APPENDIX F:
Agency Correspondence

STV Incorporated
225 Park Avenue South
New York, New York 10003
(212)777-4400 fax:(212)529-5237

June 10, 2008

Mr. Patrick McNally, Chief of Operations
New York City Fire Department
Bureau of Operations
9 Metrotech Center
Brooklyn, NY 11201

Attention: Patrick McNally, Chief of Operations

Reference: Proposed Lower Concourse Rezoning

Subject: **Fire Protection Services for the proposed Lower Concourse Rezoning Project, which is located in Bronx Community District 1, generally bounded by East 149th Street and East 144th Street to the north, the Major Deegan Expressway and Park Avenue to the south, Morris Avenue to the east, and the Harlem River to the west.**

Dear Mr. McNally:

The New York City Department of City Planning has contracted STV Incorporated to perform an environmental assessment for the proposed rezoning and redevelopment of approximately 30 blocks in the southwest portion of Bronx Community District 1. The proposed project is expected to result in new development including 3,874 dwelling units, and approximately 1.1 million square feet of new commercial, industrial and community facility space.

As part of the environmental assessment, we seek the opinion of the New York City Fire Department as to whether or not the proposed project will adversely impact the ability of the New York City Fire Department to provide fire protection to its service area. The attached map shows the project site located in the south Bronx.

Should you have any questions, please contact me at (646) 602.5874. Thank you for your assistance in this matter.

Very truly yours,

STV Incorporated

Christina Alexiou-Hidalgo, Senior Planner

The City of New York

FIRE DEPARTMENT
9 METROTECH CENTER BROOKLYN, N.Y. 11201-3857

PATRICK McNALLY
Chief of Operations
Bureau of Operations Room 7W-4

August 12, 2008

STV Incorporated
225 Park Avenue South
New York, New York 10003
Attn: Christina Alexiou-Hidalgo

Re: Proposed Lower Concourse Rezoning
Borough of the Bronx

Dear Madam:

I have tried to answer all of your questions concerning the referenced project. The Fire Department will have no problem in supporting the proposed development. This letter is not Fire Department approval for this proposal, as we have not received plans for review. The companies that will serve the area and the type of equipment are:

1st Engine Company: Engine Company 60
1st Ladder Company: Ladder Company 17

These units are located at: 341 East 143rd Street, Bronx, NY

2nd Engine Company: Engine Company 83
2nd Ladder Company: Ladder Company 29

These units are located at: 618 East 138th Street, Bronx, NY

The Fire Department has no plans to make any changes in stations or equipment in the area. If there are any questions, please call Captain George Becker at (718) 855-8571.

Sincerely yours,

Patrick McNally
Chief of Operations

STV Incorporated
225 Park Avenue South
New York, New York 10003
(212)777-4400 fax:(212)529-5237

June 10, 2008

Commanding Officer – Deputy Inspector Ronald Mercandetti
40th Precinct
257 Alexander Avenue
Bronx, NY 10454

Attention: Deputy Inspector Ronald Mercandetti

Reference: Proposed Lower Concourse Rezoning

Subject: **Police Protection Services for the proposed Lower Concourse Rezoning Project, which is located in Bronx Community District 1, generally bounded by East 149th Street and East 144th Street to the north, the Major Deegan Expressway and Park Avenue to the south, Morris Avenue to the east, and the Harlem River to the west.**

Dear Deputy Inspector Mercandetti:

The New York City Department of City Planning has contracted STV Incorporated to perform an environmental assessment for the proposed rezoning and redevelopment of approximately 30 blocks in the southwest portion of Bronx Community District 1. The proposed project is expected to result in new development including 3,874 dwelling units, and approximately 1.1 million square feet of new commercial, industrial and community facility space.

As part of the environmental assessment, we seek the opinion of the New York City Police Department as to whether or not the proposed project will adversely impact the ability of the New York City Police Department to provide police protection to its service area. The attached map shows the project site located in the south Bronx.

Should you have any questions, please contact me at (646) 602.5874. Thank you for your assistance in this matter.

Very truly yours,

STV Incorporated

Christina Alexiou-Hidalgo, Senior Planner

From: Less, Samuel [Samuel.Less@hdrinc.com]
Sent: Thursday, January 08, 2009 9:59 AM
To: Molly S. Macqueen
Subject: RE: Agency Correspondence

Molly – attached is the correspondence from NYSDEC. As you can see their initial response identified the Peregrine Falcon nesting as a potential concern. Our follow-up with DEC resulted in the email reply that project would not conflict with the Falcon habitat. The Fish and Wildlife Service directed us to a web-based search, of their T&E Borough-specific database. There were no terrestrial species. There is no other correspondence to include in your Appendix.

From: Molly S. Macqueen [mailto:MOLLY.MACQUEEN@stvinc.com]
Sent: Wednesday, January 07, 2009 2:44 PM
To: Less, Samuel
Cc: Cade W. Hobbick
Subject: Agency Correspondence

Sam - HDR will be the alleged perp for all correspondence to NYCDEP, NYCDOS, NYSDEC, USFWS, etc. for all natural resources, infrastructure, adequacy of municipal collection, etc. letters. Please send PDFs of all correspondecne for infrasturcture, solid waste energy and natural resources (plus anything not already contained in the Phase 1 ESAs for LoCo - we'll need for appendix. thanks - Molly

Visit us at our website: http://www.stvinc.com

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New York State Department of Environmental Conservation
Division of Fish, Wildlife & Marine Resources
New York Natural Heritage Program
625 Broadway, Albany, New York 12233-4757
Phone: (518) 402-8935 • **FAX:** (518) 402-8925
www.dec.state.ny.us

Alexander B. Grannis
Commissioner

May 21, 2008

Robert Sachnin
H D R
500 7th Avenue
New York, NY 10018-4502

Dear Mr. Sachnin:

In response to your recent request, we have reviewed the New York Natural Heritage Program database with respect to an Environmental Assessment for the proposed Lower Concourse Rezoning, site indicated on the map you provided, located to the South of Yankee Stadium, Bronx County.

Enclosed is a report of rare or state-listed animals and plants, significant natural communities, and other significant habitats, which our databases indicate occur, or may occur, on your site or in the immediate vicinity of your site. The information contained in this report is considered sensitive and should not be released to the public without permission from the New York Natural Heritage Program.

The presence of the plants and animals identified in the enclosed report may result in this project requiring additional review or permit conditions. For further guidance, and for information regarding other permits that may be required under state law for regulated areas or activities (e.g., regulated wetlands), please contact the appropriate NYS DEC Regional Office, Division of Environmental Permits, at the enclosed address.

For most sites, comprehensive field surveys have not been conducted; the enclosed report only includes records from our databases. We cannot provide a definitive statement on the presence or absence of all rare or state-listed species or significant natural communities. This information should not be substituted for on-site surveys that may be required for environment impact assessment.

Our databases are continually growing as records are added and updated. If this proposed project is still under development one year from now, we recommend that you contact us again so that we may update this response with the most current information.

Sincerely,
Tara Seoane
Tara Seoane, Information Services
New York Natural Heritage Program

cc: Reg. 2, Wildlife Mgr
Reg. 2, Fisheries Mgr.
Peter Nye, Endangered Species Unit, Albany

Natural Heritage Report on Rare Species and Ecological Communities

NY Natural Heritage Program, NYS DEC, 625 Broadway, 5th Floor,
Albany, NY 12233-4757
(518) 402-8935

~This report contains **SENSITIVE** information that should not be released to the public without permission from the NY Natural Heritage Program.
~Refer to the User's Guide for explanations of codes, ranks and fields.
~Location maps for certain species and communities may not be provided 1) if the species is vulnerable to disturbance, 2) if the location and/or extent is not precisely known, 3) if the location and/or extent is too large to display, and/or 4) if the animal is listed as Endangered or Threatened by New York State.

Natural Heritage Report on Rare Species and Ecological Communities

BIRDS

Falco peregrinus

Office Use 12413

Peregrine Falcon

NY Legal Status: Endangered
Federal Listing:
Last Report: **
County: Bronx, New York
Town: City Of New York, City Of New York
Location: At, or in the vicinity of, the project site.
Directions: **
General Quality and Habitat: **For information on the population at this location and management considerations, please contact the NYS DEC Regional Wildlife Manager for the Region where the project is located, or the NYS DEC Endangered Species Unit at 518-402-8859.

NYS Rank: S3B - Vulnerable
Global Rank: G4 - Apparently secure
EO Rank: **

ESU

1 Records Processed

More detailed information about many of the rare and listed animals and plants in New York, including biology, identification, habitat, conservation, and management, are available online in Natural Heritage's Conservation Guides at www.acris.nynhp.org, from NatureServe Explorer at http://www.natureserve.org/explorer, from NYSDEC at http://www.dec.ny.gov/animals/7494.html (for animals), and from USDA's Plants Database at http://plants.usda.gov/index.html (for plants).

More detailed information about many of the natural community types in New York, including identification, dominant and characteristic vegetation, distribution, conservation, and management, is available online in Natural Heritage's Conservation Guides at www.acris.nynhp.org. For descriptions of all community types, go to http://www.dec.ny.gov/animals/29384.html and click on DRAFT--Ecological Communities of New York State.

USERS GUIDE TO NY NATURAL HERITAGE DATA

New York Natural Heritage Program, 625 Broadway, 5th Floor, Albany, NY 12233-4757 phone: (518) 402-8935

NATURAL HERITAGE PROGRAM: The NY Natural Heritage Program is a partnership between the NYS Department of Environmental Conservation (NYS DEC) and The Nature Conservancy. Our mission is to enable and enhance conservation of rare animals, rare plants, and significant communities. We accomplish this mission by combining thorough field inventories, scientific analyses, expert interpretation, and the most comprehensive database on New York's distinctive biodiversity to deliver the highest quality information for natural resource planning, protection, and management.

DATA SENSITIVITY: The data provided in the report are ecologically sensitive and should be treated in a sensitive manner. The report is for your in-house use and should **not** be released, distributed or incorporated in a public document without prior permission from the Natural Heritage Program.

EO RANK: A letter code for the quality of the occurrence of the rare species or significant natural community, based on population size or area, condition, and landscape context.

A-E = Extant: A=Excellent, B=Good, C=Fair, D=Poor, E=Extant but with insufficient data to assign a rank of A-D.
F = Failed to find. Did not locate species during a limited search, but habitat is still there and further field work is justified.
H = Historical. Historical occurrence without any recent field information.
X = Extirpated. Field/other data indicates element/habitat is destroyed and the element no longer exists at this location.
U = Extant/Historical status uncertain.
Blank = Not assigned.

LAST REPORT: The date that the rare species or significant natural community was last observed at this location, as documented in the Natural Heritage databases. The format is most often YYYY-MM-DD.

NY LEGAL STATUS – Animals:

Categories of Endangered and Threatened species are defined in New York State Environmental Conservation Law section 11-0535. Endangered, Threatened, and Special Concern species are listed in regulation 6NYCRR 182.5.

E - Endangered Species: any species which meet one of the following criteria:
- Any native species in imminent danger of extirpation or extinction in New York.
- Any species listed as endangered by the United States Department of the Interior, as enumerated in the Code of Federal Regulations 50 CFR 17.11.

T - Threatened Species: any species which meet one of the following criteria:
- Any native species likely to become an endangered species within the foreseeable future in NY.
- Any species listed as threatened by the U.S. Department of the Interior, as enumerated in the Code of the Federal Regulations 50 CFR 17.11.

SC - Special Concern Species: those species which are not yet recognized as endangered or threatened, but for which documented concern exists for their continued welfare in New York. Unlike the first two categories, species of special concern receive no additional legal protection under Environmental Conservation Law section 11-0535 (Endangered and Threatened Species).

P - Protected Wildlife (defined in Environmental Conservation Law section 11-0103): wild game, protected wild birds, and endangered species of wildlife.

U - Unprotected (defined in Environmental Conservation Law section 11-0103): the species may be taken at any time without limit; however a license to take may be required.

G - Game (defined in Environmental Conservation Law section 11-0103): any of a variety of big game or small game species as stated in the Environmental Conservation Law; many normally have an open season for at least part of the year, and are protected at other times.

NY LEGAL STATUS – Plants:

The following categories are defined in regulation 6NYCRR part 193.3 and apply to NYS Environmental Conservation Law section 9-1503.

E - Endangered Species: listed species are those with:
- 5 or fewer extant sites, or
- fewer than 1,000 individuals, or
- restricted to fewer than 4 U.S.G.S. 7 ½ minute topographical maps, or
- species listed as endangered by U.S. Dept. of Interior, as enumerated in Code of Federal Regulations 50 CFR 17.11.

T - Threatened: listed species are those with:
- 6 to fewer than 20 extant sites, or
- 1,000 to fewer than 3,000 individuals, or
- restricted to not less than 4 or more than 7 U.S.G.S. 7 and ½ minute topographical maps, or
- listed as threatened by U.S. Department of Interior, as enumerated in Code of Federal Regulations 50 CFR 17.11.

R - Rare: listed species have:
- 20 to 35 extant sites, or
- 3,000 to 5,000 individuals statewide.

V - Exploitably vulnerable: listed species are likely to become threatened in the near future throughout all or a significant portion of their range within the state if causal factors continue unchecked.

U - Unprotected; no state status.

FEDERAL STATUS (PLANTS and ANIMALS): The categories of federal status are defined by the United States Department of the Interior as part of the 1974 Endangered Species Act (see Code of Federal Regulations 50 CFR 17). The species listed under this law are enumerated in the Federal Register vol. 50, no. 188, pp. 39526 - 39527. The codes below without parentheses are those used in the Federal Register. The codes below in parentheses are created by Heritage to deal with species which have different listings in different parts of their range, and/or different listings for different subspecies or varieties.

(blank) = No Federal Endangered Species Act status.
LE = Formally listed as endangered.
LT = Formally listed as threatened.
C = Candidate for listing.
LE,LT = Formally listed as endangered in part of its range, and as threatened in the other part; or, one or more subspecies or varieties is listed as endangered, and the others are listed as threatened.
LT,PDL = Populations of the species in New York are formally listed as threatened, and proposed for delisting.

GLOBAL AND STATE RANKS (animals, plants, ecological communities and others): Each element has a global and state rank as determined by the NY Natural Heritage Program. These ranks carry no legal weight. The global rank reflects the rarity of the element throughout the world and the state rank reflects the rarity within New York State. Infraspecific taxa are also assigned a taxon rank to reflect the infraspecific taxon's rank throughout the world. ? = Indicates a question exists about the rank. Range ranks, e.g. S1S2, indicate not enough information is available to distinguish between two ranks.

GLOBAL RANK:

G1 - Critically imperiled globally because of extreme rarity (5 or fewer occurrences), or very few remaining acres, or miles of stream) or especially vulnerable to extinction because of some factor of its biology.

G2 - Imperiled globally because of rarity (6 - 20 occurrences, or few remaining acres, or miles of stream) or very vulnerable to extinction throughout its range because of other factors.

G3 – Vulnerable: Either rare and local throughout its range (21 to 100 occurrences), or found locally (even abundantly at some of its locations) in a restricted range (e.g. a physiographic region), or vulnerable to extinction throughout its range because of other factors.

G4 - Apparently secure globally, though it may be quite rare in parts of its range, especially at the periphery.

G5 - Demonstrably secure globally, though it may be quite rare in parts of its range, especially at the periphery.

GH - Historically known, with the expectation that it might be rediscovered.

GX - Species believed to be extinct.

NYS RANK:

S1 - Critically imperiled: Typically 5 or fewer occurrences, very few remaining individuals, acres, or miles of stream, or some factor of its biology making it especially vulnerable in New York State.

S2 – Imperiled: Typically 6 to 20 occurrences, few remaining individuals, acres, or miles of stream, or factors demonstrably making it very vulnerable in New York State.

S3 - Vulnerable: Typically 21 to 100 occurrences, limited acreage, or miles of stream in New York State.

S4 - Apparently secure in New York State.

S5 - Demonstrably secure in New York State.

SH - Historically known from New York State, but not seen in the past 15 years.

SX - Apparently extirpated from New York State.

SxB and SxN, where Sx is one of the codes above, are used for migratory animals, and refer to the rarity within New York State of the breeding (B)populations and the non-breeding populations (N), respectively, of the species.

TAXON (T) RANK: The T-ranks (T1 - T5) are defined the same way as the Global ranks (G1 - G5), but the T-rank refers only to the rarity of the subspecific taxon.

T1 through T5 - See Global Rank definitions above.

Q - Indicates a question exists whether or not the taxon is a good taxonomic entity.

Revised April, 2005