENEMENT BUILDINGS, BROWNSTONES THAT WERE ROOMING HOUSES, AND COMMERCIAL ESTABLISHMENTS, IN ORDER TO BUILD A HIGH SCHOOL AND A GRAMMER SCHOOL. PEOPLE WERE ANGRY, WHY DID THE CITY CHOOSE MY BLOCK TO BUILD SCHOOLS? LOCAL RESIDENTS WERE IN AN UPROAR, BUT THAT'S WHAT IT TAKES TO TURN THINGS AROUND. THE SAME THING HAPPENED WHEN LINCOLN CENTER WAS BUILT, AND IT HAPPENS EVERY TIME THERE IS A CHANGE IN THE CITY'S LANDSCAPE.

IT WILL REQUIRE CHANGES, SACRIFICES FOR SOME, AND YES, AS IS WITH ANYTHING NEW, THERE WILL BE PEOPLE WHO PROFIT MORE THAN OTHERS. DON'T DISCOUNT THAT FOR ONE MOMENT, BUT THE TRANSFORMATION OF THIS AREA CAN ONLY BENIFET THE CITY AS A WHOLE. THERE WILL BE NEW PARKS, MORE AFFORDABLE RESIDENTIAL UNITS, THE NUMBER 7 SUBWAY, RIVERWALKS, RESTAURANTS, AND GATHERING PLACES FOR FAMILIES, A SAFE AND CLEAN ENVIORNMENT FOR ALL NEW YORKERS. THIS HUDSON YARDS PROJECT IS NOT JUST ABOUT A STADIUM; IT IS ABOUT CREATING A NEW WAY OF LIFE FOR THE FAR WEST SIDE.

INTERFAITH ASSEMBLY on
HOMELESSNESS
AND HOUSING

Marc Greenberg

Testimony before the New York City Planning Commission
Thursday, September 23, 2004

My name is Marc L. Greenberg. I am the Executive Director of the Interfaith Assembly on Homelessness and Housing, based at the Cathedral of St. John the Divine. The Assembly is a coalition of over 60 religious organizations, Citywide - Christian, Jewish, Muslim and Buddhist. The Assembly's programs work directly with those who have been homeless as they recover from the trauma associated with their homelessness and work to rebuild their lives. For the past 20 years, the Assembly has held an Overnight Vigil in City Hall Park on behalf of those in our city who are homeless or at risk of homelessness. This year, our vigil sighted inclusionary zoning as one of the top priorities for addressing homelessness and the shortage of affordable housing in New York City.

The theme for our collective witness this year at City Hall was "Building the Blessed City Together". Religious leaders including the president of the New York Board of Rabbis, Executive Director of New York Catholic Charities, Executive Director of the New York City Council Of Churches, The Bishop of the Lutheran Church, a Bishop of the Episcopal Diocese, Executive Director of the Queen's Federation of Churches, and the Dean of the Cathedral of St. John the Divine all strongly endorsed a comprehensive policy platform with inclusionary zoning in New York City as a top priority.

On behalf of all of our religious partners as well as those women and men who are rebuilding their lives after homelessness or struggling to maintain their housing, I am here to urge you to honor the clear will of the community and the vast majority of New Yorkers and send to the City Council a Hudson Yard Plan that requires mandatory Inclusionary Zoning.

At this moment in the development of our great city you have an opportunity to say something very profound to our citizens as well as to the rest of the country. By including mandatory Inclusionary Zoning as part of the Hudson Yard plan and the other proposals before you, the NYC Planning Commission will be saying that New York City is committed to balancing the profits of the most powerful with the needs of the most vulnerable. By seeing to it that New York City's public resources are dedicated in some small measure to those who look to government for vital support as they strive to be full partners in the life of our City, you will be saying to all of us that New York City has a heart and a conscience – and a soul. Thank You.

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ending chronic homelessness

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Building Trades Employers' Association

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Louis J. Coletti
President & CEO

Louis J. Coletti
President
Building Trades Employers' Association

City Planning Commission
September 23, 2004

- Good Afternoon/thank you
- Louis Coletti, president of the Building Trades Employers' Association.
- BTEA is the largest and most diverse contractor association in New York, representing 1,500 construction company members of the Building Trades and 25 contractor associations.
- Hudson Yards Rezoning Plan will solidify NY's place as the ultimate urban experience in the world
- Plan will help jumpstart local economy
- Create thousands of needed jobs across *various* sectors
- Provide revenue to support priorities in education, mass transit and public safety
- Create a lively waterfront area…long overdue in the greatest city in the world
- Public investment will trigger private investments of $13.7 billion by 2025
- Investments will create hundreds of thousands of jobs for New Yorkers
- More than 110,000 new direct, private sector jobs in the Hudson Yards area alone
- 92,000+ indirect, private sector jobs elsewhere in NYC
- 150,000 direct and indirect construction jobs for NYC and NY State by 2025
- Not solely construction jobs. As I said, *various* sectors will see job growth
- Restaurants, hotels, service industries, retail

- People in this area need their clothing cleaned, need to buy groceries, and yes, have a nice dinner out
- This plan will spur even additional investments in this area that will help everyday New Yorkers.
- Plan will develop one of the most underutilized areas of our city
- Exciting times in NYC
- Hudson Yards Plan is one piece to the future viability of this great city
- Urge you to support this visionary and bold plan

Richard Greslaw

I am a licensed plumbing contractor

and my father started the plumbing business in 1929.

My name is Richard Breslaw

and I am the president and CEO of George Breslaw and Sons Inc.,

a union plumbing shop located on the West Side at 45th Street and 11th Avenue.

Today, we are a third generation business

operating at the same location on the West Side since 1953.

At the present time,

my three children,

Michael, Seth and Amy

are working with me

in the same building that my father bought.

In Yiddish, we call this feeling of pride and joy, kvell.

In the same way,

I can honestly say that I love our neighborhood.

I love the interaction with my neighbors,

both residential and commercial.

As a business owner,

and a property owner,

I feel a commitment to helping my neighborhood improve

and support good development.

Up until now,

I have personally been involved

in getting rid of the prostitution business

that plagued our neighborhood in previous years.

I was involved in a CBS documentary called, 'Belly in the Beast,'

that observed, filmed and

ultimately helped rid the area of 'street walkers' on 11th Avenue.

This rezoning plan by the City

is the best revitalization plan that's come our way.

I think we can all agree that we need development,

but it's a debate over how much.

I know that the City is proposing

28 million square feet of development

and it scares some people,

but you have to realize

we're talking about a long-term plan

that is being projected for 2035.

So if you do the math,

that's less than a million square feet a year.

Can our neighborhood handle that?

Yes.

Can our neighborhood handle the traffic that will come with that?

Yes.

But more importantly,

does our neighborhood need the jobs?,

the 12,000 units of housing?,

the money to pay for the 7 line and the parks?

Yes.

I know some people in our neighborhood

have not been favorable toward the Jets Stadium,

but what if we got the Stadium

and Javits expansion but nothing else?

Does that help our community?

No.

I've watched the neighborhood

fight the battles of Westway

and other proposals that often came and went

without a real community development or financial planning behind it.

Yet,

I've watched the same people

complain that the neighborhood needs attention from the city.

Parks? Jobs? Housing? A Subway?

This rezoning is a no-brainer,

I'm fully behind it.

Thank you for listening.

David Adler

BiZBash 220 Fifth Avenue New York, NY 10001

My name is David Adler. I am the CEO and Founder of BiZBash Media located in New York. I am also on the boards of The International Association of Exhibition Managers and NYC & Company.

My professional life is dedicated to promoting the New York Meeting and Event Industry. BiZBash is a trade magazine, a trade show and a web site that focuses on providing resources and ideas for that community.

The event industry alone is a huge niche industry in New York. We have over 1,500 venues catering to over 100,000 corporate and non profit events annually from small cocktail parties, product launches, fundraisers, premiers and celebrations of every stripe to a national convention like the RNC. Some estimate the event industry in New York to be $4 Billion. With all this happening we have a few limitations.

1. the amount of convention and trade show space in New York and
2. the awful current condition of the west side.

I have had some of the world's largest event producers tell me that they would love to move their conventions and trade shows to New York but that the space is just too small to accommodate their event.

The good news is that we can get 'em here but we need to make sure that they come back over and over again, as well as tell their friends.

When I see people have to trek back from the Javits Center back to their hotels in all types of weather, it really makes me angry. We are doing a great job of selling them to come to New York and in one five block walk, the entire "Brand promise" of New York comes into question. It is like getting a bad can of Coke. It is rare but imagine if it happened.. You are bound to choose Pepsi the next time you get thirsty.

Another interesting point that supports the expansion of the number 7 line is the huge potential for bringing events and festivities to the entire west side waterfront. The Hudson Piers now have some of the most glamorous and important event s in New York. Recently the Mark Jacobs Fashion show was held at Pier 54. They probably spent millions to tent the entire pier and to produce a first class show. If we had the number 7 line in place it would stimulate even more events and public gatherings along the entire west side.

I urge this committee to recommend doing everything possible to complete all aspects of the new Convention Corridor. It will be the key that unlocks the potential of the west side of Manhattan for the industry that I work with as well as hundreds of other important sectors in the city

Thank you!

Can you hear me -

Good ~~morning~~ afternoon Commissioners, ~~I apologize for my voice, but I thought I should come to testify at this important time~~. Thank you for this opportunity to testify

My name is Terry Grace. I live at 530 East 76th Street ~~on Manhattan~~ where I am V.P. of the Bd of Mgrs. I am a member of St. James' Episcopal Church at Madison Avenue and 71st St. ~~and have served~~ have been as a volunteer on the Steering Committee of East Side Congregations for Housing Justice for the last 18 months. My career ~~has included~~ spans convention sales, ~~and~~ meeting planning, and exhibit management includes ~~The best convention centers have no~~ the

For over 20 years, St. James' has ~~continued to~~ been a leader of faith-based coalitions to build affordable housing in our city: ~~organizing and building hundreds of~~ Nehemiah houses ~~for sale at very reasonable prices and financing~~ ~~with~~ South Bronx Churches; supportive housing for formerly homeless people on the East Side ~~with Neighborhood Coalition for Shelter~~; and ~~early partnership and investment with~~ Habitat for Humanity New York City ~~building affordable homes for sale~~ in 4 out of the 5 boroughs. ~~All of our housing owned by working poor people has a default rate of less than 2%, lower than all commercial banks and lenders.~~

I am in favor of any parts, but in the std for mass housing instead of building affordable housing already on the

East Side Congregations for Housing Justice is a coalition of over 175 individuals from over 50 congregations, who have served poor and homeless people for many years. We seek to educate ourselves on housing issues and to advocate for just and sustainable affordable housing throughout New York City.

~~In place of the stadium, build affordable housing~~

New York needs more housing, in particular affordable housing for our middle class workers who now commute to work an average of 4 hours every day from housing they can afford outside our city. In the early 1980's, federal money to build housing stopped, and New York's housing supply, particularly affordable housing, could not keep up with its "household or family formation" rate. The result is that we have thousands of families with children, and single people, doubled up in dangerously small apartments, in shelters, or ~~homeless~~ on the street — at great financial and human expense. I don't want this while I am a citizen here - Do you?

When Battery Park City was built, the revenue from building rentals was earmarked for affordable housing. Recently, it has been used in the general city budget. We believe that it is now time to keep the original promise and to build affordable housing in Hudson Yards, with or without a stadium. The new convention center can use hotels, stores and housing over it. The project should not go forward without mandatory inclusionary zoning for affordable housing.

WE BELIEVE THAT MANDATORY INCLUSIONARY ZONING IN EVERY NEW CONSTRUCTION PROJECT IS A WIN-WIN PLAN TO INCREASE THE SUPPLY OF NEW YORK'S AFFORDABLE HOUSING AND TO INCREASE THE DIVERSITY AND UNIQUE CHARACTER OF OUR NEIGHBORHOODS AND CITY. Other U.S. cities have successfully instituted this policy.

A developer of a high rise condo or coop, could get more height and sell many more multi-million dollar apartments IF he provided 30% of the apartments (perhaps on lower floors) at an affordable purchase price. He would still be able to have more profit.

Likewise, a developer of a luxury rental building could go higher if he provided 25% of all the apartments at affordable rents. We now have an "voluntary" 80%-20% rule, but mandatory inclusionary zoning would be a permanent arrangement for the life of the building.

Every project, INCLUDING HUDSON YARDS, must have affordable housing within its site and neighborhood in order to get greater mass and/or height and other bonuses. Building affordable housing in other boroughs with the Manhattan high rise credits is not acceptable, since it creates ghettos -- and we all know what ghettos are. Please, for the sake of our city, include MANDATORY INCLUSIONARY ZONING TO CREATE AFFORDABLE HOUSING IN THE HUDSON YARDS DEVELOPMENT PLAN.

Thank you.

Joshua Spahn

COMMISSIONERS:
~~Dear Borough President Fields,~~

I love my neighborhood. When I moved to Hell's Kitchen 21 years ago, I thought I was doomed to a life of overpriced and soulless tourist traps. Instead I found wonderful and affordable family-owned businesses: barber shops, a shoe repair man, butcher shops, farmer's markets, fish markets, spice shops, pharmacies, bodegas, bakeries and restaurants of all types.

The family pharmacies are history now. And all the remaining family businesses here are already threatened, being replaced by banks, phone stores or yet another Starbucks. The Westside Stadium is a corporate-centric proposal and will clearly bring about the extinction of the rest of these one of a kind businesses. Manganaro's Hero Boy will fall to Subway, O'Farrell's bar to T.G.I.Friday's, Stiles and the Big Apple Market to the Food Emporium. The Mayor and the President continue to stress the importance of the small business in the strengthening of the economy, yet it seems every political decision belies the American Dream in favor of corporate expansion.

I listened to the Stadium proposal at the last public meeting here. It is a Gordian Knot of overdevelopment and overspending based on two major premises: that there will be almost a half a million new office jobs and that New York will be selected for the 2012 Olympics. What if these never come to pass? The damage to my community will be irreversible. Wouldn't a staggered proposal of development based on real needs be a better approach?

I am lucky. I wouldn't be living in Hell's Kitchen now if it wasn't for mandated affordable housing. New one bedroom apartments on my block are $2500 a month. The Stadium proposal estimates less than 2000 new units of affordable housing. It seems to me there should be at least ten times that amount to meet even the current needs of Manhattan's working class.

You have heard much about the environmental impact of this proposal. I'll make it personal. Ninth Avenue is already a traffic nightmare. Every day from 3:00pm until 8:00 I hear the road rage build in the honking outside my window. And when crossing the street the rage is contagious. The stadium and the 60 story office buildings will guarantee the extension of the noise and the hostility until midnight or beyond.

A borough can be a neighborhood. Please use your power to block this proposal.

Sincerely,

Joshua Spahn

Joshua Spahn
375 W 48th St. #5C
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City Planning Commission Hearing
Thursday, September 23rd, 2004
Testimony by Margaret Chin, AAFE

Hi my name is Margaret Chin. I am Deputy Executive Director of Asian Americans for Equality (or AAFE) a nonprofit Community Development Corporation that has advocated for housing rights for the last 30 years.

In the neighborhoods that AAFE work in, we have witnessed the transformation of communities whereby once affordable housing is now market-rate, with apartments renting for upwards to $3,000 for a two-bedroom unit. Fighting against market forces often seem insurmountable, and the losers are working-families and immigrants who are pushed to the margins of the city.

So when the opportunity arises for the City to counter these forces, an opportunity for the City to create integrated neighborhoods, an opportunity to provide housing for those who the market cares not, that opportunity should not be wasted, but should be welcomed, grasped, and fully taken advantage of.

For the Hudson Yards Redevelopment area, like other key areas around NYC that are undergoing rezoning, a measure can be instituted that will lead to the creation of affordable housing units. This measure is Indusionary Zoning.

More and more, when groups such as mine attempt to develop affordable housing, the argument we hear is that the cost to subsidize low- and moderate-income housing is too great. That the outlaying of funds, in these times of budget woes, is too onerous. Well, here is an opportunity to create substantial affordable housing that will not strain city finances. I ask you today, working families ask you today, that you consider mandatory Inclusionary Zoning for the Yards and other major residential upzoning areas. The requirement that a sizable portion of units be affordable would serve as a model for citywide Inclusionary Zoning.

In closing, I want to share with you that many of the community groups here today were approached by the City government over the last two decades to solve the housing problems in neighborhoods around New York. They asked us to partner with them to develop affordable housing, to revitalize streets, and to offer up a better vision of New York. We accepted that partnership, and proudly ushered in a new New York. Now we are asking the City to not turn its back on that vision. And to not let the west side of Manhattan and other vital areas of New York City become luxury-only districts. Rather, these areas should include all New Yorkers: new immigrant, old immigrant, poor, working families, moderate and middle income families.

Thank you.

Dahlia Duperroir
790 11th Ave. Apt. #4F
NYC, NY10019
September 23, 2004

When I was born my mother was living in Chelsea. I returned to Chelsea too attended High School and attended college in Chelsea. As a resident of Hell's Kitchen I worked in the community as a community worker. One of my children was born in Polyclinic Hospital which no longer exists. It is now and apartment building , and parking lot. The tenants of this property ,and other properties owned by the same reality company are trying to fight for the extension of subsidized housing. This is the case in this area of Chelsea/Hell's Kitchen. We need jobs ,and affordable housing not eighty story office buildings or a Stadium in an all ready highly congested area. Examples the United Nations when the delegates are in town or the President we have gridlock traffic. Which affects Public transportation and anything that moves to transport people the gridlock is unbearable. It took me Forty five minutes in a cab to reach my doctors office that normally would have taken about fifteen minutes traffic was backed up for a mile and a half, and on this particular day there wasn't anything going on in the city except some street paving.

We as a community can not allow this travesty to take place there are a lot of factors to consider, parking in this city alone is at a premium, anything in the street you can forget it . **Tax Money 600 Hundred Million Dollars, Plus A Retractable Roof 245 million dollars, and extension to the Seventh Ave line at the tune of a Billion Dollars Plus . Can do much more with this money . We can invest in the education of our children. Restore the Fire Departments, Better Health Care in NYC. Look around you we never had as many people homelessness in NYC. These are our Tax dollars and the people of NYC should have some say on how it should be spent.**

A Stadium isn't it. These jobs number one aren't good paying jobs. If this project is pushed on us it would be as if we where back in _1776 (Taxation without representation). The Jets Are Getting A Free Ride, There aren't even any guarantees that NYC would be picked for the Olympics. The Stadium would be better served elsewhere, where ample parking facilities can be built with ample facilities for all. Where the quality of life isn't interrupted. This is not where this belongs congestion ,pollution, traffic, and most important the humanity of the project there isn't any. It is thoughtless ,and selfish at the expense of TAX PAYER DOLLARS NO MORE WE HAVE TO STOP SUPPORTING THE CORPARATIONS. DESTRUCTION, AND GENERFICATION OF OUR COMMUNITIES MUST STOP.

Hello,

My name is Jeannie Isenstein. I've lived in the same building in Hell's Kitchen for 28 years. I'm on the board of Housing Conservation Coordinators, part of the Hell's Kitchen/Hudson Yards Alliance.

To our friends and neighbors in the building trades, I would like to say that the issue of jobs is a false one. We all want you and everybody else to have jobs. Whatever is built there will provide you with plenty of jobs. We are not against development. Not opposed to expanding Javits, etc.

If you know how to build anything good because it stays

I'm originally from the Boston/Cambridge area, where people are able to enjoy the grassy banks of the Charles River; that's emblematic of the area. They wouldn't think of building a humungus hulking structure right on the river, obstructing their ease of access and destroying the beautiful view, and New York shouldn't either. Waterfront property is extremely

precious. Planting a ribbon of grass along side the stadium, even if there are parks at either end, doesn't negate the fact that our access to and view of the river will be obstructed for another 3 blocks (in addition to the the expanded Javits Center). A stadium has nothing to do with the water. It squanders the opportunity to take advantage of the river. In a big way

I did an internet search of the world's most liveable cities. Among the top contenders were Vienna, Geneva, Montreal, Toronto, Sydney, Copenhagen (not in that order). All of those cities are located on bodies of water and are known for their beauty.

Among the criteria considered by the various study groups were human scale, density, affordability, traffic and congestion, natural beauty.

In the various studies, New York was 40

something to 50 something. I realize that you've worked long and hard on this plan, but I'm sorry to say that this version the plan for the West Side of Manhattan, with its 80 plus story office towers, the ugly colossus blocking river access, the crowds and the traffic and pollution caused by such density, the lack of affordable housing, which will be greatly exacerbated by proposed cuts in Section 8, all this will not send New York City skyrocketing to the top of the list of liveable cities.

I read on your website the plan was proposed by the Department of City Planning, Economic Development Corporation, Far West Midtown Framework for Development. As someone said at the last hearing, this represents planning from the top down, not from the bottom up. We've been meeting with you and others for years, and for years we've been telling you we the people - the majority of the people - according to polls don't want the stadium and we don't want this plan. in its present form

~~I'm beginning to wonder why they call this process public hearings, because it doesn't seem that our public servants are listening.~~

~~whether~~

~~Thank you~~.

Jeanne Isenstein
747 Tenth Ave.
New York, N.Y. 10019

Our neighborhood was promised a waterfront park - Clinton Cove but the money ran out before it could be built. Deputy Mayor Doctoroff noted Hell's Kitchen had less open space, fewer trees than any other area. He said he'd rectify this problem by building a stadium that would include parks + trees. Well, we'll take the parks and trees, but say thanks anyway to the stadium

thank you

thank you

(edited 9/22 at 4pm by KD)

Thank you for this opportunity to testify.

My name is Daren Kingi, and I am Market Director of Sales For Marriott International's New York City hotels. Marriott International is a large employer in New York City and the Metropolitan area, with 13 hotels representing over 6,000 hotels rooms, and employs over 4,000 people.

The health of the City's tourism and hospitality industries is obviously very important to the health of our hotels.

For that reason, we are strong supporters of the Hudson Yards Plan that will redevelop Manhattan's Far West Side, expand the Javits Convention Center and build the New York Sports and Convention Center.

The creation of a Convention Corridor, through the expansion of the Javits Center and the construction of the New York Sports and Convention Center, will be a great boon for the City's tourism and hospitality industries. It will enable the City to bring more and larger conventions and trades shows to Manhattan's Far West Side, and attract more visitors and convention goers. It will also allow New York City to recruit events – like international Soccer matches, the Super Bowl and the Final Four – that today can not come here.

Obviously, hotels like ours benefit by attracting more tourist and visitors to our City. More importantly, the entire City benefits. For example, it is estimated that attendees at conventions typically spend $300 each day in our restaurants, hotels, taxis and attractions. Such spending not only generates jobs, but tax revenue that helps pay for our City's services.

The final point I would like to stress is that the planned extension of the No. 7 subway line west beyond Times Square to 11th Avenue and 34th Street will greatly strengthen the tie between the Times Square/Broadway area and the Javits Center. The subway extension will make it much easier for people attending shows and conventions at Javits to attend Broadway shows, visit the attractions in and around Times Square and, quite possibly, stay at one of our three hotels there, including the Marriott Marquis, which has close to 2,000 rooms; our Renaissance Times Square property; or the Courtyard Times Square South.

In conclusion, we hope that you will look favorably on this exciting plan.

Thank you again for the opportunity to provide these comments today.

Statement by Barbara Blair Randall, Executive Director
The Fashion Center Business Improvement District

City Planning Commission
September 23, 2004

Good morning (afternoon) and thank you for this opportunity to discuss the future of the Hudson Yards and the far West Side of Manhattan.

My name is Barbara Blair Randall. I am executive director of the Fashion Center Business Improvement District. A not-for-profit organization, The Fashion Center BID was established in 1993 to improve the quality of life and economic vitality of the garment district.

Our mission is to promote the district as a strategic midtown business location and ensure New York's position as the fashion capital of the world. The Hudson Yards Rezoning Plan before you today will greatly help the Fashion Center achieve this mission. We urge you to support this plan.

The impact of the development of millions of square feet of underutilized space for commercial, residential and retail space is both visionary and practical. We applaud the City for taking bold economic development steps and for their willingness to rethink obsolete or undervalued uses.

We believe that as a "gateway" to the Hudson Yards, the opportunity exists for us to draw visitors to our vibrant Off-Broadway productions and expanding artistic and cultural attractions. Local businesses and merchants also stand to gain from greater pedestrian traffic and economic activity.

I am encouraged that the City is working with the Fashion Center BID and others to resolve longstanding issues, such

as traffic. We also would encourage the City to consider appropriately blending both the Hudson Yards area and the Fashion District. The very unique aspects of the Fashion District can provide the new Hudson Yards with a gateway rather than a barrier to this exciting, new development.

The Hudson Yards plan is dramatic, visionary and important to the long-term vitality of midtown and the City in general.

On behalf of the 450 property owners and 5,000 businesses that make up the BID, I respectfully urge you to support the Rezoning Plan and help jump start the re-birth of the *entire* west-side of mid-town Manhattan.

Thank you very much for your time.

70

I am Kathleen Treat, chair of the Hell's Kitchen Neighborhood Association. We are 400 strong and our membership is growing every day.

~~80 atory office towers will take our sky and our river away from us.~~

The Hell's Kitchen Hudson Yards Alliance

~~Our~~ plan for the ~~forty square blocks of the~~ Hudson Yards includes much more green space, much more open space. It's a user-friendly plan for ***rational*** growth, with equal parts housing to commercial space.

Yorkville and Gramercy Park used to be real New York neighborhoods, with their own distinctive character. Hell's Kitchen is still a ***real*** neighborhood. We have a shoe repair that's been on 9th Avenue since the second world war. For fifteen years I've bought my fish from the same shop, and I have a favorite butcher, too. ~~When I walk down the street I can chat with friends and neighbors. I can have coffee at the Cupcake Café – a one-of-a-kind treasure – not a faceless franchise.~~

~~We have another that~~

Hell's Kitchen is New York City's history.

communities

We don't reject growth – we want it to be on a human-scale, and we want what all ~~neighborhoods~~ need: mixed-use buildings, playgrounds, ***genuinely*** affordable housing, good schools, a soccer field, streets safe for pedestrians.

need

We ***don't*** a stadium.

New York City AIDS Housing Network
80A Fourth Avenue
Brooklyn, NY 11217
Website: www.nycahn.org

Testimony for Hudson Yards Rezoning
Public Hearings from the NYC AIDS Housing Network

My name is Amos Hough, and I am a member of the NYC AIDS Housing Network. The NYC AIDS Housing Network is a membership organization comprised and led by low-income people living with HIV/AIDS, working in a unique coalition with nonprofit housing providers and AIDS service organizations.

80% of the AIDS cases in ~~NYC~~ N.Y. State reside in NYC[1] In the neighborhood affected by the Hudson Yards Plan, the rate of AIDS cases is 3 times higher then other neighborhoods in NYC. In fact, this neighborhood has the second highest rate of HIV in Manhattan.[2]

The proposed Hudson Yards Plan is likely to produce as many as 20,000 new housing units. However, there is no guarantee that any of this new housing will be affordable to low and moderate income New Yorkers. **The benefits of growth in the Hudson Yards Area must be shared.** If they are not, then the enormous numbers of people living with HIV/AIDS residing in this community will not be able to remain in their community, near their healthcare providers, near the services that they need to save lives. Over 50% of New Yorkers living with AIDS experience a housing crisis at some point in their illness. [3]

This large-scale rezoning is a perfect opportunity to build desperately needed affordable housing in neighborhoods on the west side of Manhattan. **The Hudson Yards Rezoning should be amended to include Mandatory Inclusionary Zoning including a mandatory set aside for people living with disabilities.**

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[1] AIDS In New York State 2001-2002, NYS Department of Health, http://www.health.state.ny.us/nysdoh/hivaids/aidsny_01/aidsny01.htm

[2] New York Department of Health, Neighborhood Health Statistics, http://www.ci.nyc.ny.us/html/doh/html/ah/ah.html

[3] United States Department of Housing & Urban Development, Office of AIDS Housing.

New York City AIDS Housing Network
80A Fourth Avenue
Brooklyn, NY 11217
Website: www.nycahn.org

I understand that the City is considering expanding existing programs in Manhattan to include affordable housing in new developments. This is positive, however I am concerned that this will not create enough affordable housing units to meet even the current demand. For New Yorkers in this community, living with AIDS, the lack of affordable housing is deadly.

We must have Mandatory Inclusionary Zoning in order to guarantee that affordable housing units are built. Developers are required to set aside a percentage of units as affordable to low and moderate-income households, including a mandatory ~~set aside~~ Amount for people living with disabilities. We know from other communities that inclusionary zoning results in more units of affordable housing.

Inclusionary Zoning creates mixed-income communities. Affordable units are in most cases integrated with market–rate development, which creates more units, and ensures that they are distributed across the City. This will address the housing needs of a range of New Yorkers at different income levels, by producing both affordable condominium and rental units.

This area needs a diverse, stable, medically appropriate affordable housing stock to serve the needs of all New Yorkers, and the only way to make this happen is to include Mandatory Inclusionary Zoning as part of the Hudson Yards Plan.

Thank you for this opportunity to testify.

* P: (718) 802-9540 * F: (718) 802-9741 * E-mail: flynn@nycahn.org *

CIVITAS

A Union of Citizens

1457 Lexington Avenue New York NY 10128-2506

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August Heckscher
1914-1997

Chairman
Genie Rice

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T. Gorman Reilly

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Statement by CIVITAS Citizens, Inc. made before the City Planning Commission on September 23, 2004 on the proposed rezoning of the Hudson Yards area

Good afternoon. I am Gorman Reilly, President of CIVITAS Citizens, Inc. CIVITAS is a voluntary, not-for-profit community organization concerned with issues of land use, planning and neighborhood life as they impact on the Upper East Side and East Harlem. CIVITAS feels compelled to speak out on the Hudson Yards proposal by reason of its importance to the future development of Manhattan and its implications for zoning change elsewhere in the City.

Although we see no immediate need for additional office and residential development that could not be met elsewhere in Manhattan, primarily in Lower Manhattan, CIVITAS recognizes over the long term there is likely to be a demand for mixed-use development on the Far West Side of Manhattan.

We oppose the building of a sports stadium and exhibition facility over the Western Rail Yards, as proposed. The principal advantage of a sports stadium and exhibition facility is the prospect of providing the City with an early cash flow from anticipated lease payments. However, this advantage is far outweighed by the following consequences of building the proposed stadium/ exhibition space:

a.) it will cut off the area east of 11th Avenue from the waterfront;
b.) it precludes development of this two block area for high value residential use; and
c.) it will cause serious traffic congestion on event days and deadened street life on non-event days.

Further consideration needs to given to the following important transportation issues:

a.) creating an alternative north-south transit line along the existing 10th Avenue railroad cut and the High Line structure;
b.) extending the No. 7 line to Penn Station from the proposed terminal at 34th Street and 11th Avenue; and
c.) expanding transit capacity into mid-Manhattan, especially from West of the Hudson River.

CIVITAS is concerned by the dangerous precedent for other areas of the City that could result from the scheme for transferring development rights throughout the Hudson Yards zoning district by purchase of District Improvement Bonuses and

Voice: 212-996-0745 Fax: 212-289-4291 e-mail: civitascitizens@yahoo.com

other means. To the extent such transfers are justified on economic grounds to defray the cost of expensive infrastructure, the transfers should be strictly limited and not used to produce excessive building heights. Further, the transfer program aggravates a bias in favor of tall office buildings - with floor area ratios as high as 24 - over residential buildings with lower permitted FARs.

The Department of City Planning should first have developed a new citywide Master Plan before presenting such a far-reaching zoning proposal for the Hudson Yards. The 1969 Master Plan is outdated.

Specific provisions, similar to those used at Battery Park City, need to be built into the proposal so as to insure the creation of affordable housing. Also, incentives need to be provided for the building of moderate income housing within the rezoned district.

Finally, CIVITAS urges that adequate funding be provided for maintenance of any parkland or open spaces that are created.

We thank you for your consideration of our concerns.

problem finding parking.

~~Even in a downtown setting,~~ the tailgating scene was in full swing here, and we saw folks enjoying ~~their picnics in~~ the lots all over the place. Several radio stations and other entertainment ventures had stages and booths set up along our walk to the venue, along with vendors selling souvenirs. These folks pretty much grab whatever vacant spot they can find to do their thing, and it all seems like organized chaos.

And, in Ericsson Stadium Urban Charlotte, North Carolina.

Barbara Teldt

wear "when power is needed for your words to speak the truth + for truth to prevail."

husband, Fred + I are residents - community activist, volunteer

Happy to see that New York Sports + Convention Center is the name...

so the Jets will never benefit from its renaming.

Tour Bus parking must be included!

A state-of-the art fantastic, functional expanded convention space is needed and desired...

but not a stadium... a huge wall now planned to be an eyesore on our georgeous waterfront, Hudson River Park, and skyline.

Traffic, pollution and concern for our river is paramount.

60% of Jet's fans live in New Jersey.

but we were amazed that our mayor was boo'd @ the Jets' opening game; have the Jets apologized for this embarrassment?

I went to the Jets' website to research their latest stand since the mayor stated - "You can have tailgating in New York, we know how to eat inside." We don't want it on our streets, lots and sidewalks.

They point to Pittsburg's Heinz Field - on-site parking and → permitted in some lots -

Seattle's Qwest - parking open 3 hrs. before games and tailgating open in two large lots

Baltimore's M+T Bank Stadium - open 3 hrs prior and tailgating is abundant w/ the Raven's fans

Cincinnati - parking adjacent + Bengal's are permitted to tailgate

Chicago's Soldiers Field - 4 story underground $50 M over budget

↑ untruths - restaurant list! non-existing - actually corporate names

1) GOOD PAYING JOBS.
200,000 CONSTRUCTION
100,000 Permanent JOBS
ECONMic Development City

2) INVESTING IN FUTURE. Gene
Ratio
FOREFATHERS - Park Ave
N.Y. YANKEES TRAIN YARDS

3) JAVITS CONVENTION Center
World Class - INSTEAD #16

4) MASS TRANSIT (7)
PARKS People ALIVE!

(5) WEST SIDE Development
MAKES SENSE KNOW
City ECONOMY NEEDS IT
(Police, Fire, Teachers, Schools
Affordable Housing)
2012 Olympics EVERY
BODY WANTS

Important To
My MEMBERS AND
ALL WORKING People
of this Great City

Statement of Michael B. Gerrard
On the Draft Environmental Impact Statement
No. 7 Subway Extension, Hudson Yards Rezoning & Development Program

New York City Planning Commission
September 23, 2004

My name is Michael Gerrard. I am an environmental lawyer. I appear today on behalf of Madison Square Garden.

We have a team of experts who have been studying the draft EIS. You will hear from a few of them today. We will submit detailed written comments before the October 4 deadline.

In a word, the environmental impacts of this proposal are nothing less than stunning. When you read the fine print in the EIS, correct the mathematical errors, bring the assumptions back into line with accepted professional practice, and fill in some of the blanks, it becomes clear that before and after football games Manhattan will suffer delays on the roads of the sort now only experienced during a combination of holiday shopping, a snow storm and a bridge closure, or when 80 heads of state come together, as they did this week. The congestion is so great that it defies the ability of standard traffic models to calculate. This goes beyond gridlock – it is Island lock.

Growing directly out of this traffic nightmare will be extremely high levels of air pollution and noise pollution. All parking spaces for miles around would be filled up. Businesses, including the theaters, will suffer financial losses as Jets fans usurp the parking of their customers. Emergency vehicles would have dangerous delays.

The project would also have other serious environmental impacts, such as:
-- serious overcrowding of the subways, buses and commuter railroads;
-- release of raw sewage into the Hudson River during storms;
-- disruption of Hudson River Park;
-- disturbance of hazardous waste.

None of these impacts are easy to find in the EIS. The Executive Summary, the only part most people ever read, paints a utopian picture. But when you drill down into the text and the technical appendices, and study each of the 4,309 pages, as we have done, the environmental alarm siren becomes loud. But it does not become clear, because in so many ways the draft EIS fails to deliver the information that the final scoping document promised would be there. And also because many of our technical questions would only be answered in the unpublished documents we requested under the Freedom of Information Law; only a fraction of those documents have been produced.

Most of these shortcomings in the EIS have one fundamental origin: haste. You cannot expect the overworked, underpaid City staff to analyze one of the largest and most complex projects in the City's history – certainly since Robert Moses – in the same time it would ordinarily take to do an EIS for a single building. The artificial deadlines imposed from the top precluded the careful analysis this huge project warranted.

But there is also an even more disturbing pattern here. At every turn the EIS manipulates the assumptions to avoid analyzing what SEQRA requires – the reasonable worst case. The modal splits, the car occupancies, the peak hours, the simultaneous events, the feasibility and effectiveness of mitigation – all were selected to downplay the apparent impacts. A more accurate appraisal would make it even more clear that the environment and the infrastructure of Manhattan, even with all promised improvements, cannot tolerate this huge bag of projects.

A STADIUM IS A MAJOR PROPERTY ON A FACILITY WITH AN INFRASTRUCTURE ISSUES

Facilitate Far West Side Development - Build the Stadium over the Sunnyside yards! (to Newsday 6/24/04, Downtown Express 7/9/04)

Better for the Olympic bid security concerns as the athletes are to be housed in a new Hunter's Point development. Transportation links exist with the Long Island RR, NJ Transit, Amtrak as well as several subway lines, the Long Island Expressway etc.

ATT DCP & MTA ADDRESS ON FLYOVERS & MAIL

Amtrak facility gets a shot in the arm and Long Island City and the city benefit in the long term from the exponential improvements achieved in untangling the transit infrastructure

Of the West Side transit mitigation scenarios extending the Flushing line to the vicinity of the Javitz Center will improve access to this burgeoning and woefully under served area; but it will prove palliative at best. The #7 train is already running at capacity during peak hours. Storage tracks would still have to be built for the evening peak hours, expansion of the Corona yards will not help here. It would be chaos to add a stadium to the current mix without the necessary transportation mitigation; whether it is built over the West Side Yards, or, alternatively over the Sunnyside Yards where better transit access exists (IRT, BMT, IND, LIRR even Amtrak and NJ Transit).

IF YOU BUILD IT THEY WILL COME... IN DRIVES PARDON THE BUTCHERED GRAMMAR

Regardless, the project scope must be expanded to assess the city wide ramifications to changes in the subway network.

IGNORE LY EXTENSION THE 7 IS A DEAD END IDEA

Any of the following proposals will improve capacity coverage, reduce operating times and cost, not only for the City's West Side study area, but the entire Manhattan Central Business District and out to Flushing and Canarsie. Each will add new service, with the ultimate goal of shortening commutes between the city's jobs and affordable housing. Realization will mean increased property value and revenue, citywide and, hence, the region.

BY CAR FROM NJ

1. **Extend the IRT Flushing line Manhattan terminus down 11 Avenue** with provision for a Meadowland extension, stops at Javitz, Chelsea Piers and possibly 14 St. at Tenth Av. and connect to the BMT L's Eighth Avenue Manhattan terminus.

MS. BURDEN LISTEN TO YOUR TRANSIT

2. **Enhance the capacity and utility of the IRT Flushing Line** by straightening out the Long Island City kink between the Hunters Point and 33 Street stations. Rerouting the line the through the Sunnyside yards, will bring service to the IDCNY site, LaGuardia College and replace 1.5 miles of 12 mph, blighting elevated with 0.8 mile of 35 mph open cut. This shortens the entire Flushing line trip by five minutes AND enables the route to be converted to IND service (with only minor modifications to the Steinway tunnel). Benefits are numerous: the operational savings from faster running times and IND conversion; and two limited storage Manhattan stub end terminals become an operational loop bringing subway service to an area desperate for it. Additionally, this line will mitigate the loss of the West Side High line, as a transit alternative.

SUNNY SIDE STADIUM AND REMOVE NO BUSINESS

SUBWAYS ARE THE GENIUS OF THE CITY

3. The oft discussed **42 Street cross-town Light Rail line** could dramatically reduce vehicular congestion during peak hours by connecting, through a Lincoln tunnel tube to the Bergen Light Rail line. This would boost rush-hour people moving capacity, deferring to other vehicles off-peak as needed. With only four tubes to the Queens Midtown the line might only serve as an interim measure until the LIRR is extended to Grand Central Terminal.

LINKING ~~AFFORDABLE~~ DESIRE HOUSING TO DESIRE JOBS

It will cost perhaps $3 billion (less if done as a developer's turnkey), which will have to come from somewhere, in addition to the developer's share, federal, state and local. But there's unequivocal precedent showing the exponential return in transit infrastructure in property value and commercial investment. Without transit access, the private sector is loathe to pioneer; but if you build it they will come.

ENVIRONMENTAL ISSUES

Jordan Auslander
311 West 24th Street, Suite 21A
New York, NY 10011-1502

AFFORDABLE HOUSING YES, IN THE HEART OF THE CBD? MAYBE

ZONING MAPPING NEW STS & PARKS PARKING FACILITY PROPERTY ACQUISITION

Location, Location, Location
by Dan Jacoby

Putting a football stadium over the Hudson rail yard is a bad idea.

Primarily, at that location there is no way 75,000 people can arrive and leave in any kind of reasonable time period. Currently, there is no mass transit, and even if the subway extension gets finished on time (and who wants to bet on that) it won't be nearly enough to handle the load. There aren't enough roads for people who want to drive, and there's no place to park once they get there. In short, the current TRANSPORTATION infrastructure simply doesn't exist, and there's not enough room to build the infrastructure necessary to support a stadium.

Moreover, the rezoning plan that accompanies the west side development scheme will FORCE THOUSANDS OF PEOPLE ~~destroy the garment district, putting tens of thousands of New Yorkers out of work. Thousands more~~ – not hundreds, but thousands – ~~will be forced~~ from their homes. Furthermore, the parking problem will ~~seriously~~ hurt the theater industry, which ~~also~~ brings far more money – and jobs – into the city than any stadium.

HAT DO DO?

Build the stadium over the Sunnyside rail yard in Queens.

Building over the Sunnyside rail yard ~~will probably~~ MAY INITIALLY cost more than the Hudson rail yard site. But the advantages more than make up for the initial cost:

- There are ~~many~~ four subway lines that service the Sunnyside site (E, R, N, 7). Additionally, the railroad TRACKS that already exist could be used to bring Metro North, LIRR and NJ Transit trains right to the stadium. In theory, everyone could arrive by rail.
- For those who feel they just have to drive, there's also plenty of room for new parking garages – WITHOUT PAYING ~~and they won't have to pay~~ the 10% garage tax in Manhattan.
- For the Olympics, putting the stadium in Sunnyside brings it closer to the proposed location for the Olympic village. It would be easier to get the athletes to the stadium. & IMPROVE SECURITY
- MUCH OF THE ~~The proposed west side~~ rezoning wouldn't be needed, and thousands of people can keep their homes and their jobs.
- The Hudson rail yard could then be developed AS VALUABLE ~~into high-priced~~ commercial and residential real estate, creating thousands of new jobs ~~and hundreds of new~~ homes without closing EXISTING businesses and displacing people.
- Finally, a Queens site for a stadium MAY ~~might~~ get the Mets organization interested, WHICH COULD SAVE ~~saving the~~ taxpayers hundreds of millions of dollars.

Additionally, with proper turnkey partners, full commercial development of the Hudson rail yard could mean far more than a small extension of the #7 subway line. If the Hudson rail yard was made available to private developers, the #7 could be converted to its original concept as an IND line and extended even farther down the west side to include stops at Chelsea Piers and the rapidly growing meat market – and then swing around and hook up with the L subway line. In addition to providing service to these burgeoning areas, this expansion would replace two stub ends, smoothing the flow during rush hours and reducing delays.

A public-private cooperative effort would make sure that the job was finished on time and on budget. Additionally, it would also make more money available for other mass transit projects, such as the LIRR extension into Grand Central Station and completion of the Second Avenue subway line. Finally, this plan would strengthen our Olympic bid. Businesses win, New Yorkers win, the city wins, the fans win, the taxpayers win – in short, everybody wins.

Copyright 2004, Dan Jacoby

MADAM CHAIRPERSON, COMMISSIONERS

IF YOU BUILD IT THEY WILL COME

BY CAR FROM NEW JERSEY

~~[illegible]~~

MULTI-USE FAC

A STADIUM IS A MAGNET IT FOCUS IN ON ITSELF WHY

SQUANDER THE WATERFRONT ON IT?

LISTEN TO YOUR TRANSPORTATION ANALYSTS

BUILD IT IN SUNNY SIDE YARDS WHERE THE

TRANSPORTATION EXISTS (NJ TRANSIT, AMTRAK, LIRR SUBWAYS ...)

NEAR DOCKROFF OLYMPIC VILLAGE

~~SUBWAYS~~ TRANSIT IS THE GENIUS OF NYC LINKING

GOOD JOBS TO AFFORDABLE HOUSING IN THE CBD AND

THE FIVE BOROS

V FUTURE B'D AT THESE HEARINGS OUR FASTER F WE HOLD OUTCOMES TO SUCCINCT 3 MIN BY TURNING OFF THE TV CAMERAS

MERELY EXTENDING THE 7 TRAIN IS A DEAD END

PLAN. SUNNY SIDE DEVELOPMENT REMOVES A KEY OBSTACL

IF THE SHARP TURNS OF L.I.C. ELEVATED IS REPLACED WITH

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IN SHORT, THE SUNNYSIDE STADIUM SITE OFFERS MANY ADVANTAGES THAT FAR OUTWEIGH ANY POSSIBLE EXTRA INITIAL COST. MY TIME IS ALMOST UP, SO I'LL CONCLUDE BY SAYING, "MOVE THE STADIUM TO SUNNYSIDE."

BUSINESSES WINS SPORTS WINS RESIDENTS WIN THE CITY WINS — EVERYBODY WINS.

ONE HUNDRED BLACK MEN, INC.

1963

2004

NEW YORK

PAUL T. WILLIAMS, JR.
President
105 East 22nd Street
New York, New York 10010
212-777-7070

REMARKS OF PAUL T. WILLIAMS, JR., PRESIDENT OF ONE HUNDRED BLACK MEN, INC., BEFORE THE NEW YORK CITY PLANNING COMMISSION - SEPTEMBER 23, 2004

I provide these remarks this afternoon as President of One Hundred Black Men, Inc.

One Hundred Black Men is an organization comprised of professional men from throughout the metropolitan region. Founded in 1963, here in New York City, our members have proven over 40 years their commitment to giving back to society and making a difference, particularly for the youth of our great city, by promoting programs in education, mentorship, economic development, and health and wellness. The founding chapter of 100 Black Men of America, Inc., we are, today, part of a national organization with over 100 chapters across America and abroad. I also sit as a member of the board of directors of the national body and as one of 13 members of its Executive Committee.

In New York, during our 40 year history, we have also been steadfast in providing a voice on important issues facing New York City, particularly issues of critical importance to the African American community and other people of color.

First, in the spirit of full disclosure, I want everyone to know that I am a fan of the New York Jets! For the past several years, I have watched them play over in the Meadowlands in my native state of New Jersey. The Jets belong in New York and I am glad that there is an opportunity to bring them home.

Having said that, I also firmly believe that no one, including myself, should endorse any plan for the development of the Westside that doesn't make sense.

Notwithstanding some of the criticisms leveled against the city administration's plan for the Westside -- many of which have been constructive and instructive -- I believe the plan does make sense and that its benefits for future generations of people who live, work and play in New York justify all New Yorkers pulling together to see it accomplished.

I would like to address three of the criticisms I have most often heard against the plan.

Complaint No. 1: The Westside Sports & Convention Center Won't Benefit The Average Citizen

The Westside development project will be one of the largest and most significant public/private projects ever undertaken in New York City. Though the sports center and expanded convention center are certainly the projects most often discussed in public discourse, the critical element of the plan from my viewpoint, is the platform that will be constructed over the Hudson Rail Yards. It is the building of the platform that will prepare the west side and all of New York for the future.

It is a gross misperception, I believe, to suggest that the proposed Westside development would benefit only a few Jets fans. Thousands of New Yorkers will benefit directly from the implementation of the plan. New parks, improved cultural and recreational resources, housing and economic development -- these will benefit all of us. And, we must not minimize the value of the project from the perspective of job creation.

A recent Community Service Society study reported unemployment among Black male adults in New York City has reached 48%. Although there are other equally troubling circumstances facing our community, it is critically important for the entire body politic of this great city to take into recognition that this catastrophic condition exists, today.

Assuming that the administration and the Jets as well as other private developers involved in the project recognize this issue and adopt policies and programs to address it, the Westside development plan could be the salvation for many young lives.

Complaint No. 2: There Are Better Ways To Spend Public Dollars, Rather Than Build A Sports Center For The Jets

I moved to New York in 1974. Over the past 30 years, I have witnessed the rebirth of New York City, from the verge of bankruptcy to today -- where you can find a city in the midst of a renaissance, in Harlem, in parts of the Bronx and Brooklyn, all over.

The vitality and dynamism we find in New York today is the direct product of major public investment: Public investment in our police; public investment in our infrastructure and major public incentives to redevelop Times Square, Harlem and other areas.

Likewise, the Westside project entails a major commitment of public funds. In years past, we had opportunities to invest in education, to invest in parks, to invest in jobs and business development. Too often, public dollars weren't spent at all or, if spent, didn't provide the public its return on investment. In contrast, the Westside project offers New York the opportunity of a lifetime, to create a world class economic zone where none exists today.

If this opportunity is lost, due principally to opposition to building the stadium, when will we see the development of the Hudson Rail yards occur? If not now, when?

Complaint No. 3: This Will Be Just Another Boondoggle For Entrenched Interests

Cynicism among New Yorkers is altogether too prevalent, at times. But, on this issue, there is just cause for cynicism. Certainly, many of us in New York have witnessed major projects undertaken, both public and

private, with a customary coterie of firms involved, with token or no participation by M/WBE's, often with project staffing that doesn't reflect the diversity of this great city.

It is absolutely critical that the administration, the Jets and private developers on the Westside, tackle this issue head on. Now, not later.

We believe that the administration of Mayor Michael Bloomberg as well as the Jets organization recognize the historic opportunity presented by the development of the Hudson Rail Yards, particularly as it pertains to minority and women-owned business development and jobs for residents of this great city.

M/WBE's create real jobs in our communities.

One Hundred Black Men, as a member of the Minority Business Leadership Council, has had positive discussions with the city administration and the Jets on implementing policies that will promote real opportunity for M/WBE's as well as for all New York City residents.

We look forward to reaching an understanding with all concerned that will ensure that the Hudson Yards development project will stand as model of the best in public/private partnerships -- a partnership that will offer opportunities to those most in need and to those companies who have historically been locked out from them.

Thank you for your invitation to provide these remarks and for your attention.

City Planning Commission
September 23rd, 2004

Hi. My name is Tom McMorrow. I want to thank the City Planning Commission for allowing me this time to speak. I am the founder of a community group called WestSideStadium.org. We are made up of residents, workers and business owners of the West Side who support the vision of expanding and revitalizing our neighborhood for the good of all city residents. Throughout the day you will be hearing from our members, west-siders and New Yorkers who are not afraid of change. We are an organization passionately in support of the stadium – and I understand that today's hearing is not about the Stadium - but we are also in support of the rezoning of the entire Hudson Yards area as well.

I am a native of Manhattan, and I've lived in Chelsea for the past thirty years.
My father and his father were also Manhattan natives. My wife is from Detroit but now she calls herself a west-sider, too. For over a hundred years, my family has lived and worked next to the Hudson rail yards.

Sometimes at night, when I'm lying in bed, I hear the train whistles blowing, and it is a very romantic sound. But when I walk around those train yards, it is anything but romantic. 26 acres of train tracks, encased inside of huge, cold gray walls. It feels like living under the shadow of the Berlin wall. That is the truth about life around the Hudson rail yards.. An area that is devoid of trees, devoid of parks, devoid of the sound of children playing, devoid of life.

It is time to tear down those walls.

The Hudson Yards plan does just that. It brings us trees where today there are none; parks where today there are only train tracks; access to our Hudson River where today you need to cross a highway to get to. It brings us mass transit, the key to development of any neighborhood in New York. In short, the stuff that makes neighborhoods neighborhoods.

There are those who say that this plan is too ambitious. Now there are aspects of this plan that I would quibble with, that can be improved, and without going into specifics, I am confident that you will do just that. But we are the capital of the world because we are the city of dreams and ambitions. This plan matches who we are.

To close, I just want to say that of course, the most controversial aspect of the plan is the stadium. Stadiums are, by definition, built for people. When you are in a stadium, you have to be able to go to the highest point and still see the field clearly. It is a building built to human scale. This design is iconic in nature, and will be one of our city's great landmarks for the next 100 years.

Thank you.

Statement to the New York City Planning Commission
Concerning the Hudson Yards Proposal

Richard Kapuscinski, Ph.D., P.E.
ENVIRON International Corporation
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September 23, 2004

My name is Rich Kapuscinski. I am an environmental engineer with ENVIRON International Corporation, a firm that consults on public health and environmental quality matters. I am appearing on behalf of Madison Square Garden.

My ENVIRON colleagues and I have reviewed the Draft Generic Environmental Impact Statement in detail. We evaluated its assessment methods, as well as its conclusions. We believe that adverse water and air quality impacts will be incurred as a result of implementing the Hudson Yards development plans. In addition, we have concerns about the rigor and completeness of the impact assessment.

Water Quality Impacts

The Impact Statement acknowledges that the proposed project will increase sewage flows from 1.1 million gallons per day to 8.6 million gallons per day from the project area. As a result, discharges of raw sewage into the Hudson River on rainy days will increase in frequency and severity. Each sewage overflow event will typically leave a stinking trail of contaminants in the river at each location where the sewer system is designed to discharge its excess water. Contaminants include microorganisms that can cause disease in humans and chemical substances that can impair aquatic organisms.

The Impact Statement does not provide, however, any specific information regarding the greater number or severity of sewage overflow events that can be expected when the project is fully developed. Recent estimates of the number of annual sewage overflow events range between twelve and fifty. Whatever the number, the proposal will impair the quality of the Hudson River.

Air Quality Impacts

The proposed project will have adverse impacts on air quality in and around the West Side. In the short term, air quality will be impaired due to construction-related activities that will generate additional dust and potentially toxic emissions. These activities include removal, handling, staging, and transporting substantial quantities of hazardous materials at many parcels in the project area. Remediation of these hazardous substances will generate potentially toxic emissions and could add tens of millions of dollars to the project cost. In the long-term, air quality will be impaired due to increased traffic. We

are particularly concerned with the project's long-term impacts on the concentrations in air of fine particulate matter that has been linked to several adverse human health effects.

The air quality assessment that has been conducted to date is deficient:

1. The assessment does not reflect the full short-term or long-term air quality impacts because it does not account for all project-related activities.

2. The assessment does not evaluate the cumulative air quality impacts of all project-related activities, but rather looks at individual sources in isolation. For example, mobile sources and stationary sources are not added up.

3. The assessment is based on assumptions that, others are demonstrating today, greatly understate traffic and therefore emissions from motor vehicles.

Given these critical deficiencies, the Impact Statement can not be regarded as a complete and accurate characterization of air quality impacts.

* * * * * *

In summary, the proposed project threatens a step backwards for the City regarding protection of water quality in the Hudson River and protection of air quality and human health. Additional analysis will be needed to determine the true water and air quality impacts of the project. We will be providing detailed written comments.

Thank you.

STATEMENT AGAINST WESTSIDE STADIUM PROJECT

The City says the Hudson Rail yards are a hole in the ground. I say that building a stadium in that spot would merely be replacing one hole in the ground with another hole in the ground, the only difference being that the second hole in the ground would have seats around it.

The stadium would be used for perhaps 30 days per year by the Jets and possibly another few days by the Javits Center. That would still leave another 300 days of non-use, where the stadium would merely be an enormous monolith, just sitting there, costing the taxpayers money for its every empty moment.. To build such an expensive structure with the hope of attracting the Olympics to New York in 2012 is a pipe dream. Even if the games should come, there might not be enough audience members to fill a tent as was the case in Greece this year.

To promise that the stadium will bring additional dollars to the City is the same lunacy that had us support the lottery some 30-40 years ago. We were told then that the lottery would bring in enough revenue to keep our schools out of financial difficulties forever. The lottery is running strong today but for some reason our schools are still falling apart . The City says that it only needs $600 million taxpayer dollars for its share of building the stadium. That $600 million will be spent in the first 6 months and the City will have to come back for more. Promises, promises, promises. The City always makes them but never keeps them.

The City wants to erect new office buildings and high-rise apartment buildings in the area. What with the number of empty office spaces already existing in New York, the outsourcing of jobs, the relocation of industry out of the country and the trend toward working from home, I fail to see the need for such additional space. The apartment buildings are supposed to house the secretaries and office workers from said office buildings. I have yet to meet a secretary who could afford a studio apartment that rents for $5000 a month.

I will concede on this point however. If the City wants to build new office towers and new luxury apartments in the area, let's do so...with two major stipulations.
First, let's erect those 80 story buildings right there in the Hudson Yards, without elevation. Build them right down there on the level where the tracks are now. Surround them with parks and trees and benches and walkways so that the area is as beautiful as Battery Park. Build vehicle ramps and walkways and escalators and elevators leading down to the entrances. Build shopping malls and stores down there. And then the 80 story penthouses will not soar so obscenely far above the tops of the existing buildings in the area. What a beautifully different skyline that will make from the Jersey side.

Second, let's make at least 30% of the apartments available at affordable housing rates and when I say affordable, I mean rents less than $!000 per month.

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Testimony of Jeffrey L. Greene of Orth Rodgers & Associates
Regarding the DEIS for the Proposed Jets Stadium
New York City Planning Commission
September 23, 2004

Good morning. My name is Jeffrey L. Greene, PE, PTOE. I am vice president of the transportation engineering and planning firm of Orth-Rodgers & Associates, Inc. I have been a practicing traffic engineer for over 36 years and have been active in planning major projects. I am here on behalf of Madison Square Garden.

The focus of my testimony will be on parking for a Sunday Jets game. The assumptions used in the DEIS grossly understate the required parking.

As my colleague Bob Rodgers has indicated, we believe that the reasonable worst-case scenario is that Jets fans will be driving 17,400 cars to the game – more than twice what is assumed in the DEIS. These cars will need spaces to park.

The DEIS studies the parking demand on a day when there is a football game attracting 7,500 autos and an event at the Javits Center that attracts 36,041 people. This is serious understatement of reality. Each year, over a two weekend period in January, the Javits Center hosts the Boat Show, which attracts upwards of 67,000 on a weekend day without the proposed Javits expansion. A reasonable worst-case scenario for traffic and parking should assume the boat show would coincide with a Jets game.

The DEIS conducted its parking analysis based upon June data even though the reasonable worst case combination of events is most likely to occur during football season. This is a serious flaw. The Jets do not play in June, and June is a slow period for other venues in the area, such as Madison Square Garden and the Broadway theaters. If December data is used, 2,500 fewer parking spaces are available for Jets fans on a Sunday afternoon.

After making these adjustments, the surplus of spaces described in the DEIS becomes a shortfall of almost 8,500 spaces – the equivalent of the area of 52 football fields. Even if an unprecedented 70% of Jets fans take mass transit, there is a parking deficit, not the surplus claimed in the DEIS.

But 70% of the Jets fans will not take public transit. Jets fans have to go well beyond the DEIS study area in search of a place to park. We expanded the study area to one and one half miles, which is one mile beyond a reasonable walking distance and there will still be a shortfall of 6,000 spaces. Jets fans would be parking in the Theater District, in lots north of 60th Street, south of 12th Street and east of Park Avenue.

The shortage of parking will be a major problem for Jets fans, but it will also be a nightmare for people and businesses in the surrounding area. If the Jets game is at 1:00 PM, anyone looking to park after that to go to the theater or Madison Square Garden or

the Javits Center or Times Square is going to be simply out of luck. What's worse, many cars will be circulating on the streets trying to find a place to park adding to the gridlock.

In short, the parking plan in the DEIS is flawed, inadequate and short sighted.

Testimony of Robert M. Rodgers of Orth Rodgers & Associates
Regarding the DEIS for the Proposed Jets Stadium
New York City Planning Commission
September 23, 2004

Good morning. My name is Robert M. Rodgers, PE, PTOE. I am president of the transportation engineering and planning firm of Orth-Rodgers & Associates, Inc. I have been a practicing traffic engineer for over 36 years and have been active in planning major projects. I am here on behalf of Madison Square Garden.

We have analyzed the transportation sections of the DEIS. In my limited time today, I will focus on some of the serious defects in the analysis of traffic conditions after a Jets Game on a Sunday afternoon.

The DGEIS assumes that 30% of the 75,000 Jets fans would arrive by automobile, with an average of three fans per car. That leads to a prediction that there will be 7,500 automobile trips to the stadium and that 70% of the fans will take mass transit.

These assumptions and projections are flawed and misleading. The DEIS discloses that traffic conditions after a Jets game will be very bad. But if the analysis were based on reasonable assumptions, in line with the experience at existing facilities, the traffic situation would be much, much worse.

No other NFL stadium in the country – or for that matter no other professional sports facility of any kind – comes close to having 70% of the fans come by public transit.

If the Jets Stadium is completed on schedule in 2009, it will not be served by mass transit. The closest train will be at Penn Station, half a mile away.

The established practice of traffic engineers, and the best way to predict how people will arrive at a new facility, is to look at how people arrive at similar facilities, especially nearby facilities. Rather than look at hard data from existing facilities, the DEIS analysis is based on a survey of Jets fans who were asked how they would travel to a stadium, at a new location, to be built 5 years in the future. Such a speculative survey, producing results out of whack with the experience of sports facilities in New York City and around the country, is of little or no value in developing a reasonable worst-case analysis of the traffic impacts.

This season 95% of Jets fans will drive to the games as they have for 40 years. The average number of fans in each car will be just over 2 – not the 3 assumed in the DEIS. Driving to weekend football games and tailgating is a well-established tradition.

The closest sports facility to the stadium site is Madison Square Garden, which sits atop Pennsylvania Station. Even with the best mass transit in the City, study after study – based on surveys of many thousands of fans attending events – has shown that only an

average of 50% of Knicks and Rangers fans take mass transit to the Garden. These studies were conducted by a number of different consulting firms over a period of 17 years and produced remarkably consistent results.

A Jets game at the new West Side stadium would draw many more fans by mass transit than the Meadowlands, but it is not conceivable that the number would be 70%. We believe that the reasonable worse-case scenario is that 40% of Jets fans would take mass transit and 50% of the fans would arrive by car, with an average of 2.5 fans per car. These assumptions produce 17,400 automobile trips – more than twice the number of trips than projected in the DGEIS.

The Jets fans driving cars will encounter pedestrian congestion, as tens of thousands of Jets fans leave the stadium on foot headed for Penn Station and the Hudson River ferries.

Gridlock will extend from SOHO to 70th Street for two hours and congestion will extend on the West Side from the Battery to the George Washington Bridge and from the East River Crossings to the Hudson River. Clearly, Level of Service F will not just be confined to the 29 intersections flagged in the DEIS.

The traffic mitigation plan in the DEIS is based upon a flawed analysis and papers over the real traffic impacts of the stadium.

Pratt

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Testimony on the Hudson Yards Rezoning
Pratt Institute Center for Community and Environmental Development
Presented to the City Planning Commission
September 23, 2004

Thank you for this opportunity to provide testimony this evening. My name is Marnie McGregor and I am a Senior Policy Analyst with the Pratt Center.

Like many other groups here, we are enthusiastic about the future of the Far West Side of Manhattan, but have serious reservations about the Bloomberg Administration's current proposal:

- A stadium in this location doesn't make sense for New York City; and
- The current financing proposal is risky, with a very high level of public subsidy that gambles with the City's future.

We support the Hell's Kitchen Neighborhood Association's balanced plan for redevelopment, which includes expanding the Javits Convention Center. We also support Community Board 4's recommendation to create an adequate amount of permanent affordable housing, as our primary concern is that the Hudson Yards Rezoning lacks a real affordable housing plan.

The proposed Hudson Yards Plan provides a great opportunity to achieve affordable housing – the plan will make space for 12,000 to 20,000 new units in the years to come. We are concerned that the benefits of this growth will not be shared, as there is reason to believe that few of the new units will be affordable. In addition, the redevelopment of the area will lead to increased property values & the displacement of existing residents.

In Midtown, the City is proposing to extend the "Manhattan Exclusion Zone" of its 421-a Affordable Housing Program to cover the Hudson Yards and West Chelsea rezoning areas. Developers building rental housing within this zone only receive tax abatements if they include affordable housing. Following an earlier rezoning in Chelsea, the City reports that approximately 13 percent of total new units were affordable.[1]

However, as market-rate prices have risen, fewer developers appear to be using the 421-a program, which was down 24% overall from the prior year in 2003.[2] The Affordable Housing Certificate component of this program was down an alarming 80.8% from 2002 to 2003. Developers are increasingly choosing to develop condominiums instead of

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[1] According to data provided by City Planning to City Councilmember Bill de Blasio's office.
[2] NYC Rent Guidelines Board (2004), 2004 Housing Supply Report.

rentals – from 4% of Manhattan construction in 1998, to 20% in 2002, 33% in 2003, and 48% by mid-year 2004 – which do not fall under the program.[3]"

As a result of these trends, we do not believe that even 13% of the new units will be affordable, as was the case after the 6th Avenue rezoning. The percentage of new affordable units could fall below 10%.

Fortunately, there is a viable way to guarantee that a reasonable percentage of new units in the Hudson Yards area will be affordable – **mandatory inclusionary zoning**.

The Hudson Yards rezoning should be amended to include mandatory inclusionary zoning. This would require developers to include affordable housing where they are receiving the right to build new residential units.

A forthcoming PICCED/PolicyLink report will show that mandatory inclusionary zoning policies:

- Are used around the country, even with far smaller density increases;
- Don't dampen development;
- Don't reduce developer profits; instead, lead to a reduction in land values;
- Are financially viable (financial modeling shows it could work) and
- Guarantee affordability from both condos & rentals.

The report recommends that mandatory inclusionary zoning be applied to all future neighborhood-wide zoning changes. An analysis of existing IZ programs nationally reveals that jurisdictions that apply mandatory inclusionary zoning requirements to all residential development produce significantly more affordable housing units.

Large-scale rezonings, such as the Hudson Yards Plan proposed by the Department of City Planning, are perfect opportunities for expanding affordable housing throughout the city. If included in this rezoning, inclusionary zoning would create significant benefits for the Far West Side as it would:

- Foster mixed-income communities;
- Create housing for diverse households;
- Increase opportunities for low and moderate income residents in communities of choice;
- Capture private windfall created by public action for a public purpose; and
- Stretch scarce public resources in a time of fiscal constraint and housing crisis.

The Hudson Yards rezoning can either deepen the existing challenges of affordability, or can ensure a diverse stable housing stock that serves the needs of all New Yorkers. **Mandatory inclusionary zoning must be included as part of the Hudson Yards plan.**

Thank you.

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[3] Corcoran Group (2004), The Corcoran Report, Mid Year 2004: A Comprehensive Analysis of Residential Real Estate Sale in NYC, the East End, and Palm Beach.

STATEMENT FOR HUDSON YARDS HEARING

Submitted by: Hotel Association of New York City
Joseph E. Spinnato, President
September 23, 2004

THE HOTEL ASSOCIATION OF NEW YORK CITY IS IN FAVOR OF MOVING THE JAVITS CENTER EXPANSION FORWARD NOW. WE SPEAK FOR 201 HOTELS EMPLOYING MORE THAN 30,000 PEOPLE AND PROVIDING MORE THAN 66,000 GUESTROOMS FOR VISITORS TO THE CITY.

WE HAVE STATED CONSISTENTLY IN ALL PREVIOUS HUDSON YARDS AND RELATED HEARINGS, IN MEETINGS WITH CITY AND STATE OFFICIALS, INCLUDING THE MAYOR AND THE GOVERNOR, AND IN EVERY OTHER APPROPRIATE FORUM, THAT WE WHOLEHEARTEDLY ENDORSE APPROVAL OF THE CITY AND STATE'S DEVELOPMENT PLANS FOR THE JAVITS CENTER EXPANSION.

BUT WE'VE DONE MORE THAN JUST TALK. THE HOTEL INDUSTRY HAS ALREADY COMMITTED TO PROVIDE A SIZEABLE PORTION OF THE FUNDING NEEDED, THROUGH A DEDICATED ROOM TAX, TO BEGIN THE JAVITS CENTER EXPANSION. THE BENEFITS OF APPROVING THIS NOW WILL BEGIN TO ACCRUE LONG BEFORE THE EXPANSION IS COMPLETE. IT WILL HELP TO

SECURE A STRONG AND POSITIVE ECONOMIC FUTURE FOR NEW YORK CITY.

BY GIVING THE OKAY NOW, NEW YORK CITY CAN BEGIN TO COMPETE TO HOST LARGER SHOWS THAT ARE ALREADY IN THE SITE SELECTION PROCESS FOR 2009, '10 AND '11. APPROVAL TODAY WOULD PUT NEW YORK CITY INTO A VIBRANT AND COMPETITIVE MARKETPLACE THAT IS CURRENTLY BEYOND OUR GRASP DUE TO THE SIZE LIMITATION OF THE EXISTING JAVITS CENTER.

THE QUESTION OF THE JAVITS EXPANSION IS NO LONGER "IF", BUT "WHEN". BY SAYING 'YES' NOW, NEW YORK'S TOURISM INDUSTRY WILL BE ABLE TO BETTER HELP ENSURE NEW YORK CITY'S SUCCESSFUL FUTURE.

Testimony of Frank Ford

City Planning Commission - September 23th, 2004

Good Morning. My name is Frank Ford. Thank you for letting me speak ~~tonight.~~ TODAY

For the last 7 years I have been the manager of O'Farrell's. O'Farrell's is a pub located at 33rd and 10th Avenue directly next to the Hudson rail yards, and we've been a business on the West Side for 9 years. I am also a brand new West Side resident.

I know my business and just like any neighborhood small business... the more accessible a neighborhood is, the greater the chances are that the business will grow. This is why I'm an ardent fan of the Hudson Yards plan. The #7 line, the New York Sports and Convention Center and Javits expansion will help small businesses on the West Side by bringing out of town conventioneers and Jets fans to the neighborhood.

Currently our number one customer base at O'Farrell's is comprised of conventioneers, and staff and employees of Javits Convention Center. I once heard Cristyne Nicolas of NYC & Company say the convention and tourism industry brings in out-of-towners that spend close to $300 a day in the local economy, my restaurant is living proof of that clientele. My business along with other West Side establishments is dependent on the convention and tourism industry and the Hudson Yards plan will only bring more customers to West Side businesses.

While I'm excited about my beloved Jets coming back and bringing excitement and pride back to New York, as a small business man, what I am most excited about is the convention aspect of the stadium. As a small business man and a new resident, I am most excited about the new commercial buildings, more housing, more parks, the subway (finally!) and hotels that will come because of this plan.

At the most local level, this Hudson Yards plan will no doubt help my small business on the West Side and I think that's what economic development is all about.

Thank you.

Good Evening. My name is Howard Babich. I live at 201 West 21st Street in Chelsea and I am in favor of the development and rezoning of the Hudson Yards.

As a resident of this neighborhood, I feel we must support the rezoning of the Hudson Yards because it represents the only hope we have for development on the far West Side. I want to stress that although I am also a supporter of a Westside Stadium, we can not confuse these two different issues. The New York Sports and Convention Center does not affect approving this rezoning plan.

I am sure we can all agree, regardless of how you feel about the stadium we need to make improvements to this area. We have been left behind, if you go just a few short blocks east of us you can see what a vibrant New York City neighborhood looks like.

By voting to rezone the Hudson Yards we would be taking the first big step in enabling future development and an overhaul to an almost forgotten section of the city.

I am tired of looking at run down parking garages and empty rail yards. Twenty new acres of parkland, which is what the plan gives us, would make an unbelievable difference in our quality of life not to mention help improve the exterior look of this community.

I know there are some, such as the Regional Plan Association, who are urging a delay in the project. This, I fear, would lead to a missed opportunity. The economy seems now right for this development. Any delay might push the project ahead to a time where economic conditions are not right and the project has to be abandoned. I hope we would seize the opportunity while we can. Let me offer as an example something that happened in the early and mid 1970s. I was an undergraduate at Baruch College at the time. The college was in desperate need of new space. CUNY had offered to purchase an empty 40-story tower at 4 New York Plaza in Lower Manhattan and turn that into the new Baruch College. Administrators at both CUNY and Baruch said they could have the building ready in two years. However, there was strong opposition from students who were anxious to have a "real" campus with trees and grass. An alternative plan was offered where CUNY would build such a campus over the rail yards at Flatbush and Atlantic Avenues in Downtown Brooklyn. However, the plan would take 10 years. The student body kept pushing for the Brooklyn plan and CUNY finally agreed. However, before the first nail was struck, the City's financial crisis hit and the plan was abandoned leaving Baruch College to remain at its existing and inadequate facilities for over two decades.

I am also old enough to remember the debates centered around the Westway Project. I thought then, and still think, Westway was a great opportunity for the city and the fact that it was not undertaken was a tragic loss for not only the people of the West Side, but for all New Yorkers. This loss came in the fact that so many needed improvements would have resulted from the project at absolutely no cost to the city. As a matter of fact, it appears that the opponents of Westway really cut off their noises to spite their faces because so many of the improvements that would have been gained by the project would

have benefited the very people who opposed it. For example, we heard throughout the 1980s of the need to replace the West Side Highway with an environmental friendly roadway; for getting commercial vehicular traffic off local streets; for the development of additional park land; and for easier access to the water front. Westway would have given New York all of these with the entire price tag picked up by the feds and the state.

So many parallels can be drawn between the development of the West Side and other worth while projects of the past. I only hope we realize the benefits from this development before it is too late and not let history repeat itself and make the same mistakes we made in the past.

Thank you very much.

Name: Anne Levin, Vice Chair CB4 & chair / C/HKLU comm.
Others are speaking today about broader aspects of plan - I am ~~focus~~ limiting my remarks to financing plan

The zoning you are being asked to approve is driven by the financial needs of the plan, and those financial needs could spell disaster for the City's finances if the development that the City is counting on does not take place.

I want to focus on the District Improvement Fund to illustrate how this zoning is linked to the financing plan - The proposed zoning includes a base rezoning - which the CB supports. But on top of that base, developers would be able to obtain a substantial bonus by paying into the DIF. These bonuses are much bigger than bonuses we're familiar with - 8 FAR on a base of 10, 5.5 FAR on a base of 7.5.

The revenues from the DIB, along w/ comm'l & resid. prop. taxes and revenues from sale of dev. rts on ERY are being counted on to finance the $3 billion in bonds we'll be floating to pay for plan's infrastructure - the 7, new roads & new parks.

We have 3 large concerns about this financing plan:

- This is essentially tax increment financing about which many - including the City's Independent Budget Office - have expressed concern. If plan revenues fall short of expectations, further City resources will be needed. In this case those resources could be your and my income taxes, which are being used through the TFA to ensure payment on the bonds. In short, what is being sold to you as an innovative and creative financing scheme has tremendous risks & could lead to a City bail out if it fails
- ~~The infrastructure that the financing plan would pay for has not yet been through any public budget process and may never be. That is not right, but you must consider that this may be the only opp. for public review of consideration of the budget priorities.~~
- The financing plan takes substantial public works projects outside the normal budget process. ~~We should not commit to building 7 or substan. new parks w/o public consid. of.~~ This is not right. We have public budget process so that competing priorities can be considered.

The bonds are going to be floated now based on the hope that

- Finally, because tax revenues from new development will be diverted to pay for the bonds, those revenues will not be avail. to pay for the other infrastructure needs assoc. w/ the dev't; some of which are identified in the EIS: a new school, new police & fire facilities, new power stations, sewers & water mains.

There are extraordinary costs assoc. w/ this prg. that are not part of the plan, and you are being asked to approve a mech. that means there will be no $ to pay for them

We rec. that the CPC is supposed to consider land use matters only. But you must take capital needs and strategies into account in developing planning policies. You should not allow the review process designed for land use decisions to create an end-run around the requirement for informed debate on capital projects and their financing.

One last thought on the Dist. Impr. Fund - there are many unanswered questions about the fund and its oversight. We are told the HYIC will exist only on paper. But who decides what projects get built and in what order? You should not authorize creation of this fund until you have those answers, and those answers must include real public oversight.

JLC Testimony – DCP – September 23, 2004

My name is Lee Compton. I am speaking as a Vice Chair of Manhattan Community Board No. 4.

CB4 believes that the Hudson Yards Draft Environmental Impact Statement that you have before you is a deeply flawed document that should not be relied on to make the decisions you will be called on to make. It makes untenable assumptions, references problems in the appendices but not in the main document and, above all, is incomplete.

We have all seen the city's images of a completed Hudson Yards project that include sweeping vistas from broad promenades and open plazas and parks, all lightly populated by people walking, sitting on the grass or eating in outdoor cafes.

In stark contrast, the text of the EIS talks of requiring sealed and double-glazed windows because of unacceptable noise levels, windows that can't be opened because of the air pollution outside, "unavoidable pedestrian contact" on overcrowded sidewalks, long lines at stair and elevator entrances to subways, and more than five minutes for a car to cross an intersection.

Instead of the idyllic outdoor experience depicted by the city, the EIS calls up images of sidewalk skirmishes conducted with breathing masks and earplugs.

And the EIS says that this is the best case, after everything possible has been done to mitigate these problems.

The appendices are even more disturbing:

One says that the projected, unacceptable noise levels in the text are based on the unrealistic preliminary assumption that cars will travel at posted speed limits and are likely to be much worse when they are based on actual traffic speeds.

Another says that more than two-thirds of midtown crosswalks will have unacceptable levels of service on average middays.

Projected traffic doesn't include the 130 new buses that will be needed, or the cars that already clog the West Side Highway on weekends when the passenger ship terminals are busy, or the 8,000 people who are expected to travel to football games on ferries.

There is no explanation of how a ferry system with a peak capacity of 4,300 people will be able to carry 8,000 additional people; are there enough routes? Could there be enough ferries? Are the terminals large enough?

Where will the new school with 500 students and 60 staff be sited? The new firehouse, or the new day care centers, electrical substations and transmission facility, police and emergency medical facilities and services? These are all mentioned in an appendix, but not in the text. Where will these facilities be located? How will they affect traffic? How will they be paid for?

The Hudson Yards proposal is immense, both in scale and in importance. CB4 believes that we, the public at large and, most importantly at this point, you, deserve the best possible information in order to make an informed judgment.

The draft EIS you have before you is incomplete and deeply flawed. We urge you to consider whether this is an appropriate basis for making a decision of the magnitude of the Hudson Yards proposal, and then to postpone your decision until the final EIS has been completed and the full extent of the problems has been disclosed.

Testimony of Walter Mankoff for City Planning Commission Hearing, September 23, 2004

My name is Walter Mankoff. I am the Chair of Manhattan Community Board No. 4.

We have had many opportunities in the past two years to exchange views with the Department of City Planning. I want to thank Chair Burden and her staff for the respectful manner with which we have been treated. I only wish we could have been more successful in changing their views.

Our detailed comments on Hudson Yards were previously submitted. Our written comments on the draft EIS will be filed within the allowable 10 day period. I hope you read them carefully.

Board 4 agrees with the Administration that this area is in need of rezoning and major development. We diverge, however, in how we perceive the area and in our vision for the future.

We see the rail yards and surrounding underutilized land as part of historic Hell's Kitchen. We cherish its diversity. Its buildings are old and new, large and small. Its residents come from all walks of life and reflect many income levels and ethnic backgrounds. Its businesses, large and small, play an important part in the City's economy.

A rational Hudson Yards rezoning plan should build on the best of today while providing for the commercial and residential needs of the future. That is what we want our City to do.

The Administration, in contrast, puts on blinders and only sees the wasteland. Its plan is doubly unfortunate. It damages the present, while offering a future that is so unsound it has been widely criticized by the most respected planners and civic organizations of our day.

What's wrong with the City's plan? I only have time to highlight the most egregious problems.

- A stadium in the most valuable portion of the site will discourage nearby development.
- An inadequate expansion of the Javits Convention Center. We support a proper one.
- Excessive density – a row of 70 or 80 story buildings along 11th Avenue.
- No meaningful plan for permanent affordable housing for a range of low to moderate income families.
- Tremendous risk to the City's finances. .
- Massive environmental problems – pollution, noise and traffic.
- Condemnation and eviction of businesses and residents.
- Missing infrastructure – no bus facility, no South Hell's Kitchen Park.

The Hudson Yards plan is being rushed through improperly and Commission action at this time is premature. The Draft EIS is still incomplete even though three months late. Financing details are missing. No one knows if the stadium will be built. If there is no stadium, the plan will have to be redone. You might consider waiting until the City gets its act together. This is after all a 40 year plan.

Sound planning is possible if common sense replaces present Administration attitudes.

Thank you.

Regional Plan Association

Regional Plan Association Testimony
City Planning Commission Hearing
Hudson Yards Redevelopment Plan
September 23, 2004

My name is Jeremy Soffin, and I am the director of public affairs for Regional Plan Association, a not-for-profit planning and advocacy organization that has served the tri-state region since the 1920s.

Thank you for this opportunity to share RPA's research and analysis on plans for the Far West Side.

RPA joins the Bloomberg administration in promoting redevelopment of the Far West Side as the best opportunity for expanding the Midtown Central Business District. From a regional planning perspective, much of the region's new office growth should be directed into this urban core, where high-density, high-value development can be sustained by a robust infrastructure system. And while office districts throughout the city and region can absorb some growth, over the long-term the Far West Side will

be needed to meet growing demand. While there is an urgency to get started, there is also a danger in rushing to force extensive development before the market develops.

Therefore, in a recently released position paper, RPA calls for a phased implementation of most of the elements of the Hudson Yards plan. We recommend moving forward immediately with the proposed rezoning, northern expansion of the Javits Convention Center and initial public space improvements. These actions would allow for immediate residential development to meet market demand, especially in the eastern portion of the district. A **second phase** would begin in 2010 and include construction of the #7 subway extension, investments in preparing the rail yards for development and implementation of the City's open space network proposal, as well as completion of the second phase of the Javits expansion. These investments would provide the capacity for commercial growth as demand develops after much of the city's current inventory of vacant office space is occupied. A **final phase** would commence around 2016 and include the second stop on the #7 extension and decking of the Lincoln tunnel "spaghetti" infrastructure that blights part of the district. This would allow for development in the northern portion of the district.

This phasing strategy will maximize the plan's benefits while limiting fiscal risks, allowing the region's transportation system to begin its expansion and assisting the recovery of Lower Manhattan.

Conspicuously absent is the proposed New York Sports and Convention Center. While this proposal is not officially part of the ULURP review, it would obviously impact those plans and it is worth briefly explaining our opposition. There is no compelling need to place this facility in a part of the city that should be devoted to high-density, high-value office and residential development. Its construction is in conflict with the district's overall goals. It would limit the area's long-term potential by restricting waterfront access, adding congestion and looming over the adjacent streets and Hudson River Park. Fortunately, we believe there are viable alternatives that will provide better waterfront access and increase the likelihood of development in the rest of the district. The draft EIS document that you are reviewing includes no study of alternatives for the Western Yards in the context of the existing plan.

Further detail on the RPA position on all elements of the plan can be found online at www.rpa.org. We also recently released A Citizens Guide to the Draft EIS, in cooperation with several other civic organizations, that is available online. Thank you again for your time.

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AIA New York Chapter

The Founding Chapter of
The American Institute of Architects

I am Mark Ginsberg, President of the AIA New York Chapter. The AIA New York Chapter, the founding Chapter of the American Institute of Architects, representing 3,500 architects, professional affiliates, and public members, has reviewed and supports the proposed zoning text and the plans for development of Hudson Yards. The area west of Eighth Avenue in the 30's represents perhaps the most underutilized area in Manhattan and offers opportunities for the entire region, City, and adjacent communities.

We would like to commend the Department of City Planning for looking beyond zoning to integrate mass transportation, open space and public investment into one plan. It must be pointed out that this total plan is not being reviewed in its entirety-- before you today are the proposed zoning changes, but other land use and development issues will not be reviewed by the Commission. However, for us to comment on the zoning text we need to review these other parts of the plan.

The current plan along with the associated zoning text needs to integrate the following positive goals:

- Expansion of midtown Manhattan, the city's premier commercial center.
- Expansion of the Convention Center.
- Connections to mass transportation systems including an extended number 7 line, regional rail and ferry service.
- Creation of open space and connections to the Hudson River Park, with provisions for parking-- particularly the introduction of the European model of building parking under urban open space.
- Creation of a "24/7" community with significant residential development.
- Plans for a multi-purpose facility that will double as convention space and stadium (previously supported by the AIA).

However, given these overall positive aspects of the plan, there remain specific areas where we feel work needs to be done, in terms of both planning and the zoning response:

- **Expansion of the Javits Center** is much needed, but as currently envisioned creates a nine-block wall between the city and the river, even further restricting access to Hudson River Park and the Ferry Terminal. Development of a strong east west connection through the Center, perhaps at 38th Street, would help mitigate this, but more creative measures are needed. This is a sufficiently serious issue that we recommend initiating a joint city-state-civic effort to explore alternate expansion configurations, such as stacking the building, building over the highway, or mixed use convention/ community park and

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access structures to the north. This effort should also explore animating the blank wall along Eleventh Avenue with commercial and/or cultural activities.

- **Residential Development:** The revised text loosens some of the restrictions on residential development. We would encourage even more flexibility on this issue, although we agree it makes sense to reserve certain sites for commercial office development. CHPC has proposed a 7 year sunset of any such use restriction, making sure that if it prevents development it is reviewed by the Commission. We support this proposal. Provisions should be made to ensure that the residential development encourages a mixed income community.
- **Required Retail**: Location of required retail development in the plan also has been somewhat modified in the revised text, in that one-sided retail on the side streets has been reduced to 50%. We feel that this requirement should be made optional, and more emphasis should be placed on mandatory retail on both sides of east west through cross streets such as 34th Street and whatever street will connect through the Convention Center to the ferry terminal. Additionally, there is no retail requirement for Eleventh Avenue, which should be developed with retail on both sides, including the west convention side, by filling in the existing "moat" of the Convention Center. Required retail on the Hudson Boulevard may be less successful, as this street dead-ends at both ends, at 33rd Street and at 38th Street.
- **Massing Controls:** Each of the sub-districts has a finely grained set of bulk regulations with some design flexibility. Adding or substituting performance-based regulations such as those used in the Midtown Special District would allow for more creativity and variety in the streetscape and should be considered by the Commission. We would like to note that in reviewing City Planning's studies for partial block development, the zoning now provides a more varied build out, better fitting with typical New York conditions.
- **Ninth Avenue and Organic Growth**: Ninth Avenue has been essentially preserved in its current density and bulk. We understand the concerns of the neighborhood and community; however, the density of the zoning in this area may need to be reconsidered as larger scale development occurs on all sides.

We would like to reiterate our overall support for this plan and its ambitious vision for the future of New York City. While we recommend refinements to the plan and by implication to the zoning needed to implement such refinements, such requested improvements will only strengthen what is an admirable piece of work. TheAIA New York Chapter offers its help in further developing these exciting plans for an underutilized area of Manhattan, in order to create benefits and opportunities that will be enjoyed by the borough, city and region as a whole.

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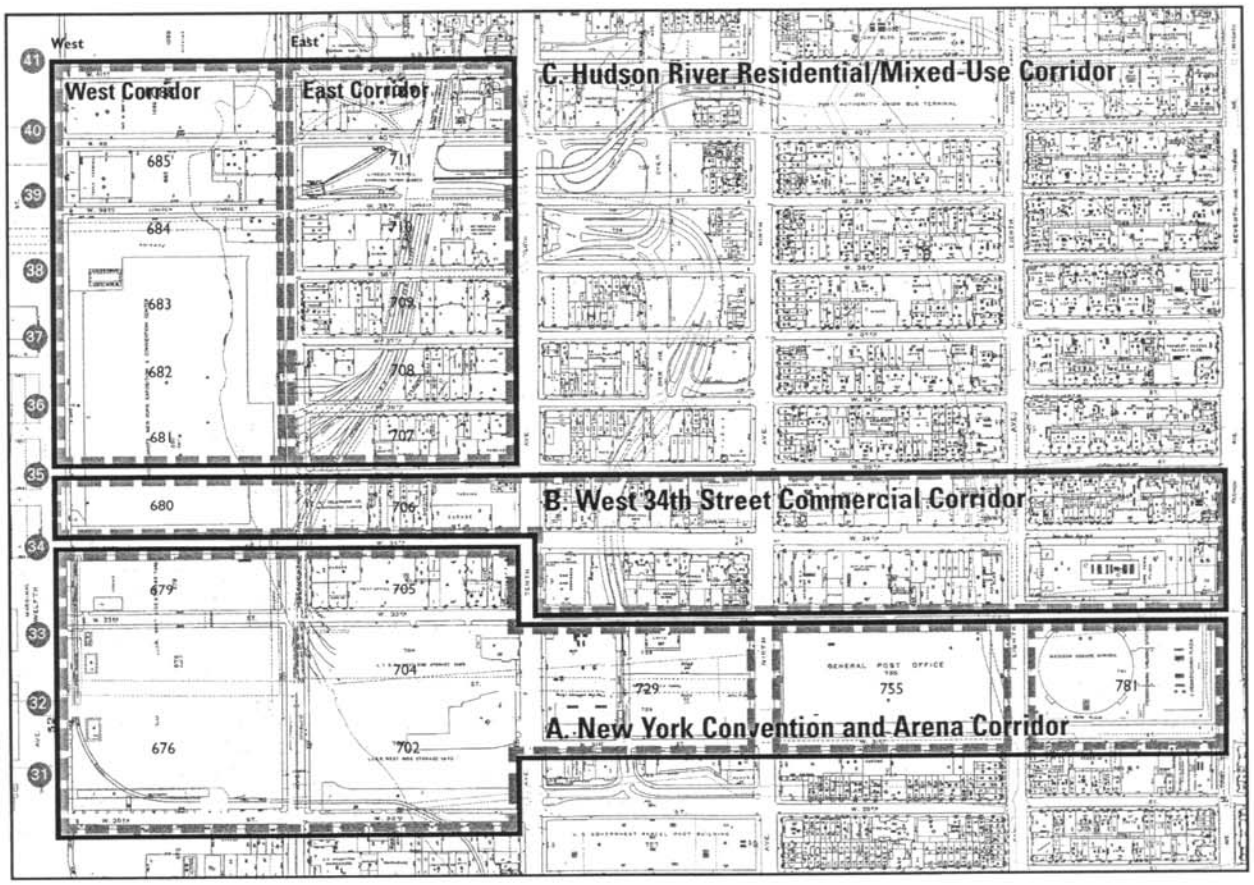
A Newman Real Estate Institute Proposal:

1. The Designation and Rezoning of a Far-West Side Development District
2. The Creation of:
    - A. The New York Convention and Arena Corridor
    - B. The West 34th Street Commercial Corridor
    - C. The Hudson River Residential/Mixed-Use Corridor.
3. The Formation of the Hudson/Far-West City Authority.



Précis for the New York City Planning Commission DGEIS Public Hearing
23 September 2004

Summary Overview

This précis, prepared for the New York City Planning Commission DGEIS public hearing of 23 September 2004, presents a brief overview of The Newman Real Estate Institute's alternative to the City of New York's Plan for the Far-West Side of Midtown Manhattan. Our work is the outgrowth of a yearlong program of studies and conferences sponsored jointly by The Newman Institute's Research Center and its Center for Public Programs. We asked four teams of experts—academics from Harvard, Princeton, Columbia and CUNY, New York architecture and planning firms and members of the city's land-use bar) to present alternative long-term strategies for the development of this critical urban area.

The Harvard team isolated Clinton as a neighborhood with a very strong character that could be of benefit to developers and offered strategies for the identification of soft sights and the transfer of air rights that would protect the Clinton neighborhood from the intensity of change. hey also proposed the creation of a "fairgrounds" for New York City which, in many ways--with allusions to downtown Boston's great public spaces--is expressed in the Skypark level of this proposal. Columbia stressed a stronger east-west orientation for Manhattan and placed great emphasis on water borne transportation as well as on more and enhanced piers and terminals. CUNY imagined a new loft district and enhanced green space from 34th to 41st streets and a "people mover" that would serve as an extension of the refurbished High Line. The Princeton team proposed that the Javits Convention Center be demolished and a new convention center be built along an east-west axis along the MTA's Hudson Yards corridor, thereby opening up the riverfront for other uses.

In recent months, The Newman Institute has actively furthered the Princeton approach. A Newman staff, backed by a team of outside professionals with Robert Geddes leading the work in urban design, has evaluated the design, financial, and legal issues and has prepared an extensive and detailed description of an alternative proposal, accompanied by an estimate of costs and projected revenues. The Institute's complete submission will be presented on 3 October 2004. A provisional table of contents is included here.

The highly polarized debate over the City's Plan has understandably focused upon its centerpiece: an Olympic quality sports stadium to be built atop the MTA Rail Yards along the Hudson River from 30th through 34th Streets. Our proposal takes no position on the desirability *per se* of a large sports facility on the West Side. But we do believe that its placement in the City plan—on the river and due of south of the Convention Center—only exacerbates the problems initially created by the siting of the existing Convention Center.

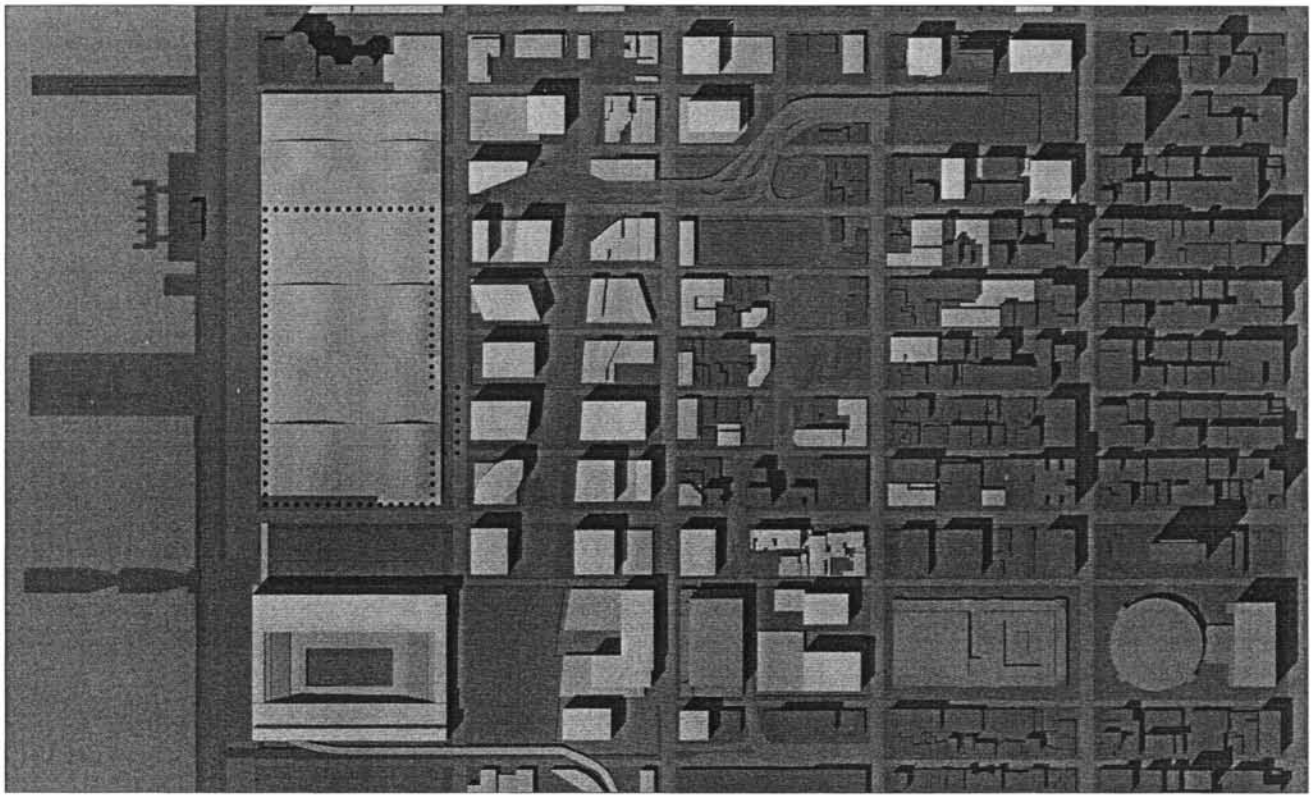
The Convention Center's current north-south orientation not only blocks access to a solid sweep of the Hudson riverfront for five city blocks, but also serves as an impenetrable barrier from 34th to 42nd street—a section of the city that is already severely constrained by the ramp systems from the Lincoln Tunnel and the Port Authority Bus Terminal. The stadium would extend that barrier southward another four blocks.

By contrast, the Newman proposal would reorient development in an East-West direction, building a "bridge" infrastructure over the MTA Rail Yards that will accommodate a state-of-the-art convention center substantially larger and more competitive than that proposed by the City, extensive office development, an automated rapid transit system linking the new development with the three principal West Side subway lines, PATH, the LIRR and Amtrak, and—if deemed appropriate—a stadium well-suited for both the Olympics and the Jets.

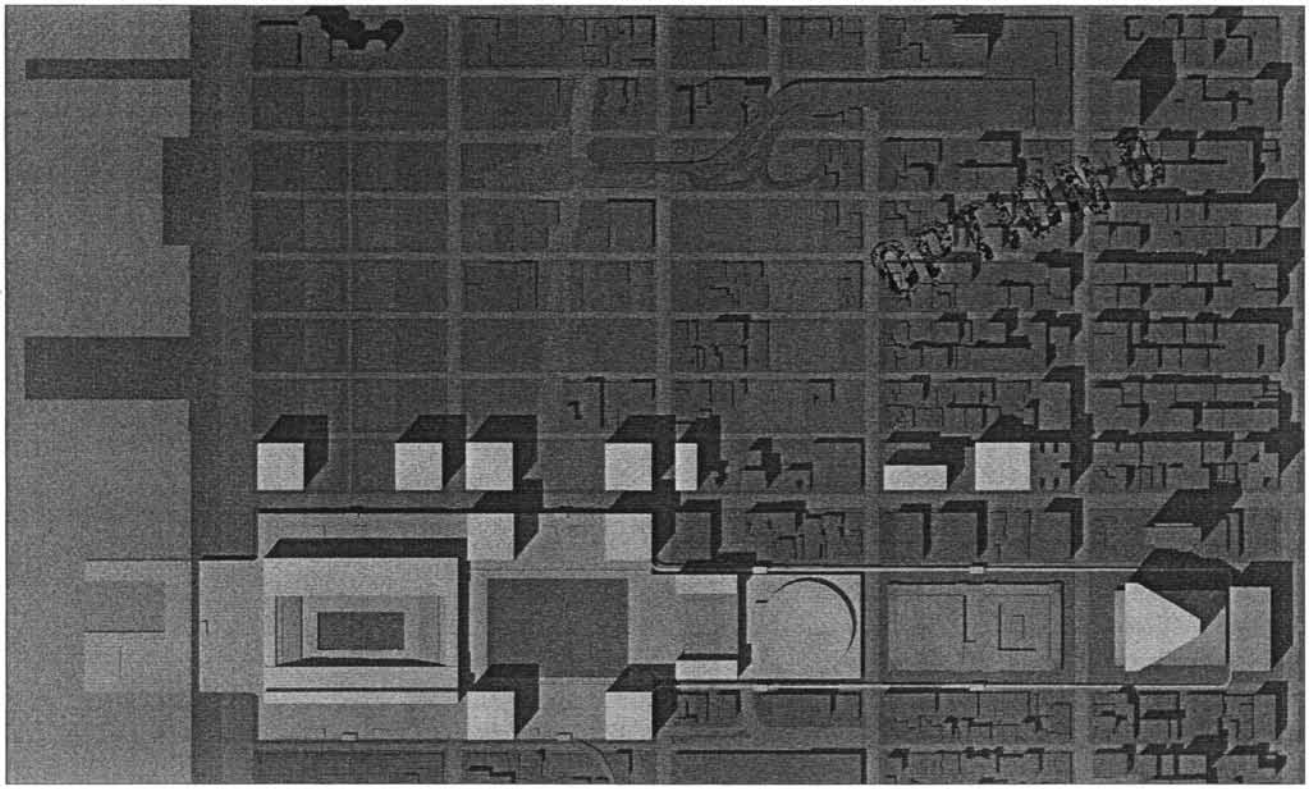
After the new Convention Center is in place, the existing structure would be razed and the waterfront north of 34th street would be reopened to the community. The proposal contemplates extensive market-rate and affordable housing development in this area, enhanced by extensive open space. The design objective would be a relatively seamless integration of the existing Clinton neighborhood with the newly reopened waterfront blocks.

Under the Newman proposal all of the project costs—while substantial—would be fully covered by financing secured by leases of development rights and PILOTs. As has proven to be the case with Battery Park City, our projections show a substantial cash surplus that would ultimately be available to compensate the MTA for the use of its air rights and to be returned to the City and/or State for other public purposes.

Comparison: The Proposed New York City Plan/The Newman Institute Proposal



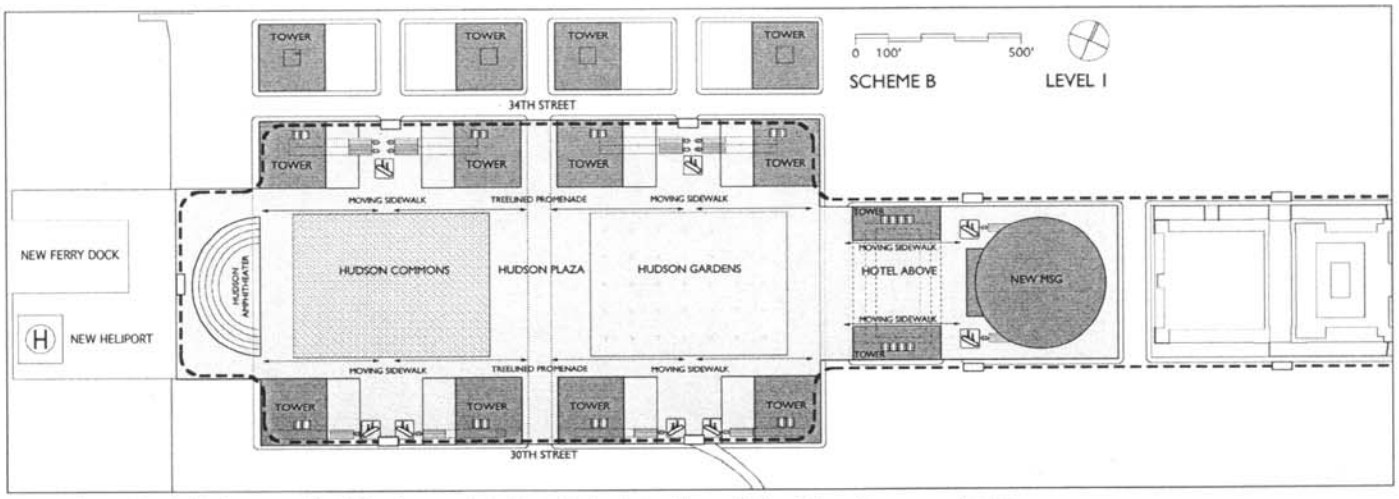
Model: The proposed expanded Javits Convention Center and the New York City Plan. The doted line indicates the size and location of the existing Javits Convention Center.



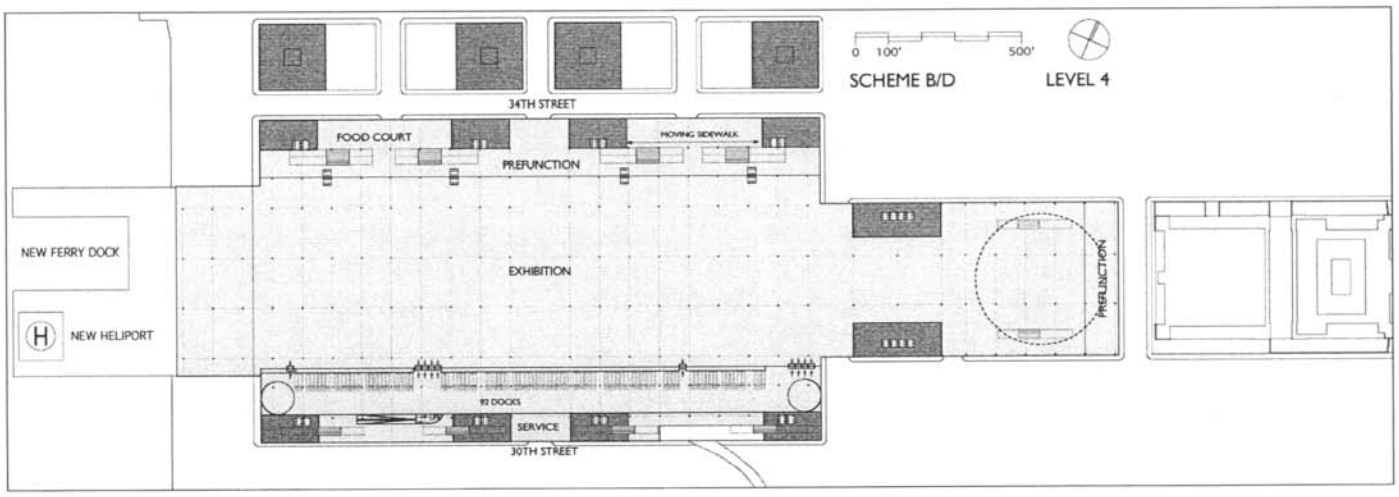
Model:The Newman Institute proposal creating a new east-west convention and arena corridor, a 34th street commercial corridor,. and a new riverside residential corridor.

Prototypical plans: Option B: Proposed convention center with integrated new arena.

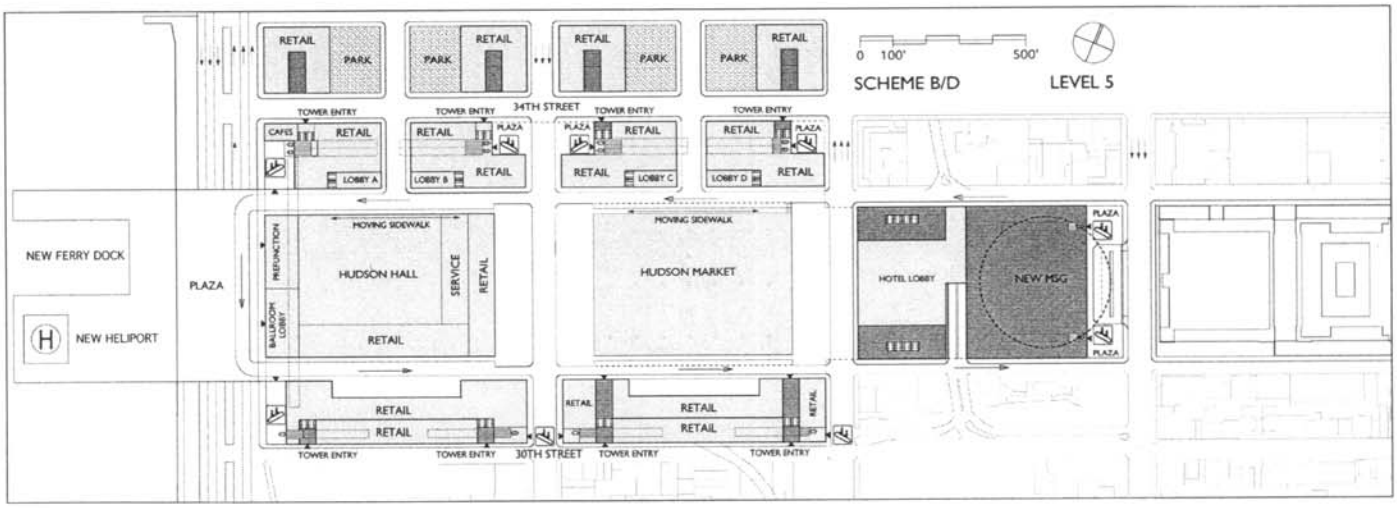
Floor plans for all four options are to be released in the 3 October 2004 report.



Level 1: Skypark level. The Automated Rapid Tansit system is indicated by the dashed line, with the stations shown as rectangles.



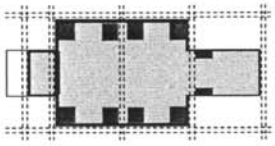
Level 4: Main Convention Center exhibition floor stretching from 9th Avenue to the east to the Hudson River to the west..



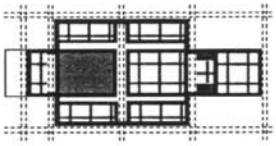
Level 5: Grade level.

OPTION A

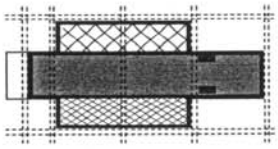
CONVENTION CENTER
COMMERCIAL TOWERS
RETAIL



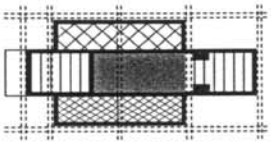
LEVEL 1: SKY PARK



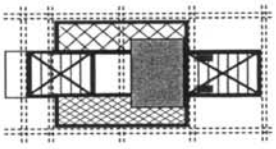
LEVEL 5: GRADE



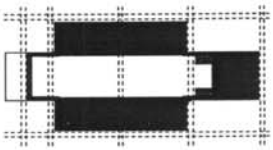
LEVEL 4: CONVENTION /MAIN



LEVEL 3: CONVENTION SUPPLEMENTARY



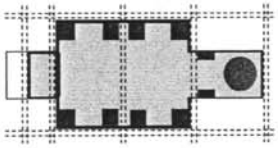
LEVEL 2: CONVENTION SUPPLEMENTARY



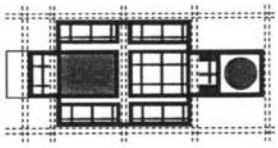
LEVEL 6: BASEMENT

OPTION B

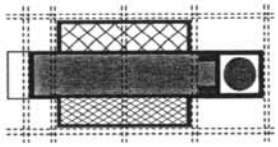
CONVENTION CENTER
COMMERCIAL TOWERS
RETAIL
MADISON SQUARE GARDEN



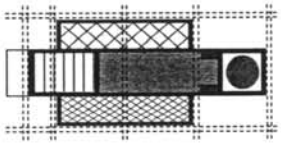
LEVEL 1: SKY PARK



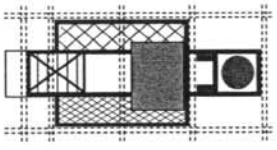
LEVEL 5: GRADE



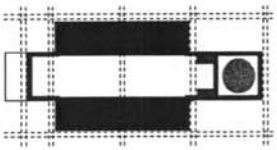
LEVEL 4: CONVENTION /MAIN



LEVEL 3: CONVENTION SUPPLEMENTARY



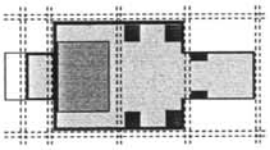
LEVEL 2: CONVENTION SUPPLEMENTARY



LEVEL 6: BASEMENT

OPTION C

CONVENTION CENTER
COMMERCIAL TOWERS
RETAIL
STADIUM



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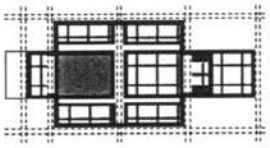
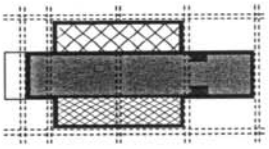
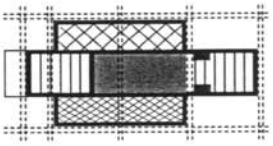


LEVEL 5: GRADE



LEVEL 4: CONVENTION /MAIN



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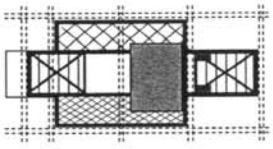

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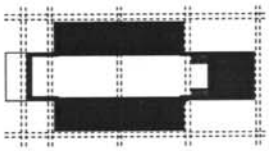
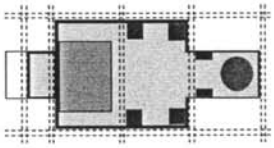


LEVEL 6: BASEMENT

OPTION D

CONVENTION CENTER
COMMERCIAL TOWERS
RETAIL
MADISON SQUARE GARDEN
STADIUM



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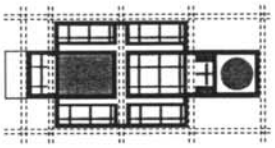
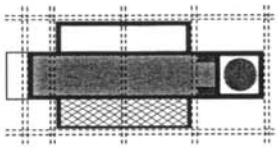
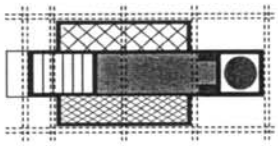


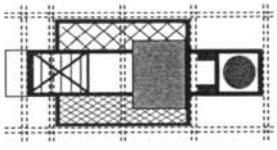
LEVEL 5: GRADE



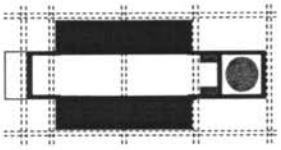
LEVEL 4: CONVENTION /MAIN



LEVEL 3: CONVENTION SUPPLEMENTARY



LEVEL 2: CONVENTION SUPPLEMENTARY



LEVEL 6: BASEMENT

The Comprehensive Proposal: [Projected] Table of Contents

The full report is to be released 3 October 2004.

Preface
Foreword
Introduction
Background
Consultant Biographies
The Steven L. Newman Real Estate Institute
The Center for Applied Research and Public Planning
The Advisory Board of the Steven L. Newman Real Estate Institute

Executive summary
1. Existing context
2. Checkers-not-chess
3. The Far-West Side District
   - i The New York Convention and Arena Corridor
   - ii The West 34th Street Commercial Corridor
   - iii The Hudson River Residential/ Mixed-use Corridor
4. Flip
5. Public infrastructure
   - i Bridge
   - ii Transportation
   - iii Public space
   - iv Affordable housing
6. Private development options
7. Public Cost
8. Implementation authority
9. Critical path
10. A new context for the Far-West Side

1: Principles
1. The development district: Principles
   The existing context
   Three corridors
   - i The New York Convention and Arena Corridor
   - ii The West 34th Street Commercial Corridor
   - iii The Hudson River Residential/ Mixed-use Corridor
2. Zoning:
   - Principles
   - Existing
   - Proposed: New York City
   - Proposed: NREI
3. Program: Scope/compliance
   - Principles
4. Public infrastructure
   - Principles
   - Bridge
   - Transport systems
5. Private development options
   - Option A
   - Option B
   - Option C
   - Option D
6. Cost/income
   - Principles
7. Finance
   - Principles
   - Summary
   - Pro-forma
8. Implementation authority
   - Principles
   - Summary
   - Chart
9. Critical path
   Principles
   - i Summary
   - ii Calendar

2: Design
1. Site plan: 1: 5000
   - Grade level: Olympic Court: Level 0
   - Terrace level: Olympic Plaza: Level +95
2. Sections: 1: 10000
   - Longitudinal
   - Lateral
3. Summary: Development options: 1:20000
   - Diagram: Options A-D
4. Architecture
   Options A: 1: 2500
   - i Entry/retail: Level 0
   - ii Terrace: Level +95
   - iii Main exhibits floor: Level +20
   - iv Service: Level -20
   - v Supplementary exhibit/meeting: Level +50
   - vi Supplementary meeting/service: Level +70
   - vii Mechanical systems: Level +85 (partial)

   Options B: 1:2500
   - i Entry/retail: Level 0
   - ii Terrace: Level +95
   - iii Main exhibits floor: Level +20
   - iv Summary diagram: 1:20000
     Supplementary exhibit/meeting: Level +5
     Supplementary meeting/service: Level +70
     Service: Level -20

   Options C: 1:2500
   - i Entry/retail: Level 0
   - ii Terrace: Level +95
   - iii Main exhibits floor: Level +20
   - iv Summary diagram: 1: 20000
     Supplementary exhibit/meeting: Level +50
     Supplementary meeting/service: Level +70
     Service: Level -20

   Options D: 1:2500
   - i Entry/retail: Level 0
   - ii Terrace: Level +95
   - iii Main exhibits floor: Level +20
   - iv Summary diagram: 1:20000
     Supplementary exhibit/meeting: Level +50
     Supplementary meeting/service: Level +70
     Service: Level -20
5. Infrastructure: Bridge
   Engineering: Structural/civil:
   System 1: Column grid main convention hall: 150'x90' column bay central aisle/east-west
   - i Level -20
   - ii Level +50
   - iii Level +20

   System 2: Long-span main convention hall floor:
   450' central clear span/east-west
   - i Level -20
   - ii Level +50
   - iii Level +20

   Conversion of 450 West 33rd Street
   - i Plan
   - ii Section
6. Infrastructure: Transportation Description
   Plan diagrams
   - i System plan: 7th Avenue-12th Avenue Loop
   - ii Section: 7th Avenue-12th Avenue
   - iii Typical station/people-mover/escalator integration diagram
     Specifications

3: Development program/cost schedule: 2005-2050
1. Development Programs
   - i Ground area calculations
   - ii Zoning: FAR and buildout limits
   - iii Development program : Description
     Absorption assumptions
   - iv Building programs: Options A-D
   - v Convention center
     Building program
     Comparison table
   - vi Infrastructure: Bridge Building program
     Comparison table
   - vii Infrastructure: Transport
     Building program
   - viii Infrastructure: Open space
     Building program
     Comparison table
   - ix MTA projects: No. 7-line extension
     Metro-North extension
   - x Public space
     Building program
   - xi Public investment development leverage
     Comparison table

2a. Cost schedule: Acquisition/ construction/expenses
   - i Infrastructure: Bridge
   - ii Infrastructure: Transport
   - iii Infrastructure: Open space
   - iv MTA projects:
     No. 7-line extension
     Metro-north extension
   - v Convention center
   - vi Building programs costs: Options A-D

2b. Cost cash flows: 2005-2050
   Options A-D

4: Income/Financing schedules
1. Income summary: Project revenues available for debt service
2. Income cash flow: Project revenues available for debt service
3. Financing: Bond summa proceeds
4. Financing cash flow: Bond revenue proceeds
5. Integrated summary
6. Integrated cash flow
7. Notes

5: Implementation authority
1. The Hudson-West City Authority
2. The Battery Park City Authority model
   - i Area map
   - ii Mission statement
   - iii Assets
   - iv Statement of revenues, expenses, and changes in net assets

6: Critical path/schedule
1. Private development schedules: 2005-2035
   - i Overall construction schedule
   - ii Overall public construction schedule
   - iii Integrated public and private schedule
2. Critical path: 2005-2050
   - i Pre-design/Approval process
   - ii Design phase
   - iii Financing phase
   - iv Construction phase

Financing Plan

The Newman Real Estate Institute proposal employs public bond financing to fund the cost of the principal public elements of the Plan, specifically land acquisition, demolition of existing structures, construction of an automated rapid transit loop and other transportation infrastructure, open space development and new construction (particularly the Javits Convention Center). Private development—primarily office and residential properties—will be financed separately by the individual developers.

The proposal contemplates that the financing vehicle will be a newly created State agency (or an affiliate of an existing State agency) with powers roughly comparable to those of the Battery Park City Authority (BPCA). This entity would issue long term (i.e., roughly 30 year) revenue bonds secured by project revenues.

Project revenues consist of three principal items: lease payments on sites leased for commercial and residential development, lease payments from the transfer of development rights on other sites within the project area and payments in lieu of taxes by the developers and owners.

It is contemplated that the agency would begin issuing bonds in 2006 and would issue annually amounts sufficient to pay anticipated project costs for the year in question, plus amounts required to fund required reserves and pay capitalized interest. Given current market conditions (with short term reinvestment rates below projected interest rates on the bonds), early funding of future years' project costs is not contemplated in the projections.

In our opinion, based on the revenue and cost projections in the proposal, the bonds should receive investment grade ratings and should be marketable in the amounts contemplated by the proposal. The bonds should be qualified for bond insurance, but whether insurance is in fact used for any given issue will be determined by market conditions at the time of sale.

The complete proposal document, to be issued on 3 October 2004, will include project pro-formas and cash-flow projections which provide a comprehensive profile of costs and revenues for each of the four options of the proposal. A provisional list of these program and financing schedules is included in the table-of-contents page of this précis.

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