

STATE ENVIRONMENTAL QUALITY REVIEW FINDINGS STATEMENT
BRONX PSYCHIATRIC CENTER LAND USE IMPROVEMENT PROJECT

NEW YORK STATE URBAN DEVELOPMENT CORPORATION d/b/a/ EMPIRE STATE
DEVELOPMENT

Pursuant to Article 8 of the Environmental Conservation Law (State Environmental Quality Review Act [SEQRA]) and 6 NYCRR Part 617, the New York State Urban Development Corporation (UDC) d/b/a Empire State Development (ESD), as lead agency under SEQRA, makes the following findings.

Name of Action: Bronx Psychiatric Center Land Use Improvement Project

Project Location: The project site is located in the Morris Park section of the Bronx and is generally bounded by the Hutchinson Metro Center to the north, the Hutchinson River Parkway to the east, the remaining portion of the BPC campus and Waters Place to the south, and Marconi Street to the west.

Summary of Action: The proposed project entails the redevelopment of the northern portion of the New York State Office of Mental Health (OMH) Bronx Psychiatric Center (BPC) campus located at 1500 Waters Place in the Morris Park section of the Bronx (the project site). ESD has conditionally selected Simone Development Companies (the “developer”) to redevelop the approximately 34-acre project site with approximately 1.2 million gross square feet (gsf) of commercial office space for business, professional, or medical facilities; it will also include 100,000 gsf of bio-tech/research space; 250,000 gsf of accessory use; 124,300 gsf of hotel use; 100,000 gsf of college/trade school space; 40,000 gsf of retail space; 2,000 gsf of community facility space; 8.7 acres of open space, including two baseball diamonds with a 2,000 gsf support building and supporting amenities; 8,100 gsf of accessory amenity space; and approximately 4,029 accessory parking spaces. The proposed project is analyzed in the Bronx Psychiatric Center Land Use Improvement Project Final Environmental Impact Statement dated December 19, 2019. Construction of the proposed project is expected to occur in two phases over a period of approximately nine years. Phase I is expected to be complete in 2023, with the full build-out of Phase II expected in 2028. The proposed project requires a number of actions including: adoption of a General Project Plan (GPP) by ESD in accordance with the New York State Urban Development Corporation Act, including overrides of the New York City Zoning Resolution; ESD approval of the Essential Terms of Transaction; and ESD acquisition and subsequent disposition of real property. In addition, the proposed project will require the Dormitory Authority of the State of New York (DASNY) to convey real property to ESD for subsequent sale and conveyance of the property by ESD to the developer, New York State Office of General Services, with the consent of OMH, granting a permanent access easement for the use of the BPC west access road, and OMH approval granting the developer utility easements required for the construction and operation of the proposed project.

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SEQRA Classification: Type I

DESCRIPTION OF LEAD AGENCY ACTIONS

To facilitate development of the proposed project, ESD, the lead agency for the proposed project, will undertake several actions. In summary, ESD actions include the following in accordance with all applicable requirements of law:

- Adoption and affirmation of a GPP in accordance with the Urban Development Corporation Act (Chapter 174, Section 1, Laws of 1068; codified at N.Y. Unconsol. Laws §6251 *et seq.*), which will include overrides of the New York City Zoning Resolution to facilitate the proposed project.
- Approval of the Essential Terms of Transaction.
- Acquisition and subsequent disposition of real property. DASNY will convey real property (the project site) to ESD for subsequent sale and conveyance of the property by ESD to the developer. In addition to the conveyance of the DASNY-owned property, the proposed project will involve the subdivision of the developer-owned existing Bronx Block 4226 Lot 35. A portion of Lot 35 will be subdivided into a new tax lot and conveyed by the developer to ESD and back to the developer acquiring the remainder of the Bronx Psychiatric Center property.

ESD conducted a coordinated review pursuant to SEQRA in coordination with the review of the GPP under the Urban Development Corporation Act. ESD issued a Positive Declaration and a Draft Scope of Work for the EIS on November 20, 2015. This Draft Scope was widely distributed to concerned citizens, public agencies, and other interested groups. A public scoping meeting was held under the direction of ESD on December 7, 2015 from 4:00 PM to 7:00 PM at the Herbert H. Lehman High School Auditorium, 3000 East Tremont Avenue, Bronx, New York 10461. In addition to public comments received orally and in writing at the scoping meeting, written comments on the Draft Scope were accepted through 5:00 PM on December 22, 2015, at which point the public comment period for the Draft Scope closed. All comments received prior to the close of the comment period were considered by the lead agency and any changes as appropriate were included in the Final Scope of Work that was prepared and distributed on July 26, 2019.

A Draft Environmental Impact Statement (DEIS) was accepted by ESD on August 15, 2019, and a Notice of Completion issued. The DEIS was filed with involved and interested agencies and made available for public review. Oral and written comments were received during the public hearing held by ESD on September 16, 2019. Written comments were accepted from issuance of the DEIS through the public comment period which closed on October 16, 2019. A total of

five speakers presented oral comments at the public hearing and a total of 29 written submissions were received by ESD by the close of the public comment period.

A Final Environmental Impact Statement (FEIS) was accepted by ESD on December 19, 2019, and a Notice of Completion was issued. The FEIS includes a chapter addressing all comments received at the public hearing and submitted in writing (see Chapter 27). The FEIS was filed with all involved and interested agencies and made available for public review.

FACTS AND CONCLUSIONS IN THE FEIS RELIED UPON TO SUPPORT THE DECISION

PROJECT SITE

The proposed project entails the redevelopment of the northern portion of the OMH BPC campus located at 1500 Waters Place in the Morris Park section of the Bronx (the project site). The approximately 34-acre project site is generally bounded by Hutchinson Metro Center to the north, the Hutchinson River Parkway (HRP) to the east, the remaining portion of the Bronx Psychiatric Campus and Waters Place to the south, and Marconi Street to the west (see FEIS **Figures S-1 and S-2**). Independent of the proposed project, three primary existing BPC buildings on the project site—(1) the Bronx Children’s Psychiatric, (2) the John W. Thompson, and (3) the Betty Parker Buildings—have been vacated and uses were relocated to new BPC facilities located at the southern portion of the campus. In addition to these three existing, primary buildings, the project site contains a steam-generating powerhouse, two metal shelters, and a small storage building. OMH has vacated all of the buildings on the project site and has consolidated its services on the redeveloped 40-acre southern portion of the BPC campus.

PROJECT DESCRIPTION

The proposed project will redevelop the northern portion of the BPC campus with approximately 1.2 million gsf of commercial office space for business, professional, or medical facilities; 100,000 gsf of bio-tech/research space; 250,000 gsf of accessory use (250 residential units); 124,300 gsf of hotel use including up to 133 rooms and an 11,200-gsf conference space; 100,000 gsf of college/trade school space; 40,000 gsf of retail space to support campus employees and visitors; 2,000 gsf of community facility space; 8,100 gsf of accessory amenity space; 8.7 acres of open space (of which approximately 4.0 acres will be publicly accessible), including two baseball diamonds with a 2,000-gsf support building and supporting amenities; and approximately 4,029 accessory parking spaces (see FEIS **Figure S-3**).

The recently vacated Bronx Children’s Psychiatric Building, Thompson Building, and Parker Building have had their uses relocated to new BPC facilities located at the southern portion of the campus. The Bronx Children’s Psychiatric Building will be demolished under the proposed project. The Thompson Building and Parker Building (also known as Building 1 and Building 2, respectively) will be renovated and expanded with new additions. Portions of the existing first and second floor of the Thompson Building will be infilled and converted to a two-story parking garage (Parking Garage 4). At the Parker Building, the open ends of the existing H-plan structure will be enclosed. The Thompson Building is proposed to be renovated for educational, hotel, and office use, and the Parker Building is proposed to be renovated for office, community facility, bio-tech/research, and retail uses, although these buildings could contain other uses within the

envelope of the overall proposed project. A new three-story parking garage (Parking Garage 3) will be located north of the Thompson Building and a new six-story parking garage (Parking Garage 5) will be located east of the Parker Building. The existing surface parking lot between the Thompson Building and Parker Building will be reconfigured and expanded.

The proposed project will also include five new Buildings— Buildings 3, 4, 5, 6, and 7—for office, accessory, community facility, and retail uses, and a new retail building. Buildings 3, 4, 5, 6, and 7 will be located on the north portion of the project site, approximately in the location of the existing Children’s Hospital Building and existing ballfields. These new buildings will be 8 to 16 stories and range in size from 106,000 gsf to 330,000 gsf. Buildings 3, 4, 5, and 6 will have ground-floor retail. Buildings 3, 4, 5, and 7 will be connected by a new, shared, four-story parking garage with a private roof garden (Building 3/4 Garage and Building 5/7 Garage). Building 6 will be located northeast of Building 5 and will be connected to a new, three-story parking garage (Parking Garage 2). Surface parking lots will be located north of Buildings 5 and 7 and south of Building 6. All of the proposed project structures will be similar in appearance to existing buildings in the Hutchinson Metro Center.

The new retail building will be constructed along Marconi Street. The existing powerhouse on Marconi Street will remain and will be repurposed to provide accessory amenity space for the proposed project. New surface parking lots will be constructed adjacent to the powerhouse and proposed retail building.

The proposed project will remove the four existing baseball fields currently located on the project site, but will replace them with two baseball diamond fields. One baseball diamond will be regulation size and one will be little league size. Programming for the proposed replacement fields will be coordinated with local community athletic organizations and therefore the proposed fields are not considered public open space. The proposed project will also provide publicly accessible walking/biking paths with benches and new open space amenities in the vicinity of the proposed little league baseball field and landscaped passive recreation space. The proposed project will also include a private roof garden for project tenants on the shared parking structure connecting Buildings 3, 4, 5, and 7.

As noted above, the proposed project will include “accessory uses.” For the purposes of the proposed project, “accessory use” shall mean accessory housing located within the proposed project and reserved for those working or studying within the Hutchison Metro Center or the proposed project (and their families), including (i) students, faculty and staff (and their families) of any university, college, or trade school within the proposed project or the Hutchinson Metro Center; (ii) professionals, researchers, scientists, and/or employees (and their families) working for and at any medical biotechnical, healthcare, or research and development institution within the proposed project or the Hutchinson Metro Center; and (iii) employees (and their families) working for any other industry reasonably approved by ESD that occupies a portion of the proposed project or the Hutchinson Metro Center.

Site Access and Egress

New roads will be constructed to provide access within the project site and connect to the existing street network. A new access drive (East-West Road) will be constructed through the project site. Building entrances will be distributed adjacent to interior parking lots accessible by the East-West Road and other interior streets connected to Marconi Street, a public roadway. Access and

egress to the project site will primarily be through the East-West Road at Marconi Street, located across from the Hutchinson Metro Center Atrium driveway. As part of the proposed project, geometry and operational improvements will also be made at this intersection to accommodate the projected future traffic demand. These measures include relocating an existing Bx24 bus stop on Marconi Street from south to north of the intersection to facilitate the addition of a dedicated northbound right-turn lane. The construction of this lane will require an action to map private land to facilitate the proposed roadway geometry for the intersection of Marconi Street and the East-West Road. This mapping action will be undertaken by the developer in the future. The proposed project will also introduce one new driveway north of the East-West Road along Marconi Street to provide an additional access point for project-generated vehicle trips.

OMH has agreed to permit use of the BPC west access road by the developer's future newly tenanted building employees and accessory use residents for vehicle access/egress to and from the proposed project. The BPC west access road will provide a secondary access and egress point (at the intersection of Waters Place and BPC Driveway) for the future proposed project vehicular traffic demands (it will not be available for use by project-related pedestrian trips). This will be in addition to the main access point at the intersection of Waters Place and Marconi Street. The proposed project, at the request of OMH, will also relocate an existing Bx21 bus stop within the BPC campus to the intersection of Waters Place and BPC Driveway.

The East-West Road will terminate within the project site in Phase I and in Phase II will potentially connect with a service road along the southbound Hutchinson River Parkway if new access improvements to the HRP are constructed. Another internal access road (North-South Spine Road) will be constructed from approximately the Parker Building to the existing Hutchinson Metro Center roadway on the northern boundary of the project site. The East-West Road, North-South Spine Road, and BPC west access road are shown on FEIS **Figure S-3**.

Figure S-4 in the FEIS presents an illustrative axonometric view of the proposed project.

Phasing

Construction of the proposed project is expected to occur in two phases over a period of approximately nine years. Phase I is expected to be complete in 2023, with the full build-out of Phase II expected in 2028. Phase II of the proposed project is contingent on the construction of the HRP access improvements and assumes that the improvements will be constructed by 2028. There is currently no funding or plan to construct the HRP improvements by the New York City Department of Transportation (NYCDOT) by 2028; therefore, without some other means of addressing traffic expected to be generated by that year, the second phase of the proposed project cannot proceed.

Phase I will include the redevelopment of the Thompson and Parker Buildings and the development of a new retail building. Phase I will also include the construction of two new buildings (Buildings 3 and 4) for commercial and medical office use, community facility, accessory, and retail use. Phase I will include approximately 217,000 gsf of commercial office space and approximately 325,500 gsf of medical office; 100,000 gsf of bio-tech/research spaces; 100,000 gsf of accessory use (100 dwelling units); an approximately 124,300-gsf (133-room) hotel; an approximately 100,000-gsf college/trade school; approximately 33,500 gsf of retail; approximately 2,000 gsf of community facility space; 8,100 gsf of accessory amenity space; approximately 2,509 parking spaces; and approximately 309,700 sf (7.1 acres) of open space (of

which approximately 3.6 acres will be publicly accessible), including two new baseball fields. FEIS **Figure S-5** presents the site plan for Phase I of the proposed project.

Phase II will involve the construction of three new buildings (Buildings 5, 6, and 7) for commercial office, medical office, community facility, accessory, and retail uses. Phase II will include approximately 250,000 gsf of commercial office space, approximately 375,000 gsf of medical office space, 150,000 gsf of accessory use (150 dwelling units), 6,500 gsf of retail space, approximately 1,520 parking spaces, and approximately 71,500 sf (1.6 acres) of open space (of which approximately 0.4 acres will be publicly accessible).

Table S-2 in the FEIS provides a summary of the proposed project buildings, uses, and anticipated phasing. The height and number of stories presented in **Table S-2** in the FEIS reflect the project as currently proposed. In order to provide flexibility as the proposed project is developed, the GPP will allow approximately 25 feet in height (two stories) and associated floor area to be shifted among buildings within each phase. Any increases in height and floor area for one building will be accompanied by a commensurate decrease in height and floor area for another building in the same phase. Within Phase I, the shifts in height and floor area will be permitted between the Parker Building, Building 3, and Building 4. Within Phase II, the shifts in height and floor area will be permitted between Buildings 5, 6, and 7. Therefore, the maximum height for these buildings could be up to approximately 25 feet taller than shown in FEIS **Table S-2** (and another building would be shorter than shown). The total overall floor area within each phase of the proposed project will not change as a result of these reallocations. Where appropriate, the EIS assesses potential impacts based on the reallocated building heights.

PURPOSE AND NEED

In an effort to reduce its facilities footprint and optimize its service provision shifting from institutionalized to transitional/community-based settings, OMH has consolidated its operations and has created a smaller, 40-acre campus of newly constructed buildings adjacent to the project site. With this consolidation, OMH has vacated the 34-acre site occupied by three primary and four smaller buildings, and made it available for development. Building on this consolidation, the proposed project will activate and enliven an underutilized portion of the BPC campus and better connect the proposed uses to surrounding development at Hutchinson Metro Center.

In its 2013 Request for Developer Proposals for the project site, ESD identified development priorities for the project site, including the following:

- Maximizing economic impact;
- Creating recreational and community facilities;
- Creating programs and activities that promote and encourage public health and physical fitness; and
- Incorporating sustainable building practices and appropriate levels of Leadership in Energy and Environmental Design (LEED) or Energy Star certification.

The proposed project will be supportive of these priorities:

Maximize economic impact. The project site is located northeast of the Westchester Square Medical Center and east of Albert Einstein College of Medicine. Just north of the project site,

over 80 companies, medical practices, and healthcare organizations are located at Hutchinson Metro Center, which employs approximately 7,500 people and serves approximately 5,000 visitors every weekday. The Center includes Montefiore Health System, other community hospitals, ambulatory subspecialty organizations and the Montefiore Ambulatory Surgical Center. Within Hutchinson Metro Center, the Metro Center Atrium includes approximately 360,000 gsf of office and medical space, as well as retail and restaurants and a recently completed hotel. The proposed project will provide the opportunity for Hutchinson Metro Center to expand so the current base may continue to grow, and new companies can be located in the Bronx Community District 11, contributing to new quality employment.

Hutchinson Metro Center's success demonstrates the importance of public health issues to community, business, and healthcare leaders both in the Morris Park neighborhood of the Bronx and in New York City as a whole, and has highlighted the need for commercial space capable of supporting and addressing these concerns. The proposed project's adjacency to Hutchinson Metro Center will fulfill the need by providing proximate, high-quality, available development space capable of supporting a range of healthcare needs, from training to treatment to research to administration.

The proposed project will build on this economic activity, adding approximately 1.2 million gsf of complementary medical and professional office space, bio-tech/research space, and accessory uses to the project site. The proposed college/trade school will be focused on training entry-through mid-level technical and management professionals serving industries including healthcare, life sciences, engineering, nursing, research sciences and other emerging uses related to, or supportive of, healthcare and biotechnology industries, who could then be placed in jobs at the surrounding businesses and organizations. The proposed project is also anticipated to include a bio-tech incubator dedicated to emerging technologies and research in urban health care issues, which is intended to encourage additional participation in these fields.

Creating public recreation and community facilities and providing programs and activities that promote and encourage public health and physical fitness. The proposed project will include community facility space for members of Community District 11. The developer intends to explore partnerships that promote cultural and entertainment events, and other community activities on the project site and in coordination with Hutchinson Metro Center. The developer will also work with the community and healthcare partners such as Montefiore Health System to incorporate programs designed to promote and encourage public health. The proposed project will also include recreational amenities for the community and nearby schools. The proposed baseball diamonds will replace the four existing baseball fields on the site. The new fields will use state-of-the-art technology for drainage and turf, making them available for the majority of the year. Programming for the fields will be coordinated with local community athletic organizations. The project will also include a bike path to connect to the HRP bike path and to Marconi Street, with parking and resting stations at key locations.

Incorporating sustainable building practices and appropriate levels of LEED or Energy Star certification. The proposed project will incorporate sustainable building practices in both the renovated Parker and Thompson Buildings as well as the new buildings on the project site. The developer is committed to achieving LEED certification at the LEED-certified level and Energy Star rating, including incorporating the use of LED light fixtures, high solar reflective index

(SRI) rating on roofing materials designed to lower the heat island effect, low-flow plumbing fixtures, and electric vehicle charging stations.

The proposed project will provide multiple public benefits, including but not limited to:

- *Elimination of blight.* The project site has been deemed surplus property by OMH, and has been vacated by OMH in favor of new facilities constructed as part of the OMH consolidation project at the remaining OMH property. Absent a project to use the property, the project site will remain vacant, underutilized, subject to deterioration, and will continue to be a burdensome carrying cost to OMH. Such conditions will hamper or impede sound economic growth and development and impair or arrest the sound growth of the project area. The proposed project will eliminate substandard and insanitary conditions on the project site.
- *Job creation.* The proposed project will accommodate, in a concentrated location, the unique space needs of major health care institutions, entrepreneurs, and jobs; encourage and facilitate with the completion of Phase I of the project creation of approximately 1,900 construction jobs and 4,700 full-time permanent jobs, many of which will be in highly paid management, clinical, and technical positions. Phase 2 of the project will generate up to an additional approximately 700 construction jobs and 3,300 full time permanent jobs.
- *Creation of office and other supporting space.* As noted above, the proposed project will provide a total of approximately 1.2 million square feet of new, available, Class A office space to meet the future demand for such space in New York City, in addition to supporting hotel, college/educational space, and retail amenities.
- *Enhancement of tax bases.* The proposed project will restore a formerly state-owned and tax exempt property to New York State and New York City tax rolls as a direct result of an improved physical structure that will house substantially increased employment levels. This will substantially increase all forms of tax revenue from the project site, including real property taxes, sales taxes, and employee income taxes.

CONSIDERATION OF POTENTIAL ENVIRONMENTAL IMPACTS, FACTS AND CONCLUSIONS DISCLOSED IN THE FEIS

LAND USE, ZONING, AND PUBLIC POLICY

The FEIS analysis finds that both Phase I and Phase II of the proposed project will be compatible with existing uses in the surrounding area, and will not result in any significant adverse impacts to land use, zoning, or public policy. The proposed project will activate and enliven an underutilized portion of the BPC campus and better connect the proposed uses to surrounding development at Hutchinson Metro Center. It will also be consistent with and complement existing land uses surrounding the study area by providing new, available, Class A office space to meet the future demand for such space in New York City, in addition to supporting hotel, college/educational space, and retail amenities. The new uses on the project site will also complement the future Morris Park MNR station to be developed in the future independent of the proposed project.

The proposed project requires the adoption and affirmation of a GPP by ESD and approval of the Essential Terms of Transaction, including the acquisition and subsequent disposition of real property. The GPP is required to facilitate the project development. It will be administered by

ESD and will govern all development of the site, including site planning, land uses, and densities, and will establish design controls through Design Guidelines for the proposed project's buildings, open space, and other features. As part of the GPP, the project will require the override of the New York City Zoning Resolution. The zoning overrides are needed to facilitate development of the proposed project, which will provide public benefits such as elimination of blight from the project site, job creation, creation of office and other supporting space, and the enhancement of the tax base.

The proposed project will not include any changes to public policy on the project site or in the study area, and will be consistent with the public policies that currently govern the site and the surrounding area, including the NYS Coastal Zone Management Program, New York City Waterfront Revitalization Program, and the New York State *Smart Growth Public Infrastructure Policy Act*.

SOCIOECONOMIC CONDITIONS

The FEIS analysis finds that the proposed project will not result in significant adverse socioeconomic impacts. The following summarizes the conclusions for each of the five CEQR areas of socioeconomic concern.

Direct Residential Displacement

There are no residential units on the project site; therefore, the proposed project will not directly displace any residents and will not result in significant adverse socioeconomic impacts due to direct residential displacement.

Direct Business Displacement

The proposed project will not directly displace any businesses. Independent of the proposed project, the Bronx Children's Psychiatric, Thompson, and Parker Buildings have been vacated and the uses relocated to new BPC facilities located at the southern portion of the campus. Therefore, the proposed project will not result in significant adverse socioeconomic impacts due to direct business displacement.

Indirect Residential Displacement

The proposed project will not result in significant adverse impacts due to indirect residential displacement. The proposed project will include "accessory uses." For the purposes of the proposed project, "accessory use" shall mean accessory housing located within the proposed project and reserved for those working or studying within the Hutchinson Metro Center or the proposed project (and their families), including (i) students, faculty and staff (and their families) of any university, college or trade school within the proposed project or the Hutchinson Metro Center, (ii) professionals, researchers, scientists and/or employees (and their families) working for and at any medical biotechnical, healthcare or research and development institution within the proposed project or the Hutchinson Metro Center, and (iii) employees (and their families) working for any other industry reasonably approved by ESD that occupies a portion of the proposed project or the Hutchinson Metro Center. Therefore, the accessory uses will not directly influence the rental market. With respect to indirect influences of changing demographics, the average household income of the proposed project's tenants is expected to be greater than the

current average household income within the study area, but the overall size of the proposed project's population will not be large enough to affect residential market conditions.

Indirect Business Displacement

The proposed project will not result in significant adverse impacts due to indirect business displacement. The study area already has a well-established commercial office market, and therefore the proposed project will not be introducing new economic activities to the project site or to the study area that will alter existing economic patterns. The retail uses introduced by the proposed project will not be of an amount that will alter retail market trends within the study area. The retail added on the project site will be service-oriented and support the existing and future study area populations. In addition, the proposed hotel would not be considered substantial new development that is markedly different from existing uses, development, and activities within the neighborhood.

Adverse Effects on Specific Industries

The proposed project will not result in significant adverse impacts on specific industries. The proposed development will not significantly affect business conditions in any specific industry or any category of businesses, nor will it indirectly reduce employment or impair the economic viability of any specific industry or category of business.

COMMUNITY FACILITIES AND SERVICES

Based on the *CEQR Technical Manual* screening methodologies, detailed analyses of public high schools, public libraries, publicly funded child care centers, outpatient health care facilities and police and fire protection services are not warranted for either Phase I or Phase II. Detailed analyses of public elementary and intermediate schools are also not warranted for Phase I of the proposed project.

Pursuant to *CEQR Technical Manual* guidelines, a detailed analysis of potential indirect impacts on public elementary and intermediate schools was conducted for Phase II of the proposed project. As described in the following analysis and summarized below, the proposed project will not result in significant adverse impacts on public schools in the 2028 analysis year.

Potential Indirect Effects on Public Schools

Per *CEQR Technical Manual* guidance, the study area for the analysis of elementary and intermediate schools is the school districts' "sub-district," which in this case is Sub-district 1 of Community School District (CSD) 11.

In the 2028 Phase II analysis year for Sub-district 1/CSD 11, the utilization rate of elementary schools would be above 100 percent; however, the proposed project will not result in an increase of 5 percentage points or more in the collective utilization rate between the No-Action and the With-Action conditions. Therefore, the proposed project will not result in a significant adverse impact to elementary schools.

In the 2028 Phase II analysis year for Sub-district 1/CSD 11, the utilization rate of intermediate schools would be below 100 percent. Additionally, the proposed project will not result in an increase of 5 percentage points or more in the collective utilization rate between the No-Action

and the With-Action conditions. Therefore, the proposed project will not result in a significant adverse impact to intermediate schools.

OPEN SPACE

Direct Effects

The proposed project will remove the four baseball fields located on the project site, but will replace them with one regulation-size baseball field and one little league-size field by the completion of Phase I in 2023. These existing baseball fields are used by local community athletic organizations and are not open for general public use. Therefore, they are not considered public open space for the purposes of the EIS analysis. Programming for the proposed replacement fields will be coordinated with local community athletic organizations; however, they will be private and are not considered public open space for the purposes of the EIS analysis. Nonetheless, baseball fields will continue to be available for use by local community athletic organizations with the proposed project. During construction, the developer will keep two of the existing baseball fields (one Little League field and one intermediate/adult field) in operation (subject to temporary interruptions required to ensure public safety and seasonal closures) until the two new baseball fields are constructed. The proposed project will also provide publicly accessible walking/bike paths and new open space amenities and landscaped passive recreation areas. The proposed project will result in a net increase of passive open space, active open space, and total open space acreage available to the public. Overall, the proposed project will not result in any significant adverse direct effects to open space.

Indirect Effects

Potential indirect effects on open space were assessed for non-residential users in a ¼-mile study area and for residential users in a ½-mile study area. The quantitative assessment of open space is based on ratios of usable open space acreage to the study area populations (the “open space ratios”).

In the ¼-mile non-residential study area, there is no passive publicly accessible open space for non-residential users and therefore, the passive open space ratio does not meet the Department of City Planning (DCP) guideline of 0.15 acres per 1,000 non-residential users. With the addition of the proposed passive open space, the passive open space ratio would exceed the City’s planning goal of 0.15 acres per 1,000 workers in both phases of the proposed project, and would increase compared with No-Action conditions. Therefore, the proposed project will not result in significant adverse indirect impacts on open space resources in the non-residential study area.

As compared with the City’s planning goal open space ratios of 2.5 acres of total open space per 1,000 residents, including 0.50 acres of passive space and 2.0 acres of active open space per 1,000 residents, the study area is underserved by total and active open space in existing conditions and would continue to be underserved in the No-Action and With-Action conditions. However, the construction of the proposed passive and active open spaces will improve these ratios compared with No-Action conditions. Therefore, the proposed project will not result in significant adverse indirect impacts on open space resources in the residential study area.

SHADOWS

A detailed shadow analysis determined that the proposed project will cast new shadow on portions of two open space resources: the Hutchinson River Greenway for several hours of the afternoon on all days throughout the year and on Colucci Playground in late afternoons in the spring and fall. The exact duration and placement of the new shadow on the Hutchinson River Greenway will vary throughout the year but will generally fall between Buhre and Wilkinson Avenues, two streets located directly east of and perpendicular to the Hutchinson River Greenway. Shadows on Colucci Playground will be less extensive and contained within the park's southwest corner and adjacent to the intersection of Hutchinson River Parkway East and Wilkinson Avenue. The areas of both resources affected by new shadow will continue to receive sufficient durations of direct sunlight throughout the morning and neither the usability of their resource nor their ability to support vegetation will be significantly altered. Therefore, the proposed project will not result in a significant adverse shadows impact on the Hutchinson River Greenway and on Colucci Playground.

HISTORIC AND CULTURAL RESOURCES

The New York State Office of Parks, Recreation, and Historic Preservation (OPRHP) and the New York City Landmarks Preservation Commission (LPC) determined that the project site has no archaeological or architectural significance and that there are no archaeological or architectural resources in the study area that will be affected by the proposed project. Therefore, the proposed project will not result in any significant adverse impacts to historic and cultural resources.

URBAN DESIGN AND VISUAL RESOURCES

The proposed project will not result in significant adverse impacts on urban design or visual resources, or the pedestrian's experience of these characteristics of the built and natural environment. The proposed renovation of the existing buildings and the new buildings that would be constructed would be in keeping with the uses, height, massing, and material of buildings in the study area. The proposed project will improve the pedestrian experience of the project site and surrounding area and would provide active ground-floor uses at certain locations throughout the project site. With respect to visual resources, the proposed project will not block any publicly accessible view corridors or views to any visual resources.

NATURAL RESOURCES

Construction of the proposed project will result in the disturbance of mowed lawn with trees and urban structure exterior habitat, two ecological communities that provide limited habitat to wildlife other than species common to urban areas. Loss of this habitat area may adversely affect individual wildlife unable to find suitable available habitat in the vicinity of the study area. Loss of individuals of these common species would not result in significant adverse impacts to populations of these species within the New York City metropolitan region. Moreover, landscaping and the proposed project's green infrastructure such as the reduction of lawn areas (which provide nominal habitat for native wildlife), the creation of vegetative cover on barren soil areas, and the planting of shade, flowering, and native fruit bearing trees and shrubs for aesthetics and wildlife would improve conditions within the study area post construction and

have the potential to benefit natural resources. Finally, the proposed project will consider design features to minimize bird collisions, and thus impacts to migratory bird populations. Therefore, the proposed project will not result in significant adverse impacts on natural resources.

HAZARDOUS MATERIALS

The proposed project will not result in significant adverse impacts related to hazardous materials. The proposed project in both Phase I (2023) and Phase II (2028) would require extensive demolition/renovation, and excavation associated with construction of new buildings, utilities, new ballfields, parking and landscaping. Although these activities could increase the potential for exposure to the project site's hazardous materials (in the buildings and the subsurface), no significant adverse impacts related to hazardous materials would be expected to occur either during or following the construction of the proposed project, provided certain required measures are implemented as specified on pages 10-5 and 10-6 of FEIS Chapter 10, "Hazardous Materials."

WATER AND SEWER INFRASTRUCTURE

The proposed project will attract an increased amount of workers and visitors to the project site, which could create new demands on the City's water and wastewater sewer infrastructure. An increase in impervious surfaces in the future with the proposed project will increase the total amount of stormwater runoff on the project site; however, with the implementation of new infrastructure the proposed project will not result in significant adverse impacts on the water supply or wastewater conveyance and treatment systems.

As part of Phase I of the proposed project, it is assumed that the project will utilize existing OMH on-site sewer infrastructure to convey sanitary sewage until new, permanent sewer infrastructure is approved by the New York City Department of Environment Protection (DEP). This permanent sewer infrastructure would include a new lift station and interconnection with an existing internal sanitary lift station located on the Hutchinson Metro Center North property. The new gravity sewer infrastructure and lift station would convey sanitary sewage to the existing sanitary pump station. This existing pump station and existing 8-inch forced sewer main would convey sewage to the 156-by-108-inch New York City combined sewer located in Eastchester Road.

Stormwater collection, conveyance, and discharge would be improved with the development of the proposed project. The on-site stormwater conveyance system would discharge stormwater from the site to the existing storm sewer adjacent to the property line on the eastern side of the site, which connects downstream to a DEP storm sewer. Connection to the existing storm sewer will be subject to DEP site connection approval, which will require the incorporation of sanitary and stormwater source control best management practices (BMPs), as described on page 11-13 of FEIS Chapter 11, "Water and Sewer Infrastructure." A Stormwater Pollution Prevention Plan containing both temporary erosion and sediment controls and permanent water quality controls will be required to be prepared before commencing any construction activities.

The total sewer demand for the proposed project under both Phase I and Phase II would represent a very small proportion of the total average daily flow at Hunts Point wastewater treatment plant.

Therefore, the proposed project will not be expected to result in significant adverse impacts on the City's water and wastewater sewer infrastructure.

SOLID WASTE

The proposed project will not result in a significant adverse impact on solid waste and sanitation services, nor will it directly affect a solid waste management facility. The proposed project will generate an increment above the No-Action condition of approximately 61 tons per week of solid waste, of which approximately 8.18 tons (0.0071 percent of the City's anticipated future solid waste generation) would be handled by the New York City (NYC) Department of Sanitation (DSNY), and approximately 52.43 tons (0.071 percent of the City's anticipated future commercial waste generation) would be handled by private carters. This correlates to approximately 0.65 additional truckloads per week of solid waste handled by DSNY, and approximately 4 additional truckloads per week handled by private carters. Although this would be an increase compared with the conditions in the future without the proposed project, the additional solid waste resulting from the proposed project will be a negligible increase relative to the approximately 12,260 tons of solid waste handled by the DSNY or the 13,000 tons handled by private carters per day. As such, the proposed project will not result in an increase in solid waste that would overburden available waste management capacity. The proposed project will not conflict with, or require any amendment to, the City's solid waste management objectives as stated in the SWMP.

ENERGY

The proposed project will not affect the transmission or generation of energy. It is expected that the proposed project, upon completion of Phase II, will consume approximately 3.7×10^8 million British Thermal Units per year. This would not be considered a significant demand for energy. Therefore, the proposed project will not result in significant adverse impacts to energy supply or consumption, and no further analysis is warranted.

TRANSPORTATION

Traffic

Traffic conditions were evaluated at 29 intersections for the weekday AM, midday, and PM peak hours. In the 2023 With-Action without HRP Improvements condition, there would be the potential for significant adverse traffic impacts at 17 intersections during the weekday AM peak hour, 9 intersections during the weekday midday peak hour, and 16 intersections during the weekday PM peak hour. In the 2028 With-Action with HRP Improvements condition, there would be the potential for significant adverse traffic impacts at 18 intersections during the weekday AM peak hour, 10 intersections during the weekday midday peak hour, and 17 intersections during the weekday PM peak hour.

Table S-3 in the FEIS summarizes the potential significant adverse traffic impacts for both the 2023 With-Action without HRP Improvements and 2028 With-Action with HRP Improvements conditions.

Freeway facility traffic conditions were evaluated for the northbound and southbound HRP for the weekday AM, midday, and PM peak periods. In both the 2023 With-Action without HRP

Improvements and 2028 With-Action with HRP Improvements conditions, the proposed project will not result in the potential for significant adverse traffic impacts for the HRP mainline and ramps. This conclusion is based on the analysis results from the FREEVAL highway analysis methodologies. Because some of the projected queues, based on the HCS analysis, for the adjacent intersections could extend beyond the corresponding ramp analysis segments, actual conditions may be worse than the reported levels of service. Accordingly, four freeway locations under the 2023 With-Action conditions and two freeway locations under the 2028 With-Action conditions could experience potential significant adverse impacts, as identified below.

2023

- Northbound HRP: Mainline segment south of the East Tremont Avenue off-ramp (Exit 2) and the East Tremont Avenue off-ramp during the weekday AM and PM peak periods; and
- Southbound HRP: Mainline segment north of the Waters Place off-ramp (Exit 2) and the Waters Place off-ramp during the weekday AM, midday, and PM peak periods.

2028

- Northbound HRP: Mainline segment south of the East Tremont Avenue off-ramp (Exit 2) and the East Tremont Avenue off-ramp during the weekday AM and PM peak periods.

Potential measures to mitigate the projected traffic impacts are described below in “Summary of Mitigation Measures.”

In addition, the developer would undertake potential traffic calming measures and design features in coordination with OMH along the BPC west access road to facilitate its use as a secondary access and egress point for the future proposed project traffic demands, as described on pages 14-13 and 14-14 of FEIS Chapter 14, “Transportation.”

Transit

Based on a detailed assignment of project-generated subway trips and in consultation with New York City Transit (NYCT), it was determined detailed analysis of subway facilities and subway line-haul analysis would not be warranted.

Weekday AM and PM peak period bus line-haul analysis were evaluated for the Bx21 and Bx24 local bus routes. In the 2023 With-Action condition, there would be the potential for significant adverse bus line-haul impacts for the westbound Bx24 during the weekday AM peak hour and the eastbound and westbound Bx24 during the weekday PM peak hour. In the 2028 With-Action condition, there would be the potential for significant adverse bus line-haul impacts for the northbound Bx21, and eastbound and westbound Bx24 during the weekday AM peak hour, and the eastbound and westbound Bx24 during the weekday PM peak hour. **Table S-4** in the FEIS summarizes the potential bus line-haul impacts for both the 2023 and 2028 With-Action conditions.

Potential measures to mitigate the projected bus line-haul impacts are described below in “Summary of Mitigation Measures.”

Pedestrians

Weekday peak period pedestrian conditions were evaluated at key area sidewalk, corner reservoir, and crosswalk locations. Based on a detailed assignment of pedestrian trips, nine sidewalks, nine corners, and five crosswalks were selected for detailed analysis for the weekday AM, midday, and PM peak hours. In addition, the east and south crosswalks at the Marconi Street and Project Driveway intersection were included in the future No-Action and With-Action conditions analyses. Lastly, a new north crosswalk at the Marconi Street and Project Driveway intersection was also included in the With-Action condition pedestrian analysis. In the 2023 With-Action without HRP Improvements and 2028 With-Action with HRP Improvements conditions, the proposed project will not result in the potential for significant adverse pedestrian impacts.

Vehicular and Pedestrian Safety

Crash data for the study area intersections were obtained from NYCDOT for the period between January 1, 2014 and December 31, 2016. During this period, a total of 349 reportable and non-reportable crashes, zero fatalities, 358 injuries, and 60 pedestrian/bicyclist-related crashes occurred at the study area intersections. A rolling yearly total of crash data identifies one study area intersection as a high crash location—Eastchester Road and Waters Place. Potential pedestrian safety improvement measure such as restriping faded crosswalks can be implemented to improve pedestrian safety at this intersection by the Phase I completion of the proposed project.

Parking

Accounting for the parking supply and demand generated by the proposed project, the 2023 With-Action parking utilization is expected to reach a maximum of 63 percent of the on-site parking capacity during the weekday; and the 2028 With-Action parking utilization is expected to reach a maximum of 75 percent of the on-site parking capacity during the weekday. Therefore, the proposed project will not result in the potential for a parking shortfall or significant adverse parking impacts.

AIR QUALITY

The mobile source analyses determined that in the 2023 With-Action condition, concentrations of CO and fine particulate matter less than 10 microns in diameter (PM₁₀) due to project-generated traffic at intersections would not result in any violations of National Ambient Air Quality Standards (NAAQS). The results also determined that the CO and 24-hour PM_{2.5} increments are predicted to be below their respective *de minimis* criteria. However, in the 2028 With-Action, the maximum annual incremental PM_{2.5} concentration is predicted to exceed the *de minimis* criterion at the intersections of Marconi Street and Waters Place and Waters Place and Fink Avenue/HRP Southbound Off Ramp. Therefore, a significant adverse air quality impact is predicted at these locations. Accordingly, traffic mitigation measures were examined to avoid a potential significant impact at the affected intersections. Mitigation measures are discussed below in “Summary of Mitigation Measures.” No unmitigated significant adverse air quality impacts would remain upon incorporation of the traffic mitigation measures.

The analysis of the proposed parking facilities determined that they would not result in any significant adverse air quality impacts.

Based on the stationary source refined analysis, which evaluated the effects of nitrogen dioxide (NO₂) and PM_{2.5} emissions from the proposed project's natural gas-fired heating and hot water systems, with the implementation of stack location restrictions and low-NO_x burners as specified on pages 15-28 and 15-29 of FEIS Chapter 15, "Air Quality," there would be no potential significant adverse air quality impacts.

No industrial sources or large or major emission sources were identified within the project study area. Therefore, there would be no potential for a significant adverse impact on stationary source air quality from these sources.

CLIMATE CHANGE

The building energy use and vehicle use associated with the proposed project will result in up to approximately 39 thousand metric tons of carbon dioxide equivalent (CO₂e) emissions per year with the full build out of Phase II in 2028. Annual emissions would be less with the completion of Phase I in 2023.

The *CEQR Technical Manual* defines five goals by which a project's consistency with the City's emission reduction goal is evaluated: (1) efficient buildings; (2) clean power; (3) sustainable transportation; (4) construction operation emissions; and (5) building materials carbon intensity.

In accordance with the existing agreement between ESD and the developer, the developer is committed to achieving LEED certification at the LEED certified level and U.S. Environmental Protection Agency (USEPA) Energy Star rating (for all buildings with the exception of parking garages and the small retail building). The conditions of the GPP would specifically require that all buildings be designed and constructed to achieve at least a 5 percent reduction in energy expenditure relative to the ASHRAE 90.1-2013 standard (equivalent to the current building code requirement), be designed to earn the USEPA Energy Star, and achieve LEED and Energy Star certification. These commitments would result in energy expenditure lower than baseline buildings designed to meet but not exceed the minimum building code requirements by approximately 5 percent. Furthermore, additional energy savings would likely be achieved via guidance for tenant build-out, including a requirement for tenants to use Energy Star-rated appliances. The proposed project's commitment to building energy efficiency that exceeds the building code energy requirements would ensure consistency with the efficient buildings goal defined in the *CEQR Technical Manual* as part of the City's greenhouse gas (GHG) reduction goal.

The proposed project will also support other GHG goals by virtue of its proximity to public transportation, commitment to construction air quality controls and recycling construction materials, and the fact that as a matter of course, construction in New York City uses recycled steel and includes cement replacements. All of these factors demonstrate that the proposed project supports the GHG reduction goal.

Therefore, based on the proposed project's commitment to energy efficiency, its location, and the nature of construction in New York City, the proposed project will be consistent with the City's emissions reduction goals, as defined in the *CEQR Technical Manual*.

Regarding resilience to the impacts of potential climate change on the proposed project, the conditions of the GPP would require the proposed project be designed to be resilient to flood elevations of up to the base flood elevation defined by the Federal Emergency Management Agency (FEMA) at the time (currently 13 feet NAVD88) with 1 foot of freeboard plus sea-level rise projected by the New York City Panel on Climate Change (NPCC) for at least 50 years beyond the construction date for the high end of the “Middle Range” scenario (currently 39 inches). Until FEMA floodplains and/or NPCC projections are updated, the applicable elevation for design purposes would be 17 feet NAVD88, including 1 foot of freeboard. In the event that elevation and other solutions prove to be impracticable, the flood design may also include deployable flood protection for building openings (e.g., entrances). All critical infrastructure would be either elevated or sealed up to the above-defined design elevation.

NOISE

The proposed project will not result in any significant adverse noise impacts at nearby noise receptors. An analysis was completed to determine potential mobile source noise impacts at the OMH Bronx Behavioral Health Center facility located immediately south of the project site. This analysis concludes that potential increases in traffic on roadways within or surrounding the OMH Bronx Behavioral Health Center facility would not result in significant adverse noise impacts in either Phase I or Phase II.

The proposed project buildings would be constructed using standard construction methods, including insulated glass windows and air conditioning as an alternate means of ventilation. The buildings’ façades, including these elements, would be expected to satisfy the CEQR interior noise level requirements.

PUBLIC HEALTH

According to the *CEQR Technical Manual*, for most proposed projects, a public health analysis is not necessary. Where no significant, unmitigated adverse impact is found in other CEQR analysis areas, such as air quality, water quality, hazardous materials, or noise, no public health analysis is warranted. If, however, an unmitigated significant adverse impact is identified in one of these analysis areas, the lead agency may determine that a public health assessment is warranted for that specific technical area.

As described in the relevant analyses of the EIS, the proposed project will not result in unmitigated significant adverse impacts in any of the technical areas related to public health (hazardous materials, water quality, air quality, or noise). Therefore, the proposed project will not have the potential for significant adverse impacts related to public health.

NEIGHBORHOOD CHARACTER

The proposed project will not result in significant adverse impacts to neighborhood character. The proposed project will not result in significant adverse impacts in the areas of land use, zoning, and public policy; socioeconomic conditions; historic and cultural resources; urban design and visual resources; and noise. The proposed project will result in potential significant adverse traffic and bus-line haul impacts in the 2023 Phase I analysis year, and potential significant adverse traffic and bus-line haul impacts in the 2028 Phase II analysis year. Potential

mitigation measures to address the significant adverse impacts are identified, and these impacts would not result in a substantial change to the defining elements of neighborhood character. The proposed project will activate and enliven an underutilized portion of the BPC campus and better connect the project site to the surrounding area. The proposed project will be consistent with the study area's institutional neighborhood character and would result in a new mix of commercial and medical office, bio-tech/research, hotel, accessory, college/trade school, community facility, and retail uses along with open space and parking facilities, which would complement existing study area uses and improve the streetscape. Therefore, the proposed project will not have the potential to affect the defining features of the neighborhood, either through the potential for a significant adverse impact or a combination of moderate effects in relevant technical areas. The proposed project will not result in a significant adverse impact to neighborhood character.

CONSTRUCTION

Construction activities associated with the proposed project will not result in significant adverse impacts in any technical areas except for transportation; additional information for key technical areas is summarized below.

Transportation

Peak construction conditions were considered for the analysis. The proposed project is not expected to result in any significant adverse parking, transit, or pedestrian impacts during construction.

For purposes of the construction traffic analysis, the combined daily workforce and truck trip projections in the peak quarter were used as the basis for estimating peak-hour construction trips. The 2nd quarter of Year 3 construction (2022) was identified as the peak construction traffic period for Phase I, and the 1st quarter of Year 8 construction (2027) was identified as the peak construction period for Phase II. An analysis was also prepared to assess conditions when Phase I construction is completed and operational (2023) while Phase II is still under construction (until 2028). Construction of the proposed project will result in significant adverse traffic impacts during both Phase I and Phase II construction. For the 2022 Phase I construction With-Action condition, seven of the analyzed intersections would be significantly impacted during the weekday 6 AM to 7 AM construction peak hour and 12 of the analyzed intersections would be significantly impacted during the weekday 3 PM to 4 PM construction peak hour. With the implementation of traffic mitigation measures, some of which would include advancing operational mitigation measures identified below in "Summary of Mitigation Measures," the significant adverse traffic impacts identified during the weekday AM construction peak hour could be fully mitigated at all but one intersection and the significant adverse traffic impacts identified during the weekday PM peak hour could be fully mitigated at all but four intersections. Impacts at the Westchester Avenue and Ericson Place/Middletown Road intersection could not be fully mitigated during the weekday AM construction peak hour and impacts at the Morris Park Avenue and Eastchester Road; Marconi Street and Project Driveway; Westchester Avenue and Ericson Place/Middletown Road; and Waters Place and Westchester Avenue intersections could not be fully mitigated during the weekday PM construction peak hour. For the 2027 Phase II construction With-Action condition, eight of the analyzed intersections would be significantly impacted during the weekday 6 AM to 7 AM construction peak hour and 14 of the analyzed intersections would be significantly impacted during the weekday 3 PM to 4 PM construction

peak hour. The recommended traffic mitigation measures are expected to be effective in mitigating all of the significant adverse traffic impacts identified during the weekday AM construction peak hour except for two intersections and all of the significant adverse traffic impacts identified during the weekday PM peak hour except for six intersections. Impacts at the Waters Place and Fink Avenue/HRP Southbound Off-Ramp intersection and the Westchester Avenue and Ericson Place/Middletown Road intersection could not be fully mitigated during the weekday AM construction peak hour. Impacts at the Morris Park Avenue and Eastchester Road; East Tremont Avenue and Silver Street; Waters Place and Marconi Street; Waters Place and Fink Avenue/HRP Southbound Off-Ramp; Westchester Avenue and Ericson Place/Middletown Road; and Waters Place and Westchester Avenue intersections could not be fully mitigated during the weekday PM construction peak hour.

Air Quality

Measures would be taken to minimize pollutant emissions during construction in accordance with all applicable laws, regulations, and building codes. These measures would include dust suppression measures, idling restrictions, and the use of ultra-low sulfur diesel (ULSD) fuel. In addition, to minimize air emissions during construction, the developer would commit to the implementation of emissions reduction measures including the use of best available technologies (i.e., diesel particulate filters [DPFs]) and the use of newer and cleaner equipment during construction of the proposed project, as specified on pages 20-53 and 20-54 of FEIS Chapter 20, "Construction." With these measures in place, and based on the duration and intensity of construction activities, the location of nearby sensitive receptors, and an examination of construction on-road sources, the proposed project will not result in any significant adverse construction air quality impacts.

Noise

Construction of the proposed project will follow the requirements of the *New York City Noise Control Code (New York City Noise Code)* for construction noise control measures. Specific noise control measures will be described in a noise mitigation plan required under the *New York City Noise Code*. These measures will include a variety of source and path controls as specified on page 20-60 of FEIS Chapter 20, "Construction."

Noise resulting from construction of the proposed project will result in exceedances of the initial construction noise screening threshold at the OMH Bronx Behavioral Health Center facility immediately adjacent to the project site as well as the Bronx Psychiatric Center sports fields (consisting of the Van Nest Little League, Bronxchester Little League, Parkchester Little League, and other multi-use fields) located immediately southwest of the project site along Marconi Street. The exceedances at these receptors, which would occur at times only during the demolition, excavation, and foundation stages of construction on immediately adjacent work areas, are predicted to occur for approximately 8 non-consecutive months at the OMH facilities and 3 to 5 continuous months at the Bronx Psychiatric Center sports fields. Furthermore, construction of the proposed project will result in exceedances of *CEQR Technical Manual* noise exposure guidelines at the completed and occupied Thompson Building and Parker Building at times during the demolition, excavation, and foundation stages of construction on immediately adjacent work areas, which would last approximately 4 to 6 continuous months during Phase I of construction, and the proposed baseball fields during the demolition, excavation, and

foundation stages of construction on immediately adjacent work areas, which would also last approximately 6 to 16 non-continuous months during both phases of construction.

Since the exceedances of CEQR noise impact criteria would occur for a limited duration, they would not rise to the level of significance. Therefore, the proposed project will not result in significant adverse construction noise impacts.

ALTERNATIVES

The conclusion of the alternatives analysis is that the No-Action Alternative and No Unmitigated Significant Adverse Impacts Alternatives would not substantively meet the goals and objectives of the proposed project, while the Reduced Density Alternative would meet the goals and objectives of the proposed project to a substantially lesser degree than the proposed project. Each of the alternatives is summarized below.

No-Action Alternative

The No-Action Alternative assumes no discretionary actions would occur and the proposed project will not be implemented. The project site would remain underutilized. This alternative would avoid the proposed project's significant adverse impacts related to transportation, air quality, and construction impacts related to transportation. The No-Action Alternative would not meet the ESD's development priorities of maximizing economic impact; creating recreational and community facilities; creating programs and activities that promote and encourage public health and physical fitness; and incorporating sustainable building practices and appropriate levels of LEED or Energy Star certification. Overall, the No-Action Alternative would fail to meet the proposed project's principal goals.

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Significant Adverse Impacts Alternative considers several modifications of the proposed project to eliminate its unmitigated significant adverse impacts on traffic and construction-period traffic. To eliminate all unmitigated significant adverse impacts, the proposed project will have to be modified to the point that its principal goals and objectives would not be realized.

Reduced Density Alternative

The Reduced Density Alternative considers a project program that includes less total square footage of development, including less commercial office, medical office, accessory use, retail, parking square footage, and open space than the proposed project. The Reduced Density Alternative would include one phase of development with approximately 232,500 gsf less development than Phase I of the proposed project. Under the Reduced Density Alternative, there would be no second phase of development, unlike the proposed project. This alternative would include the development of the Parker Building; Thompson Building; retail building; amenities building; Parking Garage 3, 4, and 5; the surface parking lot between the Thompson Building and Parker Building; and the little league field. Buildings 3, 4, 5, 6, and 7, their associated parking garages, and the regulation-size baseball field would not be constructed under this alternative. This alternative would avoid some of the significant adverse transportation impacts and the significant adverse air quality impact that would occur absent the proposed traffic mitigation measures with Phase II of the proposed project. This alternative would be less

supportive of the goals and objectives of the proposed project, particularly the goal to maximize the economic impact of the project.

SUMMARY OF MITIGATION MEASURES TO BE IMPLEMENTED

ESD has identified a number of measures, described herein, that will either fully or partially mitigate the significant adverse impacts identified in the FEIS and summarized in this Findings Statement. ESD will require that the developer implement those measures and be responsible for any associated costs, through a Memorandum of Environmental Commitments (MOEC) that will be enforceable through a restrictive declaration recorded against the property.

Transportation

The proposed project could result in significant adverse impacts to traffic (surface streets and freeway facilities) and transit (bus) as detailed below. No significant adverse impacts were identified for pedestrians, parking, or vehicular and pedestrian safety.

Traffic: Intersections

In the 2023 With-Action without HRP Improvements condition, the proposed project will result in potential significant adverse traffic impacts at 17 intersections during the weekday AM peak hour, 9 intersections during the weekday midday peak hour, and 16 intersections during the weekday PM peak hour. In the 2028 With-Action with HRP Improvements condition, there would be the potential for significant adverse traffic impacts at 18 intersections during the weekday AM peak hour, 10 intersections during the weekday midday peak hour, and 17 intersections during the weekday PM peak hour.

Some of the locations where significant adverse traffic impacts are predicted to occur could be fully mitigated with the implementation of standard mitigation measures (e.g., signal timing changes, restriping and changing parking regulations). However, in the 2023 With-Action without HRP Improvements condition, the significant adverse traffic impacts at 14 intersections could not be fully mitigated during one or more analysis peak hours. These include the Waters Place intersections of Marconi Street, BPC Driveway, Fink Avenue/HRP Southbound Off-ramp, and Westchester Avenue; intersection of Project Driveway and Marconi Street; East Tremont Avenue and Silver Street; Westchester Avenue intersections of Ericson Place/Middletown Road, Tan Place, East Tremont Avenue, Commerce Avenue, and Waters Avenue; Morris Park Avenue and Eastchester Road; East Tremont Avenue and Ericson Place; and Pelham Parkway (eastbound) and Williamsbridge Road. In the 2028 With-Action with HRP Improvements condition, the significant adverse traffic impacts at 18 intersections could not be fully mitigated during one or more analysis peak hours. These include the 14 intersections identified in the 2023 With-Action without HRP Improvements condition and the intersection of Waters Place and Eastchester Road; Westchester Avenue and Blondell Avenue; Williamsbridge Road and Eastchester Road; and the intersection of East-West Road and HRP Service Road.

Traffic: Freeway Facilities (HRP)

The proposed project could experience potential significant adverse impacts at four freeway locations under the 2023 With-Action without HRP Improvements condition and two freeway locations under the 2028 With-Action with HRP Improvements condition.

The recommended traffic intersection mitigation measures could mitigate the 2023 With-Action projected freeway facility impacts at the northbound HRP mainline segment south of the East Tremont Avenue off-ramp (Exit 2) and the East Tremont Avenue off-ramp during the weekday PM peak period. However, in the 2023 With-Action without HRP Improvements condition, the potential significant adverse impacts at the northbound HRP mainline segment south of the East Tremont Avenue off-ramp (Exit 2) and the East Tremont Avenue off-ramp, and the southbound HRP mainline segment north of the Waters Place (Exit 2) and the Waters Place off-ramp could not be fully mitigated during one or more analysis peak periods. In the 2028 With-Action with HRP Improvements condition, the potential significant adverse impacts at the northbound HRP mainline segment south of the East Tremont Avenue off-ramp (Exit 2) and the East Tremont Avenue off-ramp could not be fully mitigated during one or more analysis peak periods.

Transit

Bus line-haul impacts were identified for the northbound Bx21 and eastbound and westbound Bx24 during the weekday AM peak hour, and the eastbound and westbound Bx24 during the weekday PM peak hour. Specifically, in the 2023 With-Action condition, there would be the potential for significant adverse bus line-haul impacts for the westbound Bx24 during the weekday AM peak hour and the eastbound and westbound Bx24 during the weekday PM peak hour. In the 2028 With-Action condition, there would be the potential for significant adverse bus line-haul impacts for the northbound Bx21, and eastbound and westbound Bx24 during the weekday AM peak hour, and the eastbound and westbound Bx24 during the weekday PM peak hour. Increases in service frequency for the northbound Bx21 and eastbound and westbound Bx24 would fully mitigate the projected line-haul impacts.

Summary

Implementation of proposed traffic mitigation measures would be subject to approval by NYCDOT prior to installation. The traffic mitigation measures include primarily signal timing changes, restriping and changes to parking regulations—standard measures routinely implemented throughout the City and generally considered to be feasible. As part of the traffic mitigation, the developer would commit to undertake a post-approval traffic monitoring plan (TMP). The developer in coordination with ESD will submit for NYCDOT’s review and approval a TMP for a proposed scope for the monitoring approximately six months prior to the completion and occupancy of the proposed project. The developer will be obligated to provide the traffic mitigation measures subject to NYCDOT approval through a MOEC that will be enforceable through a restrictive declaration recorded against the property. Regarding the significant adverse bus line-haul impacts, reducing headways by increasing the number of buses for the impacted routes would mitigate the bus line-haul impacts. These changes would take place, subject to NYCT’s fiscal and operational constraints.

Air Quality

The proposed project will result in a significant adverse air quality impact at the intersections of Marconi Street and Waters Place and Waters Place and Fink Avenue/HRP Southbound Off Ramp. Maximum concentrations at each of these locations are predicted to exceed the annual *de minimis* criterion for fine particulate matter less than 2.5 microns in diameter (PM_{2.5}) of 0.1 µg/m³ for the Phase II 2028 With-Action condition.

The results of a mobile source analysis with the proposed traffic mitigation measures for these two intersections indicate that annual incremental concentrations of PM_{2.5} would be substantially lower than the With-Action condition, and would not exceed the *de minimis* criterion for PM_{2.5}. Therefore, no unmitigated significant adverse air quality impacts would remain upon incorporation of the traffic mitigation measures.

Construction

Construction of the proposed project will result in temporary significant adverse traffic impacts during the peak construction period for both Phase I and Phase II construction. The same or similar traffic mitigation measures identified to mitigate the operational impacts could be implemented early at the discretion of NYCDOT to mitigate the temporary traffic impacts during construction.

UNAVOIDABLE IMPACTS

Transportation

Under the 2023 and 2028 With-Action conditions, a number of significant adverse traffic impacts could not be fully mitigated during one or more analysis peak hours. In the 2023 With-Action without HRP Improvements condition, the significant adverse traffic impacts at 14 intersections could not be fully mitigated during one or more analysis peak hours. These include the Waters Place intersections of Marconi Street, BPC Driveway, Fink Avenue/HRP Southbound Off-ramp, and Westchester Avenue; intersection of Project Driveway and Marconi Street; East Tremont Avenue and Silver Street; Westchester Avenue intersections of Ericson Place/Middletown Road, Tan Place, East Tremont Avenue, Commerce Avenue, and Waters Avenue; Morris Park Avenue and Eastchester Road; East Tremont Avenue and Ericson Place; and Pelham Parkway (eastbound) and Williamsbridge Road. In the 2028 With-Action with HRP Improvements condition, the significant adverse traffic impacts at 18 intersections could not be fully mitigated during one or more analysis peak hours. These include the 14 intersections identified in the 2023 With-Action without HRP Improvements condition and the intersection of Waters Place and Eastchester Road; Westchester Avenue and Blondell Avenue; Williamsbridge Road and Eastchester Road; and the intersection of East-West Road and HRP Service Road.

Construction

Transportation

There is the potential for temporary significant adverse traffic impacts during the Phase I and Phase II peak construction periods that could not be fully mitigated during one or more analysis peak hours. For Phase I peak construction, the temporary significant adverse traffic impacts at the intersections of Morris Park Avenue and Eastchester Road; Marconi Street and Project Driveway; Westchester Avenue and Ericson Place/Middletown Road; and Waters Place and Westchester Avenue could not be fully mitigated during one or more construction analysis peak hours. Under Phase II peak construction, the temporary significant adverse traffic impacts at the intersections Morris Park Avenue and Eastchester Road; East Tremont Avenue and Silver Street; Waters Place and Marconi Street; Waters Place and Fink Avenue/HRP Southbound Off-Ramp; Westchester Avenue and Ericson Place/Middletown Road; and Waters Place and Westchester Avenue intersections could not be fully mitigated during one or more construction analysis peak hour.

GROWTH-INDUCING ASPECTS

Proposed actions may induce primary growth by expanding the numbers of employees on a site or secondary growth if further development is triggered by the proposed actions. In an environmental context, secondary growth is the main concern. Actions that may result in secondary growth effects include actions that introduce a substantial amount of new residents or new employment that could induce additional development of a similar kind and/or development of support uses (e.g., stores to serve new residents or employees). In addition, actions that result in the expansion of infrastructure capacity (e.g., sewers, central water supply, or roadways) could also induce secondary growth. The FEIS analysis concludes the proposed project will not “induce” new growth in the study area.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES

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

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

These commitments of land resources and materials are weighed against the benefits of the proposed project, which would introduce approximately 1.2 million gross square feet of complementary medical and professional offices to the vacated project site, along with biotech/research, accessory, hotel, retail, community facility, and recreation uses. The proposed project will provide multiple public benefits, including but not limited to elimination of blight; job creation; creation of office and other supporting space; and enhancement of tax bases. This proposed project will be expected to substantially improve the vacant and underutilized project site. Overall, the proposed project will not represent a substantial new irreversible and irretrievable commitment of energy resources for building operations.

CUMULATIVE IMPACTS

Cumulative impacts result from the incremental consequences of an action (the proposed project) when added to other past, present, and reasonably foreseeable future actions. The cumulative effects of an action may be undetectable when viewed in the individual context of direct and even indirect impacts, but nevertheless can eventually lead to a measurable environmental change. Cumulative impacts are the net result of both the proposed project and other projects planned near and around the project site. According to the *CEQR Technical Manual*, cumulative impacts are two or more individual effects on the environment that, when taken together, are significant or that compound or increase other environmental effects.

The various EIS chapters address cumulative impacts by comprehensively defining the environmental setting expected in the No-Action condition, including a discussion of development projects expected to be completed independent of the proposed project, and the baseline growth in the No-Action condition.

The proposed project in combination with the other future development projects evaluated in the EIS would result in changes in the future conditions in the analysis study areas, and would result in certain cumulative significant adverse impacts. As presented in the various EIS chapters, the proposed project is expected to result in significant adverse impacts to transportation, air quality, and construction-period transportation. Measures have been examined to minimize or eliminate the anticipated impacts and are presented above in “Summary of Mitigation Measures.” The proposed project will also have beneficial cumulative effects by transforming the vacated project site with the development of medical and professional offices proximate to surrounding businesses and healthcare organizations including Hutchinson Metro Center, the BPC campus, the Westchester Square Medical Center, and Yeshiva University’s Albert Einstein College of Medicine.

CERTIFICATION OF FINDINGS

Having considered the DEIS and FEIS, including the comments on the DEIS and responses thereto, and the preceding written facts and conclusions relied upon to meet the requirements of 6 NYCRR 617.9, ESD finds and certifies that:

1. The Corporation has given consideration to the FEIS prepared for the Project;
2. The requirements of the SEQRA process, including the implementing regulations of the New York State Department of Environmental Conservation, have been met;
3. Consistent with social, economic and other essential considerations from among the reasonable alternatives available, the Project is one that will avoid or minimize significant adverse environmental impacts to the maximum extent practicable, including the impacts disclosed in the FEIS;
4. Consistent with the social, economic and other essential considerations the significant adverse environmental impacts associated with the development of the Project which were identified in the FEIS will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigative measures described in the FEIS

Agency: **NYS Urban Development Corporation d/b/a
Empire State Development**

Signature of Responsible Officer: 

Name/Title of Responsible Officer: Rachel Shatz, Vice President, Planning & Environmental Review

Date: January 16, 2020