



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

**CITY ENVIRONMENTAL QUALITY REVIEW
NOTICE OF COMPLETION FOR THE
FINAL ENVIRONMENTAL IMPACT STATEMENT**

EAST 125TH STREET DEVELOPMENT

Lead Agency: Office of the Deputy Mayor for Economic Development

Lead Agency Representative: Robert R. Kulikowski, Ph.D.

CEQR Number: 07DME025M

SEQR Classification: Type 1

Date Issued: August 14, 2008

Location: Area generally bounded by East 127th Street, East 125th Street, Third Avenue and Second Avenue.

Pursuant to City Environmental Quality Review, Mayoral Executive Order 91 of 1977, as amended, and the City Environmental Quality Review Rules of Procedure found at Title 62, Chapter 5 of the Rules of the City of New York (CEQR), and the State Environmental Quality Review Act, Article 8 of the New York State Environmental Conservation Law and its implementing regulations found at Part 617 of 6 NYCRR (SEQRA), a Final Environmental Impact Statement (FEIS) has been prepared for the actions described below and is available for public inspection at the offices listed on the last page of this notice. A draft Scope of Work for the EIS was issued and distributed on June 20, 2007. A public scoping meeting was held on July 19, 2007 at Tiano Towers, 2253 Third Avenue, New York, New York, to accept oral comments, and written comments were accepted until July 30, 2007. The final Scope of Work was issued on February 15, 2008. A public hearing on the Draft Environmental Impact Statement (DEIS) was held in conjunction with the City Planning Commission's public hearing pursuant to the

Uniform Land Use Review Procedure (ULURP) on July 23, 2008 at the New York City Department of City Planning's Spector Hall at 22 Reade Street, Manhattan, New York. Written comments on the DEIS were accepted until 5:00 PM on August 4, 2008. A Statement of Findings (SOF) for the FEIS will be issued no sooner than August 25, 2008.

1. PROJECT DESCRIPTION

The East 125th Street Development includes three parcels situated on approximately six acres in East Harlem, from East 127th Street to East 125th Street, and from Third Avenue to Second Avenue. The project, when complete, would include approximately 1.7 million square feet of new residential, retail and commercial uses. The Project Site includes a Metropolitan Transportation Authority (MTA) at-grade bus storage facility and the development would include an underground replacement facility for these operations. An off-site parcel that is on the same block, but not part of the East 125th Street Development, is also within the proposed rezoning area, although no new development is proposed for that off-site parcel at this time.

The Project Site consists of three parcels of land: Parcel A, the northernmost parcel located between East 126th Street and East 127th Street; Parcel B, occupying a full block between East 125th Street and East 126th Street; and, Parcel C, a corner parcel at the intersection of Third Avenue and East 125th Street. An off-site parcel that is on the same block as Parcel A is included in the proposed rezoning action, but is not part of the East 125th Street Development. It is located at the corner of Third Avenue and East 127th Street (Block 1791, Lot 44).

The development program includes up to 1,000 units of low, moderate, and middle income housing; approximately 470,000 square feet of retail/entertainment space (including 300,000-square feet of anchor retail, and approximately 120,000 square feet of specialty retail/entertainment space, and 50,000 square feet of local retail); 300,000 square feet of commercial office space for media and production/post-production companies; 30,000 square feet of not-for-profit performing/media arts space; a 100,000-square foot hotel; and, a minimum of 12,500 square feet of public open space. A total of approximately 600 vehicular parking spaces are proposed on the site's two northerly blocks, with 200 spaces proposed for Parcel A and 400 spaces proposed for Parcel B. The vehicular parking would be accessed from East 126th Street and East 127th Street. A 109,000-square foot, 80-space underground bus storage facility would be located on Parcel A

The proposed program of development was the result of ongoing consultations with a Task Force begun in 2006 through Manhattan Community District #11 and local elected officials. The development program responded directly to Task Force concerns including the need for affordable housing, and local economic development, retail and cultural uses. The project reflects the overall goals of the Task Force for the Project Site to create a dynamic retail, residential, entertainment and media destination for upper Manhattan.

The proposed action in the DEIS included an underground MTA bus garage on Parcel A to accommodate the 80 buses that are currently parked on a surface lot there. Subsequent to the issuance of the DEIS, the MTA Bus Depot Expansion Alternative ("Depot Alternative") has emerged as the preferred option for the project. This alternative includes the relocation of the existing bus parking from Parcel A to the bus depot directly across Second Avenue. Under this alternative, no underground MTA bus garage would be located on Parcel A. The space that was

reserved within Parcel A for bus parking would be redistributed for non-residential uses, and the building would have a shallower basement, with less excavation required compared to the proposed action. Additionally, this alternative would increase the amount of retail space on Parcel A by approximately 19,000 square feet. Vehicular parking for the proposed project would continue to be located on both Parcel A (approximately 200 spaces) and Parcel B (approximately 400 spaces).

The Depot Alternative would be more compatible with the overall mixed-use program of development for the project site. Buses would not enter or exit the proposed buildings on East 126th Street or East 127th Street, and the bus parking would be relocated to an adjacent manufacturing district above an existing MTA Bus Depot. In order to relocate the bus parking, a two story addition to the existing MTA Bus Depot would be required and increases in shadow and urban design effects would be expected. However, these incremental increases in shadows and additional building height would not result in significant adverse impacts. These and other topics are fully analyzed in the FEIS.

To account for project construction and relocation of the bus parking to the existing depot site, the year of completion for the project has been extended from 2012 to 2016. The Build Year for the proposed action and all alternatives has been changed to 2016 in the FEIS. The revised analyses resulting from this change in Build Year do not significantly alter the conclusions or findings of the DEIS with regard to either project impacts or proposed mitigation, which would remain the same in both 2012 and 2016. Utilization of open space, community facilities and infrastructure resulting from other planned projects and background growth would increase to a minor extent with a 2016 Build Year compared to 2012. As described fully in the FEIS, the Depot Alternative would result in generally similar demands on services, and similar traffic, air quality and noise effects as the proposed action since the Depot Alternative would include the mixed-use development project as originally proposed.

2. PROPOSED ACTIONS

The Proposed Actions consist of a number of public approvals, which are summarized below:

- Zoning map amendments to change the underlying zoning from M1-2, R7-2 and C4-4 to a C6-3 or similar district to allow the proposed mix of uses and amount of proposed floor area.
- Disposition of City-owned property and designation as an Urban Development Action Area project to facilitate the development of a residential project with ground floor retail on a site within the proposed rezoning area.
- Harlem-East Harlem Urban Renewal Plan Amendment to enable land use changes, new acquisition parcels, new expiration date and supplementary controls within the boundaries of the urban renewal area.
- Modification of the Large Scale Residential Development Plan which covers an area in and around the project site to remove the plan boundary from several of the parcels on the

project site. Lifting these restrictions enables the uses and densities envisioned as part of the proposed project.

- City Planning Certification pursuant to the Special Transit Land Use District (Section 95-041 of the *NYC Zoning Resolution*), to certify whether an easement volume is required on the project site for the Second Avenue subway construction.

3. PROBABLE IMPACTS OF THE PROPOSED PROJECT

Land Use, Zoning and Public Policy

Land Use: Current land uses on the project site include parking facilities, several vacant lots, small scale commercial development, mixed-use buildings that do not appear to have occupied residential dwelling units, light industrial/auto-related uses, and an MTA bus storage surface parking facility located between East 126th and East 127th Street. The majority of the area is occupied by vacant land and transportation and utility uses such as bus storage or parking lots. The remaining lots are primarily occupied by commercial buildings. Existing buildings contain a carpet/flooring store, a dry cleaner, salon, an autobody shop (muffler and transmission repair) with an upper floor health services clinic, a vacant automobile repair shop, an appliance parts store, a gas station, a donut shop, a flat tire repair shop, an antique store with upper floor apartments that appear to be used for commercial storage, and a motorcycle dealership.

To the north of the Project Site, the predominant land uses are commercial and institutional, including a car dealership, a public school, food stamp center, day care center and other institutional uses to the northwest. Further to the northeast, is Harlem River Park, with a portion of the park currently used for bus storage.

Exit ramps of the Triborough Bridge are located east of the project site, along with a small landscaped park fronting on East 125th Street. Also located to the east are a mix of multi-family dwellings, vacant lots and surface parking. Blocks south of the project site contain residential development, open space, and commercial and mixed use buildings. To the southeast are a U.S. Post Office, a fire station, and various commercial uses including a hardware store and electrical supply store. West of the Project Site the residential and commercial mix continues with a Pathmark grocery store, Salvation Army building, Department of Motor Vehicles, a parking lot, and mid-rise residential buildings.

As a result of the proposed action, existing vacant land, commercial and parking uses on the project site will be replaced with high density residential and commercial uses, typical of the 125th Street corridor and other similarly zoned areas. New tower-type construction will be located above a retail base that will reflect the street level activity and pedestrian orientation of other portions of 125th Street. Proposed towers would be compatible with area building heights that include 325-foot towers several blocks to the south (Taino Towers).

The project will re-establish residential use on the project site that was replaced in the past through demolition of apartment buildings and row houses, and commercial conversions, restoring the sense of a 24-hour neighborhood in this vicinity. The project would provide much

needed affordable housing (100 percent of the low, moderate, and middle income residential units), and current local residents will be given preference in applying for the proposed housing.

Major office development would be introduced that would strengthen the role of 125th Street as an employment center and bring workers and visitors to an area where it is well served by mass transit. The resulting revitalization, including an open space plaza intended to complement the residential and commercial uses, is expected to bolster local economic development initiatives that have been underway in East Harlem for many years.

Zoning: The proposed action would amend the zoning map and replace the existing M1-2, R7-2 and C4-4 districts that are currently mapped in the rezoning area with a single C6-3 district. The C6-3 district allows for higher densities and would also permit the mix of residential, commercial and community facility uses proposed for the East 125th Street Development project. The MTA bus storage facility that is proposed is considered to be a continuation of a pre-existing conforming use.

The proposed zoning would be complimentary to the 125th Street Corridor Rezoning and Related Actions project, as it recognizes the increasing importance of 125th Street as a commercial corridor in Upper Manhattan. The proposed zoning change would support the redevelopment of a long underutilized site into a regional, mixed-use destination site, which has easy access to existing open space and transportation resources. It would be further complemented by increased transit access to be offered by the Second Avenue subway once it is completed. The proposed zoning is consistent with the redevelopment vision for this area, which would not be achieved without this or similar zoning changes.

Public Policy: The proposed project would be consistent with public policies that guide the development of the primary and secondary study areas, including: Community District 11 197-a Plan, the Harlem East Harlem Urban Renewal Plan, the Upper Manhattan Empowerment Zone, and East Harlem Empire Zone. In the secondary study area, policies include the Comprehensive Manhattan Waterfront Plan, Waterfront Revitalization Program (WRP), and the East Harlem Rezoning, a DCP-proposed zoning map amendment adopted in June 2003 affecting 57 blocks in East Harlem between East 99th and East 122nd Streets, east of Lexington Avenue. Thus the proposed actions would be consistent with existing policy and plans, and would not result in significant adverse impacts to public policy.

Socioeconomic Conditions

The socioeconomic study area is expected to continue to experience housing and commercial revitalization in the future with or without the proposed action. The proposed action would contribute to the future strengthening of the 125th Street corridor as a shopping, cultural, and employment center, and as a desirable residential neighborhood; however, it would result in the direct displacement of a small number of formerly occupied residential units and an estimated eleven businesses and 79 employees.

With 1,000 units of proposed housing divided between low, moderate, and middle income units, the East 125th Street Development would have the beneficial socioeconomic effects of

reestablishing residential use on the project site, preserving the mixed income nature of the community, and expanding the area's housing supply to address strong local and citywide demand for affordable housing. New residents would bring millions of dollars per year in additional spending power that would be available for capture by existing and proposed retail and service establishments. Because the anticipated growth in the number of households and household spending is large and the amount of retail development expected under the proposed action is modest compared to the existing magnitude of commercial development in the study area, it can be assumed that household demand for retail and neighborhood services would reasonably support both new neighborhood goods and service shops expected under the proposed action, as well as existing retail and service establishments.

Regarding direct business displacement, it is estimated that approximately eleven businesses and 79 employees would be directly displaced as a result of the proposed action. Although all of the businesses subject to displacement make some contribution to the City's economy, they are not providing substantial economic input to the City or region. None of the products or services provided by the displaced businesses is unique to the City or the region, and similar products and services are offered at other locations borough- and Citywide. Since these business operations do not require that they remain in the proposed action area and they would not be classified as having substantial economic value to the City or region, there would not be a significant adverse impact on businesses or consumers were any of these businesses to be displaced.

The proposed action is not expected to result in significant negative impacts as a result of direct displacement. The number of formerly occupied residential units that would be displaced by the East 125th Street Development (approximately four) is small in comparison to the number of units present in the primary study area, and the displacement of this small number of units, if they were to be re-occupied, would not be expected to result in a significant change to neighborhood character. Therefore, no mitigation measures are proposed related to direct residential displacement.

With regard to secondary or indirect residential displacement, segments of the local population in areas surrounding the project site could be vulnerable to displacement pressures as a result of rising land values and rents, especially low income households in unprotected buildings may be forced to move due to rising rents. Even with the provision of the substantial amount of affordable housing proposed by the East 125th Street Development, some degree of potential indirect residential displacement resulting from the proposed action might remain unmitigated.

Community Facilities and Services

The *CEQR Technical Manual* defines community facilities as public or publicly funded facilities including schools, hospitals, libraries, day care centers, and fire and police protection services. The assessment of potential impacts on community facilities and services is based on the number of new potential users of community facilities and services that would be generated by a new development project. The 1,000 units of affordable housing created by the East 125th Street Development project would introduce 2,570 residents to the area, including 120 elementary, 30 intermediate, and 50 high school students. Schools, libraries, health care facilities, and publicly funded day care centers all have excess capacity to accommodate this population increase.

Regarding fire and police protection services, the *CEQR Technical Manual* requires an assessment of service delivery only if a proposed action would directly affect the physical operations of a precinct house or station house. Since the proposed action would not directly affect existing police and fire facilities, an assessment was not warranted. Therefore, there would be no significant adverse impacts on community facilities as a result of the proposed action.

Open Space

The proposed action includes a new 12,500 square foot midblock plaza located on either side of East 126th Street (10,000 square feet on the southern block and 1,250 square feet on the northern block). This plaza would function as a small public square, offering a variety of places for workers and residents, and visitors of all ages to walk, sit, eat, play, or relax, and areas for events, or outdoor performances. The plaza is also intended, in part, to support commercial and non-commercial activities both within and at the edges of the plaza, such as moveable food stands, local retail kiosks, and booths for local artists and artisans. The plaza would also serve residents and patrons of stores and commercial venues that could be open at night such as a cinema, a hotel, restaurants and cafes. This space would provide a center for night life that would increase pedestrian activity at night.

In addition to the publicly accessible open space at ground level, the project includes rooftop passive open space atop the retail base of the mixed-use buildings on Parcel A and Parcel B that would be accessible to those residing and working at the project site. Such private open space may include rooftop gardens with areas for seating and planting.

Within the residential study area the shortage of active open space results in an open space ratio that is below DCP's guideline of 2.0 acres of active space per 1,000 residents. However, several large regional open space resources lie partially or completely outside the study area and have active open space amenities that are easily accessible to residents within the study area. The proximate location of these large regional open space resources would serve to moderate the shortfall of active open space resources within the study area. The open space study area has a significant amount of existing open space in comparison to many other areas in Manhattan and should continue to have sufficient open space resources in the future. Significant adverse impacts to open space would not result from the proposed action.

The proposed East 125th Street Development project would neither result in any direct displacement of existing open space resources in the study area, nor would the proposed action significantly exacerbate the deficiency in open space that currently exists in this area. It would add public space where none currently exists and this proposed on-site passive open space would help offset the increased residential population's additional demand on the study area's open space resources.

Shadows

Following the guidelines in the *CEQR Technical Manual*, a shadow assessment is appropriate when a project site is adjacent to a park, historic resource, or important natural feature, and when

a proposed action would result in a building 50 feet in height or greater. The East 125th Street Development site is near several accessible open spaces, and the project itself would result in the creation of new publicly accessible open space on the project site.

Most shadow sensitive resources in the study area would not experience shadow impacts from the proposed project. Five existing resources would experience incremental shadow impacts from the proposed project, but most of those impacts would not be considered significant according to the *CEQR Technical Manual*. The only significant shadow impacts from the proposed project on existing shadow sensitive resources would be on the eastern portion of the PS 30 Playground in the winter, which would reduce the usability of this open space in the morning hours during the coldest months. Most of the shadow impact on the PS 30 Playground would result from the reasonable worst cast development scenario pertaining to the off-site parcel (Lot 44 of Block 1791, currently the Moravian Church) that is to be rezoned only, with no actual development proposed at this time.

As discussed above, the proposed action includes a new 12,500 square foot midblock plaza located on either side of East 126th Street (10,000 square feet on the southern block and 1,250 square feet on the northern block). The buildings developed as part of the proposed action will cast shadows on this open plaza during certain times of the day. Because the creation of this open space is part of the proposed action, these shadows are not considered a significant adverse impact.

Neighborhood Character

Overall, the proposed action would alter neighborhood character in beneficial ways, by bringing significant improvements to the urban form of the project site and the surrounding area and providing for the replacement of underutilized land and predominately low density commercial uses with high density residential and commercial development. The new mixed-use development generated by the proposed action would include “active” ground floor retail uses which in turn would encourage pedestrian activity and enhance the area’s streetscape. In addition, residential and office uses on the project site would strengthen the area as a 24-hour neighborhood that would bring increased pedestrian traffic to the area sidewalks.

The proposed office tower at the corner of Third Avenue and East 125th Street, and the proposed residential and hotel uses would also foster pedestrian activity. While taller than most of the new buildings built or planned for the study area, the heights of proposed buildings would not be exceptional in the study area. The proposed project would encourage growth and development in this area of Manhattan, and the increased built density of the project would be in keeping with changes that are currently occurring and planned along the 125th Street corridor and the surrounding area.

Urban Design and Visual Resources

The *CEQR Technical Manual* states the urban design components and visual resources determine the “look” of a neighborhood – its physical appearance, size and shape of buildings, their arrangement on blocks, street pattern, and noteworthy views. In the proposed project,

primarily vacant and underutilized land on the project site would be replaced with a new mixed use development that would transform the project site from its substantially degraded urban design condition into an active, multi-use site. It would bring activity further east in the 125th Street corridor, changing portions of its eastern end that are primarily zoned for manufacturing uses to be more consistent with the mixed-use pattern that is prevalent on blocks to the west.

Building bulk, form and arrangement of the proposed project follow design guidelines that were prepared by a Task Force, which describe what is known as contextual buildings. Contextual buildings vary according to zoning, but are described as generally consistent with existing neighborhood character in terms of height and bulk, setback from the street line, and width along the street frontage.

The proposed action will not have significant adverse impacts on visual resources in the study area. Existing notable view corridors up and down the avenues would remain unobstructed and views to the New York Public Library 125th Street Branch would also be unobstructed from publicly accessible viewpoints. While not a listed visual resource, Taino Towers are notable as a way-finding landmark to help orient the area's pedestrians. Views to Taino Towers from the publicly accessible open spaces along the Harlem River, north of the project site, would either be partially or completely obstructed by the proposed action. The East 125th Street Development would replace Taino Towers as a way-finding landmark from some viewpoints to the north, and would become a new way-finding landmark from some viewpoints to the south.

Historic Resources

Within the proposed rezoning area, there are no historic resources listed by the New York City Landmarks Preservation Commission (LPC) and/or listed on the State or National Register of Historic Places, previously determined eligible for listing in the National Register, or potentially eligible for National Register listing. Outside of the proposed rezoning area, but within the 400-foot study area are three resources that are LPC-eligible and two additional resources that are State or National Register eligible or potentially eligible. With the exception of the New York Public Library 125th Street Branch, which is located across the street from the project site, none of these resources are in close proximity to the project site. The three resources include: New York Public Library 125th Street Branch which has been calendared by the LPC for a public hearing (date to be determined), the residential dwelling at 221 East 124th Street, and the Triborough Bridge. The State or National Register eligible or potentially eligible resources include the three resources above plus: Ligia's Place Adult Care Facility and Chambers Memorial Baptist Church. The proposed project will have neither direct (demolition, damage, alteration, neglect) nor indirect effects (alteration of the setting or visual relationship to the streetscape, incompatible visual, audible, or atmospheric elements) on these historic resources.

Regarding archaeological resources, the project site has been extensively developed with paved areas, buildings, and vacant lots which for the most part have been fully disturbed by building foundations of previously razed structures. However, a Phase 1a Documentary Research Study completed in summer 2007 indicates that there is potential for the recovery of remains from 19th Century occupation on Block 1790, Lot 13, and Block 1791, Lot 1. Although there were apartment buildings with basements constructed on these lots after the prior smaller houses were

razed, in each case there was enough open yard area at the rear of the lots that potential for archaeological resources may still exist. Further review by LPC is needed to determine if further study related to these two lots is warranted.

The Phase 1a Study also researched the potential for evidence for burials associated with either the Presbyterian Church that used to be located on Block 1791, Lot 1, or the Congregational Church that used to be located on Block 1790, adjacent to Lot 13 in the location of a former gas station on Lot 25. In both instances, archival records do not suggest the presence of cemeteries.

Natural Resources

As defined in the *CEQR Technical Manual*, a natural resource is a plant or animal species, or any area capable of providing habitat for plant and animal species or capable of functioning to support environmental systems and maintain the City's environmental balance. As no significant natural resources exist on the project site or within the study area, the proposed action would not result in significant changes in the future with the proposed action in the project study area are not expected to have any significant impacts on other natural resources, including ground water, floodplains, coastal resources, wildlife, wetlands, uplands, built resources, and significant, sensitive, or designated resources.

Hazardous Materials

The *CEQR Technical Manual* calls for the evaluation of hazardous materials in order to determine whether a proposed action could lead to increased exposure of people or the environment to hazardous materials, and whether the increased exposure could potentially result in significant health impacts or environmental damage. Through visual inspection and a review of historical records, a Phase I Environmental Site Assessment (ESA) completed in November 2006 identified three areas of concern: the potential presence of petroleum underground storage tanks (USTs) on the northeast corner of Third Avenue and East 126th Street; two open New York State Department of Environmental Conservation (NYSDEC) spill cases associated with an active gasoline station at 225 East 125th Street (Block 1790, Lot 24) and adjacent areas of concern including several service/gasoline stations hydraulically upgradient and cross gradient to the project site; and an adjacent dry cleaning establishment (2315 Third Avenue, Block 1790, Lot 46). While no assessment was conducted of asbestos or lead based paint as part of the Phase I ESA, these are expected to be present in buildings on the project site.

A Phase II ESI was completed in July 2007 to investigate areas of environmental concern identified in the Phase I ESA, specifically the USTs, the petroleum spill, and the presence of soil vapor attributed in part to the dry cleaners at 2315 Third Avenue (Block 1790, Lot 46), the gasoline station at 225 East 125th Street, and any other similar off-site nearby potential sources. The 2007 ESI served as an initial due diligence document and additional investigation may be required, depending on development details. EDC executed a Memorandum of Understanding (MOU) with the New York City Department of Environmental Protection (NYCDEP) to bind its successors and assigns to performing the necessary remediation. Accordingly the remediation will be prescribed after the development program is established and prior to construction activities. The MOU is an effective means for ensuring that any potential hazardous materials

issues found on the site will be adequately addressed in order to mitigate potential adverse health impacts from the development program. The remedial measures specific to the East 125th Street Development MOU as recommended by NYCDEP, include: development and implementation of a Sampling Protocol and Remediation Plan based on results of testing and identification pursuant to the Sampling Protocol; remediation in accordance with a DEP-approved Remediation Plan; and, a closure report prepared by a licensed Professional Engineer.

Specifically, for future site development, the following actions would be undertaken:

- Additional soil and groundwater investigations, followed by remediation of the gasoline station property area located at 255 East 125th Street (Block 1790, Lot 24);
- Removal of the former gasoline USTs at the northeast corner lot of Third Avenue and 126th Street (southwest corner of Block 1791) in accordance with NYSDEC requirements;
- Inspection of existing buildings by a licensed asbestos inspector to ensure that Asbestos Containing Materials (ACMs) are identified and removed prior to demolition in accordance with applicable federal, State, and local requirements; and,
- In a similar vein, prior to demolition, the existing buildings would be inspected for the presence of lead-based paint (LBP), to be removed and disposed of as required by the Occupational Safety and Health Administration (OSHA).

Additionally, in accordance with industry practice, the following is recommended:

- Incorporation of engineering controls such as soil vapor barriers or other vapor mitigation procedures in new buildings, in accordance with the NYSDOH Final Guidance for Evaluating Soil Vapor Intrusion in the State of New York, dated October 2006 to address any residual elevated concentrations of volatile organic compounds attributed to the existing dry cleaning and automotive establishments;
- If shallow soils at the site are excavated during renovation or construction activities, it is recommended that the soils be characterized to identify material handling and/or waste disposal requirements and, for material reuse, handling requirements; and that they be managed in accordance with federal, state and local regulations;
- As at-grade landscaped areas may be incorporated into the development of the project site, at least two-foot thick certified clean fill cap should be placed over on-site soils in these areas;
- If dewatering is required for construction activities, then groundwater at the locations of dewatering should be sampled and the need for pretreatment assessed prior to discharge to the NYC sewer; and,
- Adherence to a Site Management Plan (SMP) and a Construction Health and Safety Plan (CHASP).

Waterfront Revitalization Program/Coastal Zone Consistency

Proposed actions subject to CEQR that are situated within the designated boundaries of the New York City Coastal Zone must be assessed for their consistency with the City's Local Waterfront Revitalization Program (LWRP). The East 125th Street Development project site does not fall with the City's designated Coastal Zone and therefore the proposed action is not subject to review under the City's LWRP. A small portion of the ¼ mile study area does fall within the City's coastal zone boundary, but not within the major LWRP categories, with the exception of a portion of the Harlem River which has been designated for Fishing under the New York Harbor Water Quality Goals.

Infrastructure

For CEQR purposes, the City's "infrastructure" comprises the physical systems supporting its population, including water supply, wastewater treatment and storm water management systems. Per the *CEQR Technical Manual*, developments with greater than one million gallons per day (mgd) of water consumption may require a detailed assessment of effects on the water pressure and supply. The proposed action would increase demand by approximately 550,000 gallons per day above Future Condition without the Proposed Action, including usage by residents, employees, visitors, and air conditioning systems. This increase does not exceed the impact threshold of 1 mgd, and therefore would not create any adverse impacts to water pressure or supply. Sewage generation from the proposed project is estimated to be equivalent to water consumption, or 432,840 gallons per day during peak demand. This represents an increase of less than 0.2 percent of the average flow (2006) to the Wards Island Water Pollution Control Plant and would not be expected to adversely impact the plant's treatment design capacity of 275 mgd.

The estimated increase in storm water runoff from the proposed project would be approximately five cubic feet per second (cfs) during a 10-year storm event, from 20 cfs in the existing condition to 25 cfs with the proposed action. This calculation assumes a reduction of permeable surfaces from approximately 1 ½ acres to no permeable surfaces and a rainfall intensity of five inches per hour. Although an increase in storm water runoff is anticipated, the change would be small and the proposed project would not create significant impacts as the result of storm events.

Solid Waste and Sanitation

Residential and institutional uses would increase municipal solid waste (MSW) by 44,500 pounds (22 tons) per week as a result of the proposed project. The study area is currently served by NYC Department of Sanitation managed waste collection trucks and they would be responsible for carting project-generated residential and other DSNY managed waste. Considering a DSNY six-day work-week, this amount is the equivalent of less than one truckload per day, and there would be not significant burden on the City's solid waste management system. Private carters collecting solid waste from commercial users would be hauling the equivalent of less than one truckload extra per day (approximately 11 tons). This amounts to less than two percent of the potential quantity of commercial wastes hauled to the

East 91st Street marine transfer station by commercial carters. This is a minimal amount and it is expected that it could be easily handled by commercial solid waste management entities.

Curbside pick-up and removal of commercial trash (non DSNY managed) is not proposed. All commercial solid waste would be housed within the East 125th Street development buildings and removed in a discreet, controlled manner to mitigate noise, alleviate traffic and minimize disruption to neighbors.

Energy

In the 2016 Build Year, the peak summer demand for all of New York City is forecasted at 12,645 megawatts (MW) and the entire New York Control Area (NYCA) at 35,566 MW. The total resource capacity that will be available to the NYCA for the summer of 2016 is forecasted at 40,500 MW. The difference is a surplus of approximately 15 percent. The energy demand for the proposed project would be approximately 4.5 MW which accounts for 0.03 percent of the total forecasted electric demand for the city; therefore, energy consumption at this level would not be expected to have any significant adverse effect on energy systems.

Traffic and Parking

The potential for traffic and parking impacts associated with the proposed mixed use development were examined. The traffic study area was selected to include the intersections most likely to be used by concentrations of project-generated vehicles traveling to and from the proposed development area and is generally bounded on the north by East 129th Street, on the south by East 116th Street, on the east by First Avenue, and on the west by Broadway. Outside of this large area, traffic would be substantially dispersed and impacts, therefore, would be unlikely. Forty intersections were analyzed in the study area.

The proposed action would generate its heaviest vehicle trips during the PM and Saturday midday peak hours with a substantially lower increment in the AM peak hour. This pattern reflects the significantly fewer trips generated by the retail component during this time of day while trip generation during the Saturday midday peak hour is dominated by the retail uses. The traffic analysis showed that there would be three intersections with one or more significantly adversely impacted movements in the AM peak hour, three intersections in the midday, six intersections in the PM, and four in the Saturday peak hour. All significant impacts could be fully mitigated by standard traffic engineering improvements such as the installation of traffic signals, signal phasing and timing modifications, parking prohibitions, and lane restriping. These measures represent the standard range of traffic capacity improvements that have been proposed and implemented for numerous projects in the City.

Regarding traffic circulation, the project site includes various loading and parking facilities that require multiple curb-cut locations on the perimeters of both Parcel A and B. In addition, East 126th Street between Second and Third Avenues would be widened to 38 feet to allow for one 11-foot through-lane and one 11-foot right turn lane. The increase in street width would allow for truck loading and unloading on both sides of the street without adversely affecting through traffic flow.

Parking: The proposed project would not displace any public off-street parking facilities. Two accessory parking garages would be built as part of the proposed project. Parcel A would include a 200-space accessory parking garage at-grade, above the basement MTA bus parking facility. The entrance and exit to this garage would be located on East 127th Street approximately 100 feet east of Third Avenue. Parcel B would include a 400-space accessory parking garage below grade. This garage would include two entrances and exits on the south side of East 126th Street between Second and Third Avenues. The weekday project-generated parking demand would peak at 609 spaces, exceeding the total capacity of the two garages by a total of nine spaces. However, the parking supply within ¼ mile of the project site during the weekday midday is approximately 228 spaces, and is only 75 percent utilized. The excess demand during this one hour peak could be accommodated in nearby off-street public parking facilities or by on-street spaces.

Transit and Pedestrians

The effects of added travel demand from the proposed project on subway service, local bus service and pedestrian facilities in the vicinity of the project site were analyzed in the EIS. The analysis shows that this new demand would not result in any significant adverse impacts to subway line haul conditions, local bus service or pedestrian facilities (sidewalks, corner area and crosswalks). However, project generated subway trips at the East 125th Street IRT (4,5,6) subway station would result in significant adverse impacts to stair S4 at the northeast corner of East 125th Street and Lexington Avenue in both the AM and PM peak hours. Mitigation measures to address subway stair impacts typically involve physically widening an affected stair to increase its capacity, or implementing measures that would decrease demand, typically by providing new and/or more convenient access points. These measures are evaluated in consultation with NYC Transit. If widening the stairway should prove infeasible, the proposed project's significant adverse impacts to the stair in the AM and PM peak hours would remain unmitigated.

Air Quality

Air quality analyses were conducted following the procedures outlined in the *CEQR Technical Manual*, to determine whether the proposed action would result in violations of ambient air quality standards or health-related guideline values. The analysis found that increases in mobile source emissions of CO, PM_{2.5} and PM₁₀ related to increases in project-induced traffic would not result in any exceedances of National Ambient Air Quality Standards (NAAQS) or the NYC interim guidelines impact criteria at existing or future project-related sensitive receptors. In initial screening tests, East 126th Street and Second Avenue showed the most vulnerability to pollution from project induced heavy vehicles. However, the next level of analysis showed that incremental concentrations of PM_{2.5} were predicted to be below the criteria specified in the guidelines. Therefore, significant adverse impacts to nearby sensitive receptors from project related mobile source emissions of PM_{2.5} are not expected.

Regarding potential sources of stationary air pollution, (the proposed HVAC systems and the proposed MTA bus garage), the analysis found that pollutant emissions of SO₂, PM_{2.5} and PM₁₀ would also not result in any violations of applicable standards or guidelines.

Based on emissions data obtained from the NYC Transit Authority, a detailed analysis was conducted to determine potential impacts that the existing MTA bus depot on East 126th Street and Second Avenue could have on the proposed development and surrounding area. The results of the modeling analysis indicate that there would be no exceedances of the NAAQS for NO₂ or PM₁₀ near any of the proposed development's sensitive receptor sites. Therefore, there would be no significant adverse impact from the pollutant emissions of the existing MTA bus depot.

Noise

The noise analysis addresses two factors: 1) the change in noise levels from the existing condition in the area as a result of the proposed action; and 2) the location of new sensitive receptors and the degree to which window/wall attenuation would provide acceptable interior noise levels. Five noise monitoring sites were selected based on sensitive land uses in the area and based on locations where additional new vehicle trips are expected which could result in an increase in future noise levels. The analysis shows that the noise increases from the proposed project would not exceed 3 decibels over future no build conditions, a CEQR threshold. Therefore, significant adverse noise impacts from mobile sources would not occur.

However, the proposed action would introduce new sensitive receptors into an area with high existing ambient noise levels. The proposed development would be exposed to exterior noise sources such as autos, overhead flights to and from LaGuardia Airport and other sounds typical of an urban community. These ambient noise levels together with noise from the project generated traffic would require that new buildings developed as part of the proposed project to have window/wall attenuation to keep the interior noise levels at an acceptable level, between 30 and 45 decibels. This can be achieved in a variety of ways including the installation of 1/4-inch laminated single-glazed windows or double-glazed windows with 1/8-inch glass panes. Residential, commercial and cultural use portions of the development would be required to provide sufficient noise attenuation to maintain interior noise levels of 45 decibels or lower. These noise abatement measures will be enforced through a Land Disposition Agreement (LDA) that is anticipated between the New York City Department of Housing Preservation and Development (HPD) and EDC. The contract between EDC and the designated developer will be subject to the terms and conditions in the LDA including the noise abatement measures.

Regarding stationary noise sources, it is assumed that equipment would be constructed so as to adhere to prevailing industry standards as well as the revised 2005 NYC Noise Control Code. In addition, it is not anticipated that any of the proposed developments' mechanical systems would be located in noise sensitive areas where they would affect the community or residential inhabitants.

Construction Impacts

Project construction would be completed in 2016. Environmental remediation to address hazardous materials currently existing on the site and demolition of the existing structures would be among the very first construction-related activities. The selected developer would be obliged to prepare and submit plans for site remediation for the New York City Department of Environmental Protection (NYCDEP) approval. The environmental remediation would be conducted under a Remediation Plan as described in “Hazardous Materials” above and Construction Health and Safety Plan (CHASP) to be approved by the NYCDEP. Any outstanding spill cases will be remediated and monitored in accordance with New York State Department of Environmental Conservation requirements and oversight.

Construction activities would normally take place Monday through Friday, although the delivery/installation of certain critical equipment could occur on weekend days. Construction staging most likely would occur on the project site itself and may, in some cases, extend within portions of sidewalks, and curb and travel lanes of public streets adjacent to the construction sites. Any sidewalk or street closures require the approval of the New York City Department of Transportation’s Office of Construction Management and Coordination (NYCDOT-OCMC), the entity that ensures that critical arteries are not interrupted, especially during peak travel periods.

Construction would likely occur between 7 AM and 4 PM. Construction workers would typically arrive before the AM peak commuter period and depart before the PM peak hour, and therefore would not represent a substantial increment during the area’s peak travel periods. Wherever possible, the scheduling of deliveries and other construction activities would take place during off-peak travel hours. These conditions would be temporary and not result in significant adverse impacts on traffic and transportation conditions.

Construction noise associated with the proposed action is expected to be similar to noise generated by other residential and commercial construction projects in the city. Construction noise is regulated by the revised 2005 New York City Noise Control Code promulgated on July 7, 2007 and by the EPA noise emission standards for construction equipment. These local and federal requirements mandate that certain classifications of construction equipment and motor vehicles meet specified noise emissions standards

Construction-related activities resulting from the proposed action are not expected to have any significant adverse impacts on historic resources, natural resources, infrastructure, traffic, air quality, noise, or hazardous materials conditions. The construction process in New York City is highly regulated to ensure that construction period impacts are eliminated or minimized. The construction process requires consultation and coordination with a number of agencies, including NYCDOT, NYC Department of Buildings (DOB), and NYCDEP, among others.

Public Health

In determining whether a public health assessment is appropriate, the following has been considered: increased vehicular traffic or emissions from stationary sources; increased potential for exposure to contaminants; solid waste practices; and adverse impacts due to sensitive

receptors from noise or odors. The public health analysis determined that the proposed action would not result in significant adverse impacts to public health in these areas.

Given comments from the public expressing concern that exposure to particulate matter (PM) from activities associated with the proposed project could either aggravate pre-existing asthma or induce asthma in individuals with no prior history of the disease, the potential for emissions of PM, particularly PM_{2.5} to precipitate onset or exacerbate asthma was examined.

The proposed project would result in PM emissions from the combustion of fuel from mobile sources. An analysis of PM_{2.5} from mobile sources was performed and indicated that the incremental increases of PM_{2.5} concentrations with the proposed project would be less than the interim guidance levels employed by the New York City Department of Environmental Protection (NYCDEP). Therefore, the proposed project is not considered to have significant PM_{2.5} impacts, and, therefore, diesel emissions from project-related truck traffic are unlikely to significantly affect public health and local asthma incidents.

The proposed project would also result in the emission of PM from stationary sources associated with the proposed project, such as emissions from fuel burned on-site for heating and hot water systems. It is conservatively assumed that the proposed heating systems in the new development would use No. 2 fuel oil. As part of the HVAC analysis, vehicle exhaust emissions from the proposed bus garage were included. An air quality screening analysis was conducted that determined that the proposed project is not likely to result in significant impacts from stationary sources. Although the issue of health effects due to PM_{2.5} is complex, it is reasonable to infer that the proposed project would not result in potentially significant adverse health impacts from PM.

The causes of asthma and its increase over the last two decades are not certain, and the triggers for its exacerbation are only partially understood. The potential relationship between vehicular exhaust resulting from increased truck traffic and asthma, especially in communities with high rates of asthma, requires further study. Since the proposed project is not considered to have significant PM_{2.5} impacts, diesel emissions from project-related truck traffic are unlikely to significantly affect public health and local asthma incidents. Therefore, potential PM_{2.5} emissions from mobile and stationary sources related to the proposed project are not expected to result in adverse public health impacts, including impacts on asthma rates.

4. ALTERNATIVES

CEQR requires that alternatives to a proposed action be identified and evaluated in an EIS. Alternatives considered should reduce or eliminate impacts of the proposed action while substantially meeting the goals and objectives of the action. For the East 125th Street Development, four alternatives are considered, including: 1) a No Action Alternative; 2) an As-of-Right Alternative; 3) a No Impact Alternative; and, 4) an MTA Bus Depot Expansion Alternative that entails the relocation of the existing MTA bus storage lot from Parcel A of the East 125th Street Development to an adjacent offsite block to the east that contains an existing MTA Bus Depot. With this alternative, the Bus Depot in this location would be enlarged.

No Action Alternative

The No-Action Alternative entails a scenario in which no rezoning or other approvals are sought and no development occurs on the Project Site during the Build Year of 2016. Under this alternative, the site would remain partially vacant and underutilized, and the MTA bus storage facility would continue at its at-grade location as it presently exists.

As-of-Right Alternative

The project site would be redeveloped under the current R7-2, C4-4 and M1-2 zoning, and no additional amendments to the Harlem East Harlem Urban Renewal Plan would occur. An as-of-right development program would include: approximately 344 dwelling units, approximately 170,000 square feet of light industrial use; and approximately 130,000 square feet of commercial use, spread out on the three development parcels. While as-of-right development would result in far lower numbers of residents and workers on the project site, and far less of the associated traffic and other environmental effects, it would also not stimulate the revitalization of the surrounding area to the degree that would be expected through the proposed action's introduction of up to 1.7 million square feet of new mixed-use development.

No Impact Alternative

The No Impact Alternative includes a mixed-use program of development with only retail and residential development, and at a reduced scale and density. Only market rate housing would be expected, as opposed to the low, moderate, and middle-income housing units included in the proposed action. This alternative would eliminate impacts of the proposed action related to traffic and shadows. Similar to the As-of-Right Alternative, the No Impact Alternative would not stimulate the revitalization of the surrounding area.

MTA Bus Depot Expansion Alternative

The MTA Bus Depot Expansion Alternative would be more compatible with the overall mixed-use program of development for the project site. This alternative involves the relocation and enlargement of the MTA Bus Depot located across Second Avenue to the east of Parcel A. Underground MTA Bus Storage would not be located on Parcel A of the East 125th Street Development and would increase the amount of retail space on Parcel A by approximately 19,000 square feet. Buses would not enter or exit the proposed buildings on East 126th Street or East 127th Street. The enlargement of the MTA Bus Depot would result in the addition of two additional floors of bus storage to accommodate the equivalent of 250 buses, including both standard and articulated buses, for a total of three full floors of bus storage and maintenance, as well as mezzanine level office space for a total height of 68 feet.

Land Use and Zoning

The proposed expanded bus depot would not exceed its current footprint, and at four stories, the height of the building would be within the range of existing building heights in the area. Because the bus depot building covers its entire block, the resulting mid-rise building would have a bulkier appearance than much of the surrounding development. Residential and parkland

uses that are located on the adjacent blocks on East 126th Street and East 127th Street, respectively, would face a larger taller Bus Depot building.

The existing MTA Bus Depot is located in an M1-2 District, with a maximum allowable FAR of 2.0. The increase in density on this parcel necessary to accommodate storage of the equivalent of 250 standard length buses would exceed the maximum allowable FAR. However, the MTA is exempt from local zoning requirements and no zoning changes would be required.

Socioeconomic Conditions

The Depot Alternative would not be expected to have significantly different socioeconomic effects on the study area than the proposed action. A slightly greater amount of non-residential development would occur on Parcel A, entailing approximately 19,000 square feet of additional retail space. The surrounding area would still experience economic development benefits, with slightly greater job creation on the project site, adding approximately 57 retail jobs. The same number of businesses would be displaced as under the proposed action. Development of affordable housing would still occur. Socioeconomic effects associated with the proposed action, such as incremental increases in commercial and residential rents and property values, which are not considered to be significant adverse direct or indirect impacts under future conditions with the proposed action, would still occur.

Shadows

The Bus Depot Expansion alternative would cast the same shadow impacts as the proposed action related to the East 125th Street Development project site, but would also add shadowing from the enlarged MTA Bus Depot. The bus garage addition would shadow at nearly all times of day part, or all of, the open spaces directly to the north in December (parts of Harlem River Park). It would have no impact in the summer, and in March and May would only cast shadows on these areas late in the day. It would have no impact on the Crack is Wack Playground that includes handball courts.

The open space in Harlem River Park that would be affected includes small, irregularly shaped open spaces that are used for planting, and not for recreational purposes. These open spaces do not have benches. For planting areas, significance of shadow impacts is determined according to plant survival. Extensive shadowing would occur only in December, when the trees in these open spaces are dormant. The added shadows would not be expected to affect plant survival in these open spaces. Therefore, the impact of this shadowing would not be considered significant, even though it would be extensive.

Historic Resources

According to the 2004 *Topic Intensive Documentary Study for the Willis Avenue Bridge*, the MTA Bus Depot is located in the vicinity of the 126th Street Cemetery, or African Burial Ground associated with the Harlem Reformed Church of 1660. Although the site of the Depot has been fully disturbed by previous construction activities, construction on this site for the Depot expansion would be subject to review by, and potential mitigation requirements of, the New York City Landmarks Preservation Commission and, as the MTA is a public benefit corporation of New York State, the New York State Office of Parks, Recreation and Historic Preservation (NYSOPRHP). If it is determined that there could be additional in-ground disturbance with the

potential for impacts to archeological resources, such as excavation that could be deeper than previous excavation for the existing Depot building, which is not contemplated at this time, then additional archeological investigations would be warranted and undertaken.

Traffic

As a result of the MTA depot consolidating its operations at the current depot site, the number of bus movements in the immediate vicinity would be greatly reduced. Currently, every bus that ends its route in Harlem enters the existing bus depot facility to be cleaned and refueled. The buses then must be moved to the bus parking lots on either Parcel A or East 128th Street. The future bus depot would reduce the number of bus movements by eliminating the need to transfer buses to other parking sites for storage between runs. This would result in a substantial reduction in the number of PM bus movements for all routes, and would also allow the M15 bus to begin its route at 126th Street and Second Avenue directly outside the future depot without having to circle the block, as it does today. In addition, the majority of bus trips exiting the parking facilities do not occur during the analyzed peak hours, as bus shift-changes mostly occur during off-peak periods. Therefore, buses would generate a minimal number of trips during the peak periods analyzed for the proposed action. The 19,000 square feet of additional retail space would add four vehicle trips in the AM peak hour, 10 vehicle trips in the midday peak hour, 15 vehicle trips in the PM peak hour, and 19 vehicle trips in the Saturday midday peak hour. This increase in vehicle trips is only approximately two percent of the total vehicle trips during any analyzed peak hour. Therefore, this alternative is not expected to result in any impacts that were not already identified for the proposed action.

The parking demand and supply for this alternative would be generally similar to that of the proposed action. The two garages located on Parcel A and Parcel B would accommodate the demand for this alternative and would therefore not result in any significant adverse impacts to parking in the area.

Air Quality

Similar to the proposed action, the MTA Bus Depot Expansion Alternative would not cause or exacerbate any exceedances of air quality standards or impact criteria and therefore, would not result in significant adverse impacts related to stationary or mobile sources. Air Quality Analysis assumptions for the MTA Bus Depot Expansion Alternative would be identical to those described in Chapter 3.17 of the FEIS related to the proposed action. However, because the garage would have two parking levels, the parking space would be nearly double the size of the one studied for the proposed action. Therefore, the pollutant venting scheme would include two rooftop vents located side-by-side at the far eastern edge of the facility (one vent for each bus parking floor). Results of this analysis were estimated cumulatively as part of the stationary source analysis conducted for the HVAC systems of the proposed development.

Construction Impacts

Under this alternative, the MTA would coordinate construction staging with use of its other existing facilities to avoid disruption of its operations. Prior to completion of the 126th Street Depot expansion, it is expected that the existing buses that are stored on Parcel A of the East 125th Street Development site would disperse to the Mother Clara Hale Depot (located at 721 Lenox Avenue in Central Harlem), the Amsterdam Depot (located on Amsterdam Avenue

between West 128th Street and West 129th Street in Manhattanville) and other sites. Other sites would be used as needed to accommodate storage that would exceed the capacity of the Mother Clara Hale Depot and the Amsterdam Depot. An operations plan would be prepared by the MTA to detail how bus storage and other operations that occur on the East 125th Street Development project site and the MTA 126th Street Bus Depot would be replaced.

Public Health

The added bus storage on the existing MTA Bus Depot site would be enclosed and would not be expected to result in adverse effects on public health for residents living on East 126th Street across the street from the Depot building, for users of Harlem River Park and the Crack is Wack Playground across East 127th Street to the north, for future residents, workers and patrons of the East 125th Street Development site across Second Avenue, or for other individuals in the surrounding community.

5. UNAVOIDABLE ADVERSE IMPACTS

A number of the potential impacts identified for the proposed action could be mitigated, however, in some cases, project impacts would not be fully mitigated as described below.

Socioeconomic Conditions

Some degree of potential indirect residential displacement resulting from the East 125th Street Development would remain unmitigated. Even with the development of 1,000 units of affordable housing, with a substantial portion to be for low and moderate income units as is proposed by the East 125th Street Development, some negative effects may result as a result of rising land values and rents in areas surrounding the project site if low income households in unprotected buildings in the area are forced to move due to rising rents.

Open Space

The Proposed Action would result in a direct adverse shadow impact on the PS 30 Playground. Most of the shadow impact on the PS 30 Playground would result from the reasonable worst case development scenario development on the off-site parcel (Lot 44 of Block 1791) that is to be rezoned only, with no actual development proposed at this time. These shadow impacts would represent an unavoidable adverse impact resulting from the zoning amendments that are part of the proposed action.

Shadows

The only significant shadow impact from the proposed project on existing shadow sensitive resources would be on the eastern portion of the PS 30 Playground in the winter, which would reduce the usability of this open space in the morning hours during the coldest months. Most of the shadow impact on the PS 30 Playground would result from the reasonable worst case development scenario pertaining to the off-site parcel (Lot 44 of Block 1791, currently the Moravian Church) that is to be rezoned only, with no actual development proposed at this time.

Archaeological Resources

With the exception of portions of two lots within the project site that may contain the potential for the recovery of remains from 19th Century occupation (Block 1790, Lot 13, and Block 1791, Lot 1), all portions of the project site and rezoning area have been significantly disturbed by past construction activities and are not expected to contain significant archeological resources. Whether or not two areas on those two lots within the project site that may not have been previously disturbed could potentially contain intact nineteenth-century archaeological resources, or whether additional testing is required, will be determined by LPC and NYSOPRHP. Therefore, the potential for impacts on archeological resources will be determined prior to construction activities.

Transit & Pedestrians

The significant adverse impacts to the subway stair located at the northeast corner of East 125th Street and Lexington Avenue, would require an 11.8-inch and 27.3-inch widening to return the stairway to an acceptable level of service in the AM and PM peak hours, respectively. The feasibility of widening this stair will be evaluated in consultation with NYC Transit. If widening this stair should prove infeasible, the proposed project's significant adverse impacts to this stair in the AM and PM peak hours would remain unmitigated.

6. MITIGATION

In accordance with the *CEQR Technical Manual*, mitigation measures are examined to minimize or eliminate these impacts as described below.

Socioeconomic Conditions

With regard to secondary or indirect residential displacement, the Population and Housing Study Area contains populations that could be vulnerable to displacement pressures. Some negative effects may result because of rising land values and rents in areas surrounding the project site if low income households in unprotected buildings in the area are forced to move due to rising rents.

Mitigation measures described in the *CEQR Technical Manual* to address such adverse effects include actions such as providing appropriate, comparable space as part of development projects, either on-site or off-site, but within a reasonable distance of the current location of the units that would be displaced; contributions to tenant advocacy groups; or enacting laws and regulations to prevent indirect displacement from occurring. In the case of the East 125th Street Development, a significant amount of affordable housing is proposed onsite. Further measures that could mitigate indirect residential displacement impacts caused by the proposed action could include HPD working with local Community Development Corporations to counsel displaced tenants and connect them to affordable housing resources. Another option for mitigation to address the potential for secondary displacement would be for HPD to continue to utilize publicly controlled properties in the community for the development of affordable housing, and to target a certain

percentage of affordable units constructed on publicly-controlled property for local residents. Even with the implementation of such mitigation measures to address the potential for secondary displacement, some degree of potential indirect residential displacement resulting from the East 125th Street Development might remain unmitigated.

Transit and Pedestrians

Subway Service

The results of the analysis of the 125th Street IRT (4, 5, 6) subway station in the future with the proposed action indicate that new demand from the proposed project would result in significant adverse impacts in the AM and PM peak hours to the stairway (stairway S4) located at the northeast corner of East 125th Street and Lexington Avenue. Under future conditions with the project, this stair would deteriorate from LOS B to LOS D in the AM peak hour, and LOS B to LOS E in the PM peak hour.

Mitigation measures to address subway station stairway impacts typically involve physically widening an affected stair to increase its capacity, or implementing measures that would decrease demand, typically by providing new and/or more convenient access points. As described above, a widening of stair S4 by more than two feet would be needed for this stair to accommodate projected 2016 demand under future conditions with the proposed action at an acceptable level of service, thereby fully mitigating the proposed project's significant adverse impacts in both the AM and PM peak hours. Between the Draft EIS and Final EIS, the feasibility of widening stair S4 and other potential mitigation measures will be evaluated in consultation with NYC Transit. If widening stair S4 and other potential mitigation measures should prove infeasible, the proposed project's significant adverse impacts to this stair in the AM and PM peak hours would remain unmitigated.

Traffic and Parking

Demand from the Proposed Project would result in significant adverse impacts traffic impacts at nine signalized intersections in one or more peak periods by 2016. A traffic mitigation plan was therefore developed to address these impacts as described below.

West 129th Street and Lenox Avenue

To address the project's Saturday midday peak hour impact to the westbound West 129th Street approach, proposed mitigation measures would include the transfer of one second of green time from the northbound/southbound signal phase to West 129th Street phase in the Saturday midday. This measure would reduce delay on this approach to 66.1 seconds in the Saturday midday, below the 69.6 seconds of delay in the No-Build Condition, fully mitigating the impact from the proposed action at this location.

East 128th Street and Lexington Avenue

To address the project's PM peak hour impact to the eastbound East 128th Street approach, proposed mitigation measures would include the transfer of three seconds of green time from the southbound signal phase to East 128th Street phase in the PM peak hour. This measure would

reduce delay on this approach to 50.5 seconds in the PM, below the 55.7 seconds of delay in the No-Build Condition, fully mitigating the impact from the proposed action at this location.

West 126th Street and Lenox Avenue

To address the project's PM peak hour impact to the westbound West 126th Street through-right movement, proposed mitigation measures would include the transfer of one second of green time from the northbound only signal phase to the West 126th Street phase in the PM. This measure would reduce delay at this movement to 44.3 seconds in the PM, below the CEQR mid-LOS D threshold of 45 seconds, fully mitigating the impact from the proposed action at this location.

East 126th Street and Park Avenue

Traffic generated by the proposed action would impact westbound East 126th Street in the midday and PM peak hours. To address these impacts to the westbound East 126th Street approach, proposed mitigation measures would include the transfer of three seconds and one second of green time from the northbound/southbound signal phase to the West 126th Street phase in the midday and PM peak hours, respectively. These measures would reduce delay on this approach to 41.1 seconds in the midday and 43.6 seconds in the PM peak hour, both of which are below the CEQR mid-LOS D threshold of 45 seconds, fully mitigating the impacts from the proposed action at this location.

East 126th Street and Third Avenue

Traffic generated by the proposed action would impact westbound East 126th Street in the AM, PM and Saturday midday peak hours. To address the project's impacts to the westbound East 126th Street approach, proposed mitigation measures would include the transfer of two seconds from the northbound signal phase to the West 126th Street phase in both the AM and PM peak hours. For the Saturday midday impact, proposed mitigation measures would include the transfer of one second from the northbound signal phase to the West 126th Street phase. These measures would reduce delay on this approach to 42.3 seconds in the AM, 43.3 seconds in the PM, and 43.4 seconds in the Saturday midday peak hour, all of which are below the CEQR mid-LOS D threshold of 45 seconds, fully mitigating the impacts from the proposed action at this location.

East 126th Street and Second Avenue

To address the project's AM peak hour impact to the northbound left turn movement at Second Avenue, proposed mitigation measures would include the transfer of one second of green time from the southbound only signal phase to the northbound only phase in the AM. This measure would reduce delay at this movement to 80.7 seconds in the AM, below the 86.6 seconds of delay in the No-Build Condition, fully mitigating the impact from the Proposed Project at this location.

East 125th Street and Lexington Avenue

Traffic generated by the Proposed Project would impact the eastbound East 125th Street approach in the midday and PM peak hours. To address the midday impact, proposed mitigation measures would include the transfer of one second from the southbound signal phase to the East 125th Street phase in the midday peak hour. For the PM impact, proposed mitigation measures would include the implementation of "No Standing, 4-7 PM" for 100 feet along the south curb of the

eastbound approach. These measures would reduce delay on the eastbound approach to 44.3 seconds in the midday and 27.3 seconds in the PM, both of which are below the CEQR mid-LOS D threshold of 45 seconds, fully mitigating the impacts from the proposed action at this location.

East 125th Street and Second Avenue

To address the project's PM peak hour impact to the southbound left turn movement at Second Avenue, proposed mitigation measures would include the re-striping of the southbound approach to include an exclusive left turn lane, one left-through lane, three through lanes and one through-right turn lane. This measure would reduce delay on this approach to 44.3 seconds in the PM, below the CEQR mid-LOS D threshold of 45 seconds, fully mitigating the impact from the proposed action at this location.

East 124th Street and Lexington Avenue

Traffic generated by the Proposed Project would impact the eastbound East 124th Street approach in the midday peak hour and the southbound Lexington Avenue approach in the Saturday midday peak hour. To address the midday impact, proposed mitigation measures would include the transfer of two seconds from the southbound signal phase to the East 124th Street phase in the midday peak hour. For the Saturday midday impact, proposed mitigation measures would include the implementation of "No Standing Anytime" for 100 feet along the east curb of the southbound approach. The midday mitigation measure would reduce delay on the eastbound approach to 62.1 seconds, below the 68.9 seconds of delay in the No-Build Condition. The Saturday midday mitigation measure would reduce delay on the southbound approach to 21.1 seconds, below the CEQR mid-LOS D threshold of 45 seconds, fully mitigating the impacts from the proposed action at this location.

7. CONTACT OFFICE

Requests for copies of the FEIS should be forwarded to:

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The FEIS is also available on the New York City Mayor's Office of Environmental Coordination website: <http://www.nyc.gov/oec>



Robert R. Kulikowski, Ph.D.
Assistant to the Mayor
On behalf of the Deputy Mayor
for Economic Development

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Date