TECHNICAL MEMORANDUM 001
TO THE LENOX HILL HOSPITAL REDEVELOPMENT DRAFT ENVIRONMENTAL IMPACT STATEMENT (DEIS)
CEQR No. 23DCP079M

ULURP Nos.: C250151ZMM, N250152ZRM, C250153ZSM, N250155ZCM, N250154ZAM

May 16, 2025

A. INTRODUCTION

Lenox Hill Hospital (the Applicant or LHH) is requesting a series of discretionary actions from the City Planning Commission (CPC), including a zoning map amendment to rezone from a C1-8X district to a C1-9 district and from an R8B district to a C1-8 district; zoning text amendments; special permits; and a zoning authorization (collectively, the Proposed Actions). The Proposed Actions would allow the enlargement and modernization of the existing LHH and the creation of a purpose-built hospital complex (the Proposed Project) to address critical infrastructure challenges and space needs. The proposed hospital building would permit LHH to meet current standards of healthcare delivery, including single-bedded patient rooms, as well as address projected future needs for an expanded emergency department (ED), new and larger state-of-the-art surgical suites (ORs), and other essential clinical and support spaces.

The Proposed Project would be built on Block 1411, Lots 1 and 113 (Projected Development Site 1), bounded by Park and Lexington Avenues and East 76th and East 77th Streets in Manhattan. The Proposed Project would include a new building on Lexington Avenue and additions and modifications to the existing hospital; the new building would include an ED, operating suites (including ORs and support space), and patient rooms. Portions of the existing hospital complex would be renovated to accommodate connections to the new hospital building and create four new truck docks and a new ambulance bay for six ambulances inside the structure. The Proposed Project would also provide a new entrance and lobby for the Mother-Baby Hospital on Park Avenue, as well as a new emergency stairway on the Park Avenue frontage.

Two building envelopes are proposed, each of which would accommodate the Proposed Project's program. Envelope 1 would include a new approximately 771,000-gross-square-foot (gsf) building on Lexington Avenue and 56,000 gsf of additions to the existing hospital. Envelope 2 would include a new approximately 867,000-gsf building and 8,000 gsf of additions to the existing hospital. With the existing buildings to remain, the overall gross floor area of the Proposed Project on Projected Development Site 1 would be approximately 1.4 million gsf with either Envelope 1 or Envelope 2.

The Notice of Completion for the Draft Environmental Impact Statement (DEIS) for the Proposed Project was issued by the New York City Department of City Planning (DCP) on behalf of the City Planning Commission (CPC) on January 31, 2025. The land use application was referred out to Manhattan Community Board 8 and to the Manhattan Borough President for review, and a CPC public hearing is scheduled for May 21, 2025.

This Technical Memorandum addressed two recent City policy changes that have occurred since the preparation of the DEIS. These two changes are:

1) New York City's implementation of the Central Business District (CBD) Tolling Program; and

2) The New York State Department of Environmental Conservation's (DEC) proposed legislation requiring an evaluation as part of the State Environmental Quality Review Act (SEQRA) process of whether an action may cause or increase a disproportionate pollution burden on a

disadvantaged community, both in the determination of significance, and where relevant, in preparation of an Environmental Impact Statement (EIS). As a result, a statement of the effects of the proposed actions on disadvantaged communities, is now required for New York City EISs as part of the City Environmental Quality Review (CEQR).

B. NEW YORK CITY'S CENTRAL BUSINESS DISTRICT (CBD) TOLLING PROGRAM

New York City's CBD Tolling Program, also known as "Congestion Pricing," is an electronic toll system that charges vehicles that enter Manhattan's CBD[1] and taxis/for hire vehicles that enter, leave or travel within the CBD. The program is intended to reduce congestion in the CBD and provide a new local, recurring funding source for Metropolitan Transportation Authority (MTA) capital projects. The program went into effect on January 5, 2025. Initial data collected by the MTA/New York City Transit (NYCT) and New York City Department of Transportation indicate a decrease in congestion in the CBD; however, the longer-term effects cannot yet be determined. Thus, while the transportation data presented in the DEIS were collected prior to implementation of the Congestion Pricing program, these data were not adjusted to account for the implementation of the program, nor have any improvements to the transit system been considered.

C. EFFECTS ON DISADVANTAGED COMMUNITIES

Effective December 30, 2024, Section 8-0109(2)(k) of the New York State Environmental Conservation Law requires that EISs include a statement of the effects of the proposed actions on disadvantaged communities, including whether the action may cause or increase a disproportionate pollution burden on a disadvantaged community (DAC). The 2021 *CEQR Technical Manual* predates these revisions to the Environmental Conservation Law and does not provide guidance regarding the scope of this analysis; however, on January 29, 2025, the DEC proposed draft revisions to its SEQRA regulations (6 NYCRR Part 617) to implement this new statutory provision. This assessment considers the impacts that have been identified pursuant to the *CEQR Technical Manual* as well as applicable guidance from DEC in determining whether the Proposed Actions would result in disproportionate impacts on DACs. This assessment will be incorporated into the Final EIS (FEIS) as a new stand-alone chapter.

PRINCIPAL CONCLUSIONS

The Proposed Project would not occur within a ½-mile of any DAC and the Proposed Actions' potential significant adverse impacts would not affect a DAC. As the Proposed Project's potential significant adverse impacts would occur in non-DAC census tracts, there would not be a disproportionate pollution burden on DACs as a result of the Proposed Actions. Nor do the Proposed Actions have the potential to cause any combination of moderate effects which together would result in a disproportionate impact on a DAC.

IDENTIFICATION OF DISADVANTAGED COMMUNITIES

In 2023, the Climate Justice Working Group (CJWG), an advisory council established under the New York State Climate Leadership and Community Protection Act (CLCPA), used 45 indicators to identify DACs in New York State. Approximately 35 percent of New York State census tracts were identified as DACs. The criteria include multiple indicators that represent the environmental burdens or climate change risks within a community, or population characteristics and health vulnerabilities that can contribute to more severe adverse effects of climate change. Census tracts

[1] The CBD is the area below 60th Street, exclusive of the FDR Drive, West Street and connections of the Hugh L. Carey Tunnel to West Street.

with higher scores relative to other census tracts statewide or to their region (i.e., New York City) were identified as DACs.

Based on DEC's Disadvantaged Community Assessment Tool, which is a screening tool created to help lead agencies assess disproportionality and consider whether a potentially affected DAC has an increased likelihood of experiencing a moderate to large impact based on existing burdens or vulnerabilities as compared to relevant non-DACs, neither the Project Site nor the ½-mile study area contains any DACs (see **Figure 1**). The nearest DAC is Census Tract 152, approximately ¾ mile away from the Project Site, in the Yorkville section of the Upper East Side of Manhattan.

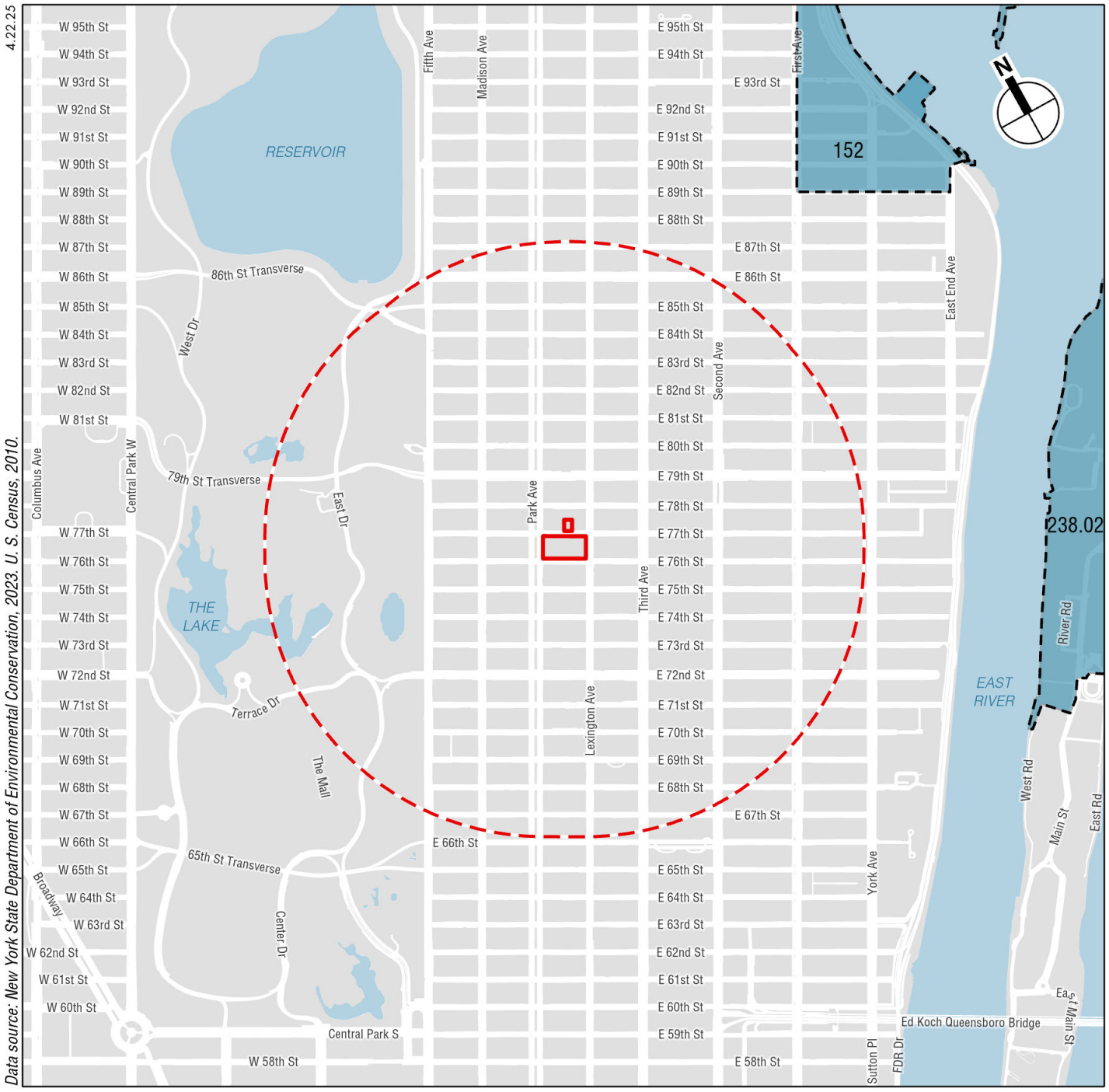
DISADVANTAGED COMMUNITIES ASSESSMENT

The Proposed Actions would not result in significant adverse impacts in the following technical areas analyzed in the DEIS: land use, zoning, and public policy; community facilities and services; open space; historic and cultural resources; urban design and visual resources; hazardous materials; water and sewer infrastructure; transportation; air quality; greenhouse gas emissions and climate change; noise; public health; or neighborhood character. As such, the Proposed Actions would not cause a disproportionate impact on DACs with respect to any of these technical areas.

The proposed Environmental Assessment Form (EAF) Full Form identifies direct or indirect impacts that may affect a DAC, including: new noise sources or expansions/modifications of existing noise sources (i.e., noise from operational sources or construction activities); emissions of air pollutants including mobile emissions; wastewater discharges; generation of odors; light pollution (excessive or inappropriate artificial lighting); new or modified radiation sources; or new or modified sources of solid waste generation, management, or disposal. The Proposed Actions would not result in significant adverse impacts in most of these technical areas in DACs or in non-DACs. The DEIS discloses the potential for shadows impacts and temporary construction noise impacts. Shadows impacts neither reach a DAC nor are they an impact area identified in the proposed EAF Full Form. Temporary construction noise impacts are discussed below.

CONSTRUCTION (NOISE)

The construction analysis determined that there are areas on and surrounding the Project Site under either Envelope 1 or Envelope 2 where construction noise would result in a significant adverse impact (see Chapter 16, "Construction" of the DEIS). None of these significant impacts would occur within or near a DAC census tract. Given the potential for noise effects related to construction sources would be temporary and localized, the Proposed Actions would not cause or increase a disproportionate pollution burden on DACs as a result of noise during construction.



Disadvantaged Communities Study Area

LENOX HILL HOSPITAL REDEVELOPMENT

Figure 1