THE CITY OF NEW YORK
OFFICE OF THE MAYOR
NEW YORK, NY 10007

NOTICE OF COMPLETION
DRAFT ENVIRONMENTAL IMPACT STATEMENT
for the
BALLY'S BRONX PROJECT

Lead Agency:	The New York City Office of the Deputy Mayor for Housing, Economic Development, and Workforce 100 Gold Street, 2nd Floor New York, NY 10038
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Date Issued:	January 17, 2025
Location:	Ferry Point Park, Bronx, NY Community District 10, Borough of the Bronx

A. INTRODUCTION

The Applicant, Bally's New York Operating Company, LLC (Bally's) proposes to develop the "Bally's Bronx" gaming and recreation facility (the "Proposed Facility") in the Throggs Neck neighborhood of Bronx Community District 10. The Proposed Facility would be located on an approximately 18.38-acre parcel (the "Development Site") within Bally's Golf Links at Ferry Point (the "Golf Course"), a 222-acre public golf course in the Bronx. To allow the Proposed Facility, Bally's proposes to rezone the area generally around the Development Site (the "Proposed Rezoning Area").

The Proposed Facility would be constructed in a portion of the Golf Course that is currently used for parking, the golf clubhouse, a portion of the practice area, and other landscaped areas. The 3,093,880-gross-square-foot (gsf) Proposed Facility would include up to 5,146 gaming positions, restaurants, a 500-key hotel with a spa and meeting space, approximately 6,100 gross square feet (gsf) of retail space, a 2,000-person event center, an approximately 2,000 square foot (sf) police substation, and parking for approximately 4,660 vehicles. As part of the Proposed Development, a replacement golf clubhouse would also be constructed north of the Proposed Facility.

The Golf Course, including the area where the replacement golf clubhouse would be located is, and will remain, a part of Ferry Point Park (the "Park"); Bally's operates the Golf Course, pursuant to a license agreement with the NYC Department of Parks and Recreation (NYC Parks).

The existing Park access roadway west of where the Proposed Facility would be located (the "Waterfront Access Roadway") would be improved so that it can also be used to access portions of the Proposed Facility. An easement or similar agreement between Bally's and NYC Parks would allow for joint use of this roadway, and it would continue to serve as access for park users to areas near the waterfront.

In connection with the Proposed Facility, the uninterrupted circular roadway within the Park that connects the southbound and northbound Hutchinson River Expressway service roads (the "Ring Road") would be converted to a City Street under the jurisdiction of the New York City Department of Transportation (NYCDOT). The street would be widened and improved in coordination with NYCDOT, NYC Parks, NYC Department of Environmental Protection (NYCDEP), and the Metropolitan Transportation Authority (MTA) (including New York City Transit (NYCT) and Bridges and Tunnels (TBTA)]. The improved street will include new bike lanes, pedestrian paths, and plantings.

The Proposed Facility, replacement golf clubhouse, improved Waterfront Access Roadway and improvements to Ring Road comprise the "Proposed Development." Collectively, the Development Site and the improved Ring Road comprise the "Affected Area."

The majority of the 18 holes that comprise the Golf Course would remain as currently configured and would continue to be open to the public. Golf Course users would be provided vehicular parking within the Proposed Facility ensured through a permanent reservation in the deed to Bally's or other legal instrument.

The Proposed Actions would enable the development of a destination gaming and entertainment facility that is expected to generate significant economic activity and tax revenue for both the City and State. The Development Site is well-suited to attract tourists and residents as it is easily accessible from regional destinations because of its location near the Hutchinson River Expressway and close connection to other major highways, as well as New York City's airports. The Proposed Development is poised to become the Bronx's second-largest private employer, creating approximately 1,800 union construction jobs and 3,500 permanent jobs upon opening. The Proposed Development will offer competitive compensation, exceeding New York City's median wages by 50 percent and the Bronx median income by more than 200 percent. Employment opportunities will also include health coverage and retirement benefits. The Proposed Development includes transportation and infrastructure upgrades, along with parkland improvements, enhancing community spaces in line with the recommendations made in the *Hutchinson River Transportation Parkway Corridor Study* from 2015. These efforts would generate new demands for local goods and services such as food suppliers, trade specialists, or event suppliers (i.e., event planners or florists). Visitors of the Proposed Development could also patronize existing local businesses within the Study Area. This increase in activity has the potential to create significant economic benefits within the Study Area and region.

B. PROJECT BACKGROUND AND EXISTING CONDITIONS

The Park, located at 450 Hutchinson River Parkway, is identified on the New York City tax map as Bronx Block 5622, Lot 1 and Block 5583, Lot 100. The 413.8-acre park is bisected by the Whitestone Bridge and the Hutchinson River Expressway. The Park was created through a combination of land purchase and reclamation. The Park's original 171 acres were purchased by the City in proceedings to acquire land for the Whitestone Bridge in 1937, and plans were made for a beach, bathhouse, and cafeteria complex with a bus terminal and parking. When the portion of the Park west of the Whitestone Bridge opened in 1941, the design included a comfort station, baseball diamonds, an overlook, and picnic areas. In 1948, two park additions totaling 243 acres were acquired by condemnation. The NYC Department of Sanitation (DSNY) operated a municipal solid waste landfill on a portion of the Park

east of the Whitestone Bridge from 1952 to 1970. In 2015 the landfill was capped and closed, and the Golf Course was completed over the former landfill.

The Golf Course concession was licensed to Trump Ferry Point LLC in 2015 for a term extending through March 31, 2035, pursuant to a license agreement dated February 21, 2012. The license was assigned to Bally's on September 12, 2023.

Also in 2015, improvements were made to the Park, including the construction of ballfields, bicycle and pedestrian pathways, basketball courts, and a comfort station. A new comfort station was added to the portion of the Park that is located west of the Whitestone Bridge in 2018.

The "Ferry Point Park Passive Waterfront Path and Landscape Construction" project, completed in March of 2021, created a waterfront path and saltwater marsh between the Whitestone Bridge and Emerson Avenue. The Ferry Point Park Ferry Stop was also completed in 2021; the terminal provides ferry access along the Soundview route between the Bronx and Manhattan seven days a week.

The Park also contains areas that are inaccessible to the public outside of the Affected Area. The TBTA uses space under the Whitestone Bridge for maintenance activities. The TBTA also maintains a salt dome on the interior of Ring Road, east of the Whitestone Bridge.

Golf Course

The Golf Course comprises 222-acres and is a regional public recreation facility located on the eastern portion of the Park. The course is bounded by Saint Raymond's New Cemetery to the north, Balcom, Miles, and Emerson Avenues to the east, waterfront portions of the Park to the south, and, to the west, a park roadway that runs generally along the eastern edge of the Hutchinson River Expressway. The 18-hole course was designed by Nicklaus Design as a links-style course and features native grasses and dunes. The teeing areas rise at varied elevations.

C. DESCRIPTION OF THE DEVELOPMENT SITE

The Development Site is bounded by the Park and Hutchinson River Expressway to the west, and the Golf Course and Park on all other boundaries. The Development Site is an approximately 18.38-acre area entirely within the Golf Course. As noted above, the Golf Course is part of Ferry Point Park, and under the jurisdiction of NYC Parks. Bally's is the licensee and operator of the Golf Course. The Development Site is currently improved with the golf clubhouse, parking lot, a portion of the golf course practice area, and other landscaped areas. The clubhouse is one story and has approximately 25,265 gsf of floor area.

The Development Site comprises three areas:

1. The "Disposition Parcel" is a 15.73-acre parcel of parkland that would be alienated through State legislation and disposed by the City to Bally's to allow construction of the Proposed Facility;
2. The replacement clubhouse area includes approximately 1.23 acres that would be developed with the replacement golf clubhouse and associated Golf Course improvements. This land would continue to be part of the Golf Course and would remain parkland owned by NYC Parks. The land is within the area that would continue to be operated by Bally's either through an extension and modification of the existing Golf Course Concession and/or a lease; and
3. The Waterfront Access Roadway is a 1.42-acre parcel of land east of the Whitestone Bridge and is within the location of a roadway that connects Ring Road and the East River Park Lot – an area of the Park south of the Development Site and outside the Golf Couse that contains a surface parking lot near the waterfront. An easement or similar agreement would allow Bally's to share use of this roadway. The access area would be alienated to allow this use along the roadway. The Waterfront Access Roadway would remain under ownership of NYC Parks and as part of the Park.

The preliminary Flood Insurance Rate Map (pFIRM) published by the Federal Emergency Management Agency (FEMA) shows that portions of the Development Site are in the 100-year (Zone AE) and 500-year floodplains, and other portions are in an area of minimal flood hazard chance. The base flood elevation at the Development Site is 13 feet. The Development Site is also within the New York City Coastal Zone Boundary, which requires a consistency review against the policies of the NYC Waterfront Revitalization Program (WRP).

The Development Site is accessed from the Hutchinson River Expressway and the local street network via the one-directional Ring Road at Schley Avenue, which connects the southbound Hutchinson River Parkway service road to the northbound service road by looping beneath the Whitestone Bridge within the Park. To the north, the Hutchinson River Expressway provides access to interstates 95, 278, and 295. These interstate highways allow regional connections to areas such as the Bronx, Westchester, New Jersey, and Connecticut. Southbound, the Hutchinson River Expressway provides access across the East River via the Whitestone Bridge to the Cross Island Parkway, which provides connections to Queens and Long Island.

The Development Site is approximately 0.25 miles west of the Bx42 bus stop along Harding Avenue, and approximately 0.25 miles northeast of the Ferry Point Park ferry stop. The Development Site is also within one mile of bus stops served by the BxM9, Q50, and Q44 – Select Bus Service (SBS) bus lines. The Middletown Road, Castle Hill Avenue, Zerega Avenue, and Westchester Square-East Tremont Avenue stations of the No. 6 subway line are within two miles of the Development Site.

The area surrounding the Affected Area is largely open space (the remainder of the Park and the Saint Raymond's New Cemetery). On the periphery of the Park, land uses include vacant land, institutional and industrial uses, multifamily housing, and one- and two-family residences.

Former Landfill

The Development Site is part of an area previously used by DSNY as a landfill (1952 to 1970). The overall landfill generally comprises the area of the Golf Course.

In July 2000, NYSDEC issued permit No. 2-6006-00014/00011 to allow the import of fill material to construct the Golf Course. The permit, as subsequently modified during construction activities, expired in May 2024. As required by the NYSDEC permit, a post construction custodial plan (PCCCP) was established to set forth post-construction and monitoring requirements for the site. Monitoring, as required by the PCCCP, is currently conducted by NYC Parks and would continue as its responsibility.

Ring Road

Ring Road is currently an approximately 2.41-acre area of the Park that is an unstriped, one-directional park roadway. The width of Ring Road varies but is generally 24 feet wide. Grassy areas front along either side of the roadway except in front the MTA office building near the entrance to the Park close to Schley Avenue, under the Whitestone Bridge, and along a TBTA maintenance facility, where the salt dome is located, next to the Whitestone Bridge.

Ring Road currently has an approximately 24-foot-wide travel lane, a 4-foot-wide gravel area that could serve as the roadway's shoulder, and guardrails on either side. Ring Road is a one-directional, sole roadway into and out of the Park and is primarily used by motorists but is also occasionally used for recreational purposes such as jogging or cycling. The roadway is the only formal connection under the Whitestone Bridge and serves as an informal connection between the east and west portions of the park for motorists, pedestrians, and cyclists.

Proposed Rezoning Area

The Proposed Rezoning Area is the area proposed to be rezoned to a C8-4 district. The Proposed Rezoning Area is bound by Ring Road to the northwest, 2,870 feet from the pierhead and bulkhead line to the north, 950 feet from Emerson Avenue to the east, 1,390 feet from the pierhead and bulkhead line to the southeast, and 2,250 feet from Emerson Avenue to the west. These boundaries were selected to

ensure that the entirety of the Development Site was included in the Proposed Rezoning Area while providing regular dimensions that keyed off existing street and pierhead/ bulkhead lines. The Proposed Rezoning Area includes some portions of the Golf Course in the areas of holes 1, 9, 10, and 18, but these will remain mapped parkland.

Replacement Parkland and Park Improvements

Park improvements and replacement parkland would be provided consistent with the requirements of the State alienation legislation. Bally's would contribute funds to the City of New York to be devoted to NYC Parks for such public improvements and deed the designated new parkland to NYC Parks.

Description of the Surrounding Area (Study Area)

The land within a quarter-mile radius of the Affected Area is predominantly parkland associated with the Park, which spans across the east and west sides of the Hutchinson River Expressway. The Golf Course is located in the eastern portion of the Park, bounded by the Whitestone Bridge to the west, Balcom Avenue and Emerson Avenue to the east, Schley Avenue and Saint Raymond's New Cemetery to the north, and the East River to the south. The 18-hole links-style course was designed by Nicklaus Design. The Golf Course features native grasses and dunes with teeing grounds that rise at varied elevations, a feature that is typical of a links course. The Golf Course was designed to accommodate national and international tournaments and is open to the public for a fee. Beyond the Golf Course, and to the west of the Whitestone Bridge, the Park offers barbecuing areas, basketball courts, cricket fields, football fields, dog-friendly areas, handball courts, playgrounds, public restrooms, soccer fields, and Wi-Fi Hot Spots. The Park is over 400 acres and is one of the City's flagship parks.

The area south of the Cross Bronx Expressway and west of the Hutchinson River Expressway is predominately industrial, although residential uses are present on the blocks bounded by Wenner Place, Hutchinson River Expressway, Jay Place, and Brush Avenue. The non-residential uses in this area include the Throggs Neck Shopping Center, a Home Depot, Monsignor Scanlan High School, a beverage distributing facility, construction contractor yards, UPS and FedEx facilities, and a homeless shelter. North of the Park is the 180-acre Saint Raymond's New Cemetery. The area east of the Park is the predominately residential Throggs Neck neighborhood.

D. THE PROPOSED DEVELOPMENT

The Proposed Development includes the Proposed Facility, a replacement golf clubhouse, the improved Waterfront Access Roadway and improvements to Ring Road.

Proposed Facility

The Proposed Facility would contain approximately 561,320 gsf of gaming and food and beverage space, a 500-key hotel with a spa and meeting space, a 2,000-person event center, approximately 6,100 gsf of retail, and approximately 40,160 gsf for a replacement golf clubhouse. The Proposed Facility would be supported by about 1,941,910 gsf of parking (4,660 spaces). The Proposed Facility would have about 3,093,880-gsf and rise to a maximum height of 245 feet above the ground floor, or an elevation of 280 feet North American Vertical Datum 88 (NAVD88); the golf clubhouse would be about 40-foot-tall (at an elevation of 75 feet NAVD88) and would be built north of the Development Site on land that would remain under the jurisdiction of NYC Parks. Exterior glazing of both buildings would comply with the bird-friendly design of Local Law 15 of 2020. The proposed floor area by use is shown in Table 1 below.

Table 1: Proposed Development - Floor Area by Use

Use	New Construction (in GSF)
Replacement Golf Clubhouse	40,160
Casino (Gaming and Food/Beverage)	561,320
Hotel, Spa, & Meeting	509,330
Event Space	75,220
Sundry Retail	6,100
Parking	1,941,910
TOTAL	**3,134,040**

The new gaming facility would increase the number of employment opportunities, both directly and indirectly, in the Throggs Neck neighborhood and surrounding areas. The Proposed Actions would allow the construction of the Proposed Facility, which would provide approximately 3,500 new jobs at the Development Site, and up to 1,800 temporary construction jobs. The Proposed Facility would generate new demands for local goods and services such as food suppliers, trade specialists, or event suppliers (i.e., event planners or florists). Visitors of the Proposed Development could also patronize existing local businesses within the Study Area. This increase in activity has the potential to indirectly increase employment opportunities within the Study Area.

As a part of the project design, Bally's has committed to developing a police substation of approximately 2,000 sf within the Proposed Facility and employing on-site security personnel. Bally's has also committed to including a designated area within the Proposed Facility for emergency management and medical services.

The Development Site would be accessed from Ring Road. A curb cut from Ring Road would connect to access lanes to enter a roundabout. The roundabout would allow for connections to parking and the replacement golf clubhouse. A fire lane would encircle the Proposed Facility.

The Proposed Facility would have a building footprint of approximately 445,000 sf. The design is an L-shaped building that would generally reflect the existing golf course ridgeline near the western boundary of hole 18. The Proposed Facility would consist of a base with two distinct "towers" constructed above. The Proposed Facility was designed to meet several project goals, including to:

- Be more than 1,000 feet away from residential uses;
- Ensure the continued use of the Golf Course;
- Minimize the building footprint within the Park while allowing necessary space for a world-class gaming facility;
- Replace all golf facilities (i.e., golf clubhouse, practice area, parking, and landscaping) that would be displaced;
- Respond to the surrounding context with rounded architectural elements that reflect the curvature of the East River shoreline near the Development Site, and landscape elements that are in harmony with the links-style Golf Course;
- Set back more than 250 feet from Ring Road to retain open areas between the Proposed Facility and Ring Road;
- Develop a gaming facility that would complement the Park and the Nicklaus Design Golf Course;
- Enable floodproofing measures to protect the Proposed Facility from projected changes to sea level rise and revised flood levels; and
- Incorporate new publicly accessible pedestrian connections along Ring Road, connecting the east and west portions of the Park.

The lowest levels of the building – cellar levels B1 and B2 – would be designed at elevation 15, 2 feet above the base flood elevation. Uses within the cellar would generally include back-of-house uses, storage and mechanical space, drop-off areas, parking, and a police substation.

The replacement golf clubhouse would be an independent structure. A pathway through the Proposed Facility would allow carts to move between the golf clubhouse and hole 18 without the need to traverse around the Proposed Facility.

The ground floor (level 1) would contain retail, hotel lobby, restaurants, and gaming space. Views from the lobby would be eastward to the 18th green, the East River, the Whitestone Bridge, and the Queens skyline. Levels 2 through 4 would contain self-parking in the south garage, gaming, food and beverage space, and the 2,000-person event center.

At level 5, the building's base would divide into the north and south wings. Portions of these wings would contain garages with self-parking. Along the southeast façade of the north wing, hotel rooms would face southeast towards the 18th hole, the East River, the Whitestone Bridge, and the Queens skyline.

Level 6 would largely contain self-park parking in both the north and south wings. In the south wing, level 7 would contain the hotel's spa, fitness, and meeting rooms. The north wing would contain hotel rooms, self-parking, and the balcony level of the event space.

Levels 8 through 11 would largely contain additional hotel rooms and self-park spaces. The roof above the north wing's base would contain photovoltaic (solar) panels or green roof elements and stormwater management features.

Levels 13 through 15 would include hotel rooms in both the east and west towers. Between levels 16 through 19, the east and west towers would be connected via a curved sky bridge. Above the west tower, Level 20 would contain a hotel rooftop bar and restaurant that would be open to the public. Sweeping views from the rooftop would be available to the Park, the East River, Whitestone Bridge, and the Queens and Manhattan skylines.

The Proposed Facility includes a gradual stacking of components with a variety of setbacks. These setbacks are accompanied by architectural details that result in soft, rounded edges that are intended to respect the rolling hills and dunes of the links-style Golf Course. The building is designed to keep the back-of-house uses below grade to the extent practicable, leaving a larger proportion of space available above-ground for visitors.

Replacement Golf Clubhouse

Bally's would construct a replacement golf clubhouse to the north of the Proposed Facility. The proposed clubhouse would be built on land that would continue to be owned by NYC Parks and operated by Bally's. The proposed L-shaped golf clubhouse would enhance service for its existing client base. The basement, which would be sited at elevation 25, is planned to include lockers, a lounge area, and back-of-house space. The proposed ground floor would contain an office space, pro-shop, bar, and kitchen space below an event space and terrace overlooking the Golf Course on the second and third floors. A new drop-off lane would be provided for golf clubhouse users. Access lanes would lead to parking within the Proposed Facility.

A replacement golf practice area – being designed by Bally's in consultation with and subject to approval by Nicklaus Design and NYC Parks – would replace the existing practice area and would be located near the replacement clubhouse.

Construction of the Proposed Development

The Proposed Development would be supported by deep foundations, bypassing the loose historic fill and very soft clay, and bearing in suitable material (dense sand and/or bedrock) about 80 to 120 feet below ground surface. Deep foundation options potentially include:

- Drilled displacement piles in which soils are displaced laterally as the drill rig tooling is advanced to suitable bearing material;
- Drilled piles, in which steel casing is advanced to bedrock and the pile is then socketed into the bedrock; or
- Steel or precast concrete piles driven to the suitable bearing material.

Installation of these piles would require a breach of the landfill cover system, including possible pre-drilling through the historic fill stratum underlying the barrier protection material (BPM). Pre-drilling methods would be conducted using water to mitigate dust creation, and with methods to mitigate the amount of material removed at each pile location.

The slabs of the new buildings would introduce new site caps across the building footprint. The cap of nonhazardous, regulated fill in the areas outside the building footprints would be restored following construction.

Ground-intrusive activities necessary to develop the Proposed Development would be conducted pursuant to a Change of Use Workplan approved by NYSDEC, and environmental oversight and monitoring would be conducted under the supervision of a NY State licensed engineer. Future monitoring within the Development Site would be the responsibility of Bally's.

Ring Road

Ring Road currently functions as a NYC Parks roadway and is a two-lane, one-directional roadway used by pedestrians, cyclists, and motorists to access and egress the Park. Ring Road currently occupies approximately 2.41 acres of the Park. The Proposed Actions contemplate mapping a 70-foot right-of-way/City Street section in the area west of the Hutchinson River Expressway. However, in that area, the final street mapped and ultimately built would be 60 feet in width. With this 60-foot-wide roadway, the increase in the proposed roadbed area is anticipated to be approximately 0.36 acres for a total roadbed of 2.77 acres. The remaining area that would be mapped for Ring Road, approximately 2.12 acres, would contain bike lanes, sidewalks, and planting strips, and would be available to the public for recreational purposes.

In coordination with NYCDOT and with input from other agencies such as NYC Parks, NYCDEP, and MTA (TBTA), Ring Road would be widened wherever feasible to allow design flexibility to safely accommodate vehicles, bicycles, and pedestrians accessing the western portion of Park and continuing east to other portions of Park and to the Proposed Development.

West of the Whitestone Bridge and the Hutchinson River Expressway, Ring Road would be developed into an approximately 60-foot-wide street, except for where the roadway would be narrowed to avoid an existing freshwater wetland near the southern tip of the roadway. The roadway near the wetland, and under the Hutchinson River Expressway overpass, would be 45 feet wide. East of the expressway and north of the Development Site, the roadway would be 38 feet wide.

The approximately 24-foot roadbed of Ring Road west of the expressway would be widened to approximately 30 feet allowing two 11-foot-wide lanes of vehicular traffic and an additional eight-foot-wide lane for on-street parking. Six-inch curbs would be provided on either side of the roadway. The parking lane would have the potential to also serve as a future bus stop in locations approved by NYCDOT and MTA. Additional improvements to Ring Road would include a 10-foot-wide sidewalk and a 12-foot-wide, two-way protected bike lane. Five feet along the exterior of the roadway was included to allow for design flexibility as a part of the mapping of Ring Road. Pedestrian crosswalks would be provided to safely traverse from the two sides of the Park. Therefore, the Proposed Actions would expand public access to the Park and provide enhanced infrastructure, and therefore added safety, for pedestrians and cyclists.

Pedestrian connections beneath the Whitestone Bridge are limited. Currently, no sidewalks are present along Ring Road and pedestrians must walk along the roadbed or its adjacent gravel area. The proposed

improvements to Ring Road would enhance connectivity along Ring Road under the Whitestone Bridge, allowing new connections between the Development Site and Ferry Point Park west of the expressway. The proposed new connections under the Whitestone Bridge would connect existing facilities that are currently connected by the vehicular-oriented configuration in Ring Road. The proposed improvements would create a new pedestrian route between the Ferry Point Park Ferry Stop and the Development Site.

To avoid disturbance of the existing freshwater wetland near the southern tip of Ring Road, the planting strip and parking lane would be eliminated near and beneath the Whitestone Bridge. The width of the two 11-foot-wide travel lanes would be consistent along Ring Road. Near the wetland and in front of the Development Site, Ring Road would be mapped and constructed to a width of 45 feet.

Along Ring Road, a new traffic control is proposed to enhance pedestrian safety for pedestrians crossing Ring Road. Proposed safety measures in various locations on Ring Road include a new traffic light, formalized pedestrian crossings, and striping.

Along Ring Road, the roadbed would be striped to include two eleven-foot-wide travel lanes with six-inch curbs on either side. This configuration would remain consistent throughout the entirety of the redeveloped roadway, except a third vehicular lane would be developed east of the Whitestone Bridge and on the approach to the Proposed Facility's driveway.

North of the Development Site, Ring Road is constrained by the Hutchinson River Expressway to the west and the Golf Course and Saint Raymond's New Cemetery to the east. In this area north of the Development Site, the street would be mapped and constructed to a 38-foot width.

Replacement Parkland and Park Improvements

Park improvements and replacement parkland would be provided consistent with the requirements of the State alienation legislation. Bally's would contribute funds to the City of New York to be devoted to NYC Parks for such public improvements and deed the designated new parkland to NYC Parks.

E. DISCRETIONARY AND OTHER APPROVALS

The following discretionary actions (the Proposed Actions) are proposed to allow the Proposed Development:

City Approvals:

- A City Map Amendment to demap a portion of the Development Site (the "Disposition Parcel") as parkland allowing for the disposition of an interest in those areas;
- A City Map Amendment to map the widened Ring Road as a City Street;
- A Zoning Map Amendment to designate existing parkland as a C8-4 commercial zoning district, in which gaming facilities are permitted pursuant to NYC Zoning Resolution Sections 32-10 (32-18, 32-181, 32-183) and 42-10 (42-18, 42-181, 42-183);
- Approval for the disposition of City-owned real property to facilitate the transfer of a non-exclusive access easement or other similar agreement over the Waterfront Access Roadway necessary for the Proposed Development from the City of New York (through NYC Parks) to Bally's; and
- The extension and modification of the existing Golf Course Concession, through a renewal concession and/or a lease, to facilitate the long-term operation of the public Golf Course by Bally's.

In addition, coordination and approvals for public improvements will be required from City agencies such as NYC Parks, NYCDOT, and NYCDEP.

State Approvals:

- State Legislation and Governor's Approval to authorize the alienation and disposition of parkland within Ferry Point Park (the Park);
- Approval by the Gaming Facility Location Board and issuance of a gaming license from the New York State Gaming Commission to allow the operation of the Proposed Facility; and
- Approval from New York State Department of Environmental Conservation (NYSDEC) of a "Change of Use Workplan" to allow the use of and construction on the Development Site because it is part of a closed landfill.

Other State approvals include approval from NYSDEC for stormwater discharges during construction and approvals from NYSDOT and potentially other State agencies to facilitate certain street improvements near the Hutchinson River Expressway. In addition, coordination (or approvals for public improvements) may be required with State agencies or authorities such as the MTA (including NYCT and TBTA).

The Proposed Development would also include various ministerial actions, such as approval from the Public Design Commission (PDC) for the replacement golf clubhouse.

F. THE PURPOSE AND NEED FOR THE PROPOSED ACTIONS

In 2013, the New York State Constitution was amended to authorize up to seven commercial casinos in the state. Four commercial casinos were sited in upstate New York, and in 2022, the New York State budget established a new siting process and criteria for the remaining three licenses that would be established in downstate New York. The process is competitive, with clearly defined legislative purposes and intent. However, it differs from the process to allow casinos in upstate New York because each proposed casino applicant is required to obtain Community Advisory Committee approval and substantially complete all land use entitlement processes before the Gaming Facility Location Board will review an application.

Revenue from new gaming facilities is expected to generate substantial fiscal benefit to New York's public schools, local governments, and gambling treatment services. The development of a gaming facility is contingent upon receiving a gaming license from the New York State Gaming Commission.

The Proposed Actions would enable a destination gaming facility that is projected to generate significant tax revenue for the City and State directly (through gaming taxes, corporate and employee income taxes, sales, hotel, and property taxes) and indirectly (such as, for example, through bridge tolls). This additional tax revenue would benefit residents of the Northeast Bronx and the City as a whole. The Proposed Development is projected to increase the production and sales at nearby businesses due to the increased demand generated by the Proposed Development and increase the demand of goods and service providers that will support the Proposed Development.

The Development Site is well-suited to attract tourists and residents because of its location within the Park and accessibility from regional destinations via the Hutchinson River Expressway and connections to other major highways, as well as New York City's airports. Additionally, the Proposed Facility would provide a hotel, event center, and other accessory uses to support the proposed gaming uses and the existing Golf Course. The Proposed Development would become the Bronx's second-largest private employer thereby significantly increasing employment in the area, both directly and indirectly, and creating a vibrant destination in a largely underutilized area of the Bronx. The Proposed Development would generate up to 1,800 temporary construction jobs for up to 30 months and up to 3,500 new permanent jobs in the Bronx. The Proposed Facility would generate new demands for local goods and services such as food suppliers, trade specialists, or event suppliers (i.e., event planners or florists). Visitors of the Proposed Development could also patronize existing local businesses within the Study Area. This increase in activity has the potential to indirectly increase employment opportunities within the Study Area.

In addition to the Proposed Facility, Park improvements and replacement parkland would be provided consistent with the requirements of the State alienation legislation. Bally's would contribute funds to the City of New York to be devoted to NYC Parks for such public improvements and would deed the designated new parkland to NYC Parks. Bally's would also construct privately-funded improvements to Ring Road, including roadway widening, new pedestrian and cycling infrastructure, and improvements to stormwater drainage.

The Proposed Development would further the goals of citywide public policies such as the New York City WRP through flood-resistant measures to protect the Proposed Development from the effects of climate change and *Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery* through the creation of up to 3,500 new permanent jobs in the Bronx. The Proposed Actions would also support the recommendations made in the *Hutchinson River Transportation Corridor Parkway Study* by making infrastructure and safety improvements to Ring Road, the Park, and the surrounding roadways.

G. ANALYSIS FRAMEWORK

The *2021 CEQR Technical Manual* provides the methodologies and impact criteria to evaluate the potential environmental effects of the Proposed Actions. Consistent with the guidelines set forth in the *2021 CEQR Technical Manual,* existing conditions are defined. Future conditions are then forecasted to the analysis (build) year without the Proposed Actions (the "No-Action Condition"). The "With-Action Condition" assumes the Proposed Actions would be adopted and the Development Site would be redeveloped and fully occupied by the analysis (build) year. The With-Action Condition will be compared to the No-Action Condition to determine the project "increment." The increment will be used to determine the incremental effects of the Proposed Actions over the No-Action Condition. Guidance in the *2021 CEQR Technical* Manual was used to determine whether the Proposed Actions have potential to result in significant adverse impacts, as defined in the manual (and pursuant to both Title 62 of the Rules of the City of New York and Part 617 of the New York Codes, Rules and Regulations).

The Proposed Development requires discretionary land use actions from both the State and the City.

Analysis (Build) Year

The analysis year established for this project is 2030 the year when new development generated by the Proposed Actions would be complete and fully operable. Construction of the Proposed Development would begin after the Proposed Actions have been approved and Bally's has obtained all required permits. Construction is expected to commence in 2027. Assuming a construction duration of approximately 30 months, the Proposed Development, including the Proposed Facility, replacement golf clubhouse, and roadway improvements would be complete and fully occupied in 2030.

No-Action Condition

The Development Site is located within a City park and is under jurisdiction of NYC Parks. In the No-Action Condition, existing conditions on the Development Site and Ring Road would remain. The one-story golf clubhouse, accessory parking lot, practice area, and landscaped areas would remain as existing conditions on the Development Site. No new public infrastructure – such as roadway or park improvements – would be developed, and Ring Road would continue to experience flooding. The existing uses on the Development Site are considered allowable uses on parkland and are in place pursuant to a license agreement between Bally's and NYC Parks.

Propel Transmission Line

Absent and independent of the Proposed Development, Propel plans to develop a transmission line through a portion of Ferry Point Park. The exact route of Propel's infrastructure has not been finalized. While it is likely that all the transmission infrastructure will be located west of the Hutchinson River Expressway, this has not yet been confirmed. Construction staging locations have not yet been determined and are dependent on the transmission line's route through the Park. The time of

construction is projected to commence by the end of 2026 and is proposed to be finalized by 2027; however, the construction timeline is not final and is dependent on State and City permitting processes in addition to the final route and method of crossing the Park. To the greatest extent practicable, Propel will be required by the City to limit their work in the Park to the recreational "off season" of roughly December through March.

With-Action Condition

In the With-Action Condition, the Proposed Actions would be adopted, and a portion of the Development Site and Ring Road would be alienated from the Park. The Proposed Rezoning Area would be rezoned to a C8-4 commercial district, and portions of the Development Site would be conveyed from the City to Bally's. Bally's would demolish the existing golf clubhouse, accessory parking lot, a portion of the practice area and other landscaped areas to construct the Proposed Facility and replacement clubhouse and make improvements to Ring Road, as described in Section 1.4, "Proposed Development." The alienation legislation would provide a legal instrument that would restrict Bally's use of the Development Site.

Increment

Compared to the No-Action Condition, the With-Action Condition would result in an increment of approximately 3,108,775 gsf and 2,566,965 zoning square feet (zsf) on the Development Site. The incremental difference between the No-Action and With-Action is shown in Table 2 below.

Table 2: Project Increment by Use

	No-Action	With-Action	Increment
Development Site (Gross Square Feet [GSF])			
Golf Clubhouse	25,265	40,160	14,895
Casino	0	561,320	561,320
Hotel with Spa and Meeting Rooms	0	509,330	509,330
Event Space	0	75,220	75,220
Sundry Retail	0	6,100	6,100
Parking	0	1,941,910	1,941,910
Total (GSF)	**25,265**	**3,134,040**	**3,108,775**
Development Site (Zoning Square Feet [ZSF])			
Golf Clubhouse	16,505	22,140	5,635
Casino and Gaming	0	390,320	390,320
Hotel, Spa, Meeting	0	488,430	488,430
Event Space	0	62,160	62,160
Sundry Retail	0	6,100	6,100
Parking	0	1,614,320	1,614,320
Total (ZSF)	**16,505**	**2,583,470**	**2,566,965**
Other Programming			
Gaming Positions	0	5,146[1]	5,146
Hotel Rooms	0	500	500
Event Center (Person Capacity)	0	2,000	2,000
Jobs	165	3,500	3,335
Parking (Spaces)	315	4,660	4,345
Alienated Open Space (Acres)	0.00	26.75	26.75
Building Height (Feet)	40	280[2]	240

1. The capacity of the gaming facility, as measured in available spaces for gamers.
2. At an elevation of 35 feet, the Proposed Facility would rise 245 feet to an elevation of 280 feet (reported in NAVD88).

H. PROBABLE IMPACTS OF THE PROPOSED ACTIONS

LAND USE, ZONING, AND PUBLIC POLICY

The Proposed Actions would not result in significant adverse impacts related to land use, zoning, or public policy. The Proposed Actions include amendments to the City Map, amendments to the Zoning Map, and an extension and modification of an existing concession license, through either a concession, license, and/or lease, between NYC Parks and Bally's. Additional approvals from the State of New York include the authorization of parkland alienation, issuance of a gaming license from the New York State Gaming Commission, and approvals from NYSDEC.

The Proposed Actions would remove portions of the Development Site from the Park and designate the Proposed Rezoning Area as a C8-4 commercial zoning district. The Proposed Actions would permit the uses proposed to be located within the Proposed Facility on the Development Site. The Development Site would be located on the existing Golf Course parking lot, clubhouse, a portion of the practice area, and other landscaped areas allowing the majority of the Golf Course (over 200 acres) to remain intact and open to the public. Additionally, the Proposed Development would further the goals in the 2015 *Hutchinson River Transportation Corridor Parkway Study* by making privately funded infrastructure and safety improvements to the Ring Road and surrounding roadways.

Land Use

The Development Site is in an area well-suited to attract tourists and residents and is easily accessible from regional destinations because of its location near the Hutchinson River Expressway and connections to other major highways, the Ferry Point Park Ferry Stop, and New York City's airports. The Development Site is improved with the Golf Course's clubhouse, parking lot, a portion of the practice area, and other landscaped areas. These uses support the Park's primary use as open space and are amenities to the Golf Course. The quarter-mile Study Area largely comprises the Park but also contains commercial, industrial, and residential uses at the northwestern and eastern fringes. In the No-Action Condition, these land uses would remain as existing conditions.

The Proposed Actions would facilitate a change in land use on the Development Site and on Ring Road, both areas of which would be removed from the Park. In the With-Action Condition, Bally's would construct the Proposed Facility on the Development Site. A new clubhouse would be developed north of the Proposed Facility to support existing Golf Course uses. New commercial uses – gaming, eating and drinking establishments, hotel, entertainment, and retail – would be introduced to the Development Site. A new clubhouse would be developed to enhance service to the Golf Course's existing client base. These new commercial uses are expected to generate significant economic activity and tax revenue for both the City and State and have been designed to complement the Golf Course and the Park. The increased intensity of land use on the Development Site is estimated to generate approximately 3,500 employees at the Proposed Facility and replacement golf clubhouse when fully operational.

Ring Road comprises approximately 2.41 acres of the Park. In the With-Action Condition, Ring Road would be removed from the Park and would be transferred from NYC Parks to NYCDOT so that it can be used as an official City Street, as recommended in the *Hutchinson River Transportation Corridor Parkway Study.* To support the Proposed Facility, improvements would also be made to Ring Road to manage stormwater and to support safety for pedestrians, cyclists, and vehicles.

The Proposed Actions would not alter current land uses within the quarter-mile Study Area beyond the Affected Area. Accordingly, the Proposed Actions would not result in significant adverse impacts to land use.

Zoning

The Proposed Actions would introduce a new C8-4 commercial district to the Study Area, a zoning district with a maximum floor area ratio (FAR) of 5.0 for commercial uses, and where new residential uses are not allowed as-of-right. The Proposed Development would have an FAR of approximately

3.53 and would not use all available floor area under the proposed zoning. The height of the Proposed Facility would be shorter than the suspension towers of the Whitestone Bridge and the height and bulk of the development would not overwhelm the skyline from the pedestrian view.

Bally's proposes to map a C8-4 district to accommodate the Proposed Facility and does not propose any residential development. The proposed C8-4 zoning district would support the goals of the project by allowing a gaming facility (if a license is granted by the NYS Gaming Commission) that would complement the Golf Course and the Park. The proposed C8-4 zoning district would be consistent with other C8 districts across NYC, which are often mapped along major traffic arteries, and bridge between residential and manufacturing uses. The Gaming Facility Text Amendment approved by the New York City Council in April 2024 states that, "Gaming facilities, as approved by the Gaming Commission at the time of their initial licensure, shall be deemed to have satisfied all other applicable regulations of [the NYC Zoning] Resolution." In the With-Action Condition, the Proposed Facility – as approved in the future by the New York State Gaming Commission – would satisfy all applicable zoning. Accordingly, Proposed Actions would not result in a significant adverse zoning impact.

Public Policy

The Proposed Actions would not result in a significant adverse public policy impact and would not have the potential to conflict with citywide public policies. The actions would support the goals of: *OneNYC 2050; Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery;* the NYC Waterfront Revitalization Program (WRP); *Green Wave: A Plan for Cycling in New York City*; *NYC Streets Plan: Update 2024*; *Mayoral Greenways Expansion Plan; Vision Zero*; *Hutchinson River Parkway Transportation Corridor Study; Penn Station Access*; and *Bronx Metro-North Rezoning*.

The Proposed Actions would allow the development of the Proposed Facility, which would be one of the first new gaming facilities constructed in New York City in decades. The Proposed Facility is expected to generate significant revenue for both the City and State that could be directed to advancing public policy goals. The Proposed Facility would generate an estimated 3,500 jobs, consistent with an "inclusive economy" and other goals of *OneNYC 2050*. In accordance with the New York Codes, Rules and Regulations (NYCRR) requirements for gaming facilities, Bally's will submit annual plans related to increasing diversity in the workforce and contracting with minority and women-owned businesses. Additionally, the Proposed Actions would generate additional jobs during the temporary construction period. Overall, the Proposed Actions would be consistent with policies that encourage new commercial development and provide new economic opportunities.

The Proposed Actions would facilitate improvements to public infrastructure, thereby advancing the "modern infrastructure" goal of *OneNYC 2050*. Improvements to Ring Road would be designed in coordination with NYC Parks, NYCDOT, NYCDEP, and MTA. As the NYC Department of City Planning noted in the 2015 *Hutchinson River Parkway Transportation Corridor Study*, Ring Road does "not have the necessary facilities to support the current level of traffic and does not provide adequate access and crossing points for pedestrians." The study recommended that Ring Road be improved and transferred to NYCDOT, which would be facilitated by the Proposed Actions. New traffic controls would enhance circulation, safety, and access to the Development Site for pedestrians, cyclists, and vehicles, furthering the safety goals of *Vision Zero*. The improvements to Ring Road would introduce new pedestrian and cycling infrastructure that would connect to existing pedestrian and cycling routes. New infrastructure would also be introduced in Ring Road to manage stormwater and reduce the potential for the Development Site and Ring Road to flood during stormwater events. Thus, the Proposed Actions would strengthen the resiliency of Ring Road, the Development Site, and the Park, and support policies related to the related to the WRP. The Proposed Actions would also support localized planning policies such as the Hutchinson River Parkway Transportation Corridor Study, Penn Station Access, and Bronx Metro-North Rezoning through improvements to Ring Road, improved access to the Development Site, and the implementation of city-sponsored recommendations identified in the Hutchinson River Parkway Transportation Corridor Study. Accordingly, the Proposed Actions would not result in a significant adverse public policy impact.

SOCIOECONOMIC CONDITIONS

The Proposed Actions would not result in significant adverse impacts to socioeconomic conditions. The Proposed Actions would not displace residents nor introduce new residential units, and a residential displacement analysis is not warranted. The Proposed Actions would also not directly affect goods or services provided on the Development Site that a substantial number of residents or workers depend on. Additionally, the Proposed Actions would not result in the loss or substantial diminishment of a particularly important product or service within New York City – the *CEQR Technical Manual* threshold for an analysis of the effects on a specific industry. However, because the Proposed Actions would result in more than 200,000 gsf of commercial uses on the Development Site, an analysis of the potential for the Proposed Actions to result in indirect business displacement was warranted. A qualitative analysis of indirect residential displacement was also conservatively included.

Preliminary Indirect Residential Displacement Assessment

The Proposed Development would generate up to 3,500 new permanent jobs on the Development Site. Based on current data, the percentage of individuals living and working within the Study Area is approximately two percent. Thus, it was assumed that the Proposed Development could generate a need of up to 70 housing units (approximately two percent of total new workers) – an increase of 0.3 percent above the existing population – which could be accommodated by the existing 347 vacant units within the Study Area and additional vacancies within the surrounding neighborhoods. Based on the assumption that new residents moving into the Study Area spend 30 percent of their household income on rent, the expected income range of incoming households would be between $71,000 and $139,280. Additionally, if all 3,500 new workers were required to relocate (assuming all workers did not live in the Bronx), the existing vacant units within the Bronx could accommodate all new potential workers and would equate to 14 percent of existing vacant housing units in the Bronx and only 1.4 percent in New York City.

Based on the unemployment rate of the Study Area (4.7 percent) and the Bronx (6.5 percent) the total amount of new housing demand due to relocation is projected to be significantly less than the 3,500 new jobs generated by the Proposed Development. While not all project-generated jobs could be filled within the Study Area, all jobs could be filled through individuals seeking employment in the Bronx. Further, through Bally's workforce diversity plan, construction and operation of the Proposed Development would utilize to the extent practicable New York State's existing labor force including the development of training programs that serve the unemployed and include agreements to the extent practicable with existing organized labor unions. Therefore, the Proposed Development is not projected to introduce or accelerate housing demand through the relocation of workers to the Study Area and would not have a significant effect on the housing market in the area. Accordingly, the Proposed Actions would not result in a significant adverse socioeconomic conditions impact in the area of indirect residential displacement and no further analysis is warranted.

Preliminary Indirect Business Displacement Assessment

The Proposed Actions would not result in a significant adverse indirect business displacement impact. The Proposed Actions would allow the construction of the Proposed Facility, which would provide 3,500 new jobs to the Study Area, and up to 1,800 temporary construction jobs. Gaming and other destination entertainment are not present within the Study Area, and a gaming facility is not located within the Bronx. In the With-Action Condition, the Proposed Development would provide recreational uses to the public that would complement the existing Golf Course and provide an integrated entertainment experience. The Proposed Development would provide a new economic use on the Development Site that is not expected to compete with other destination entertainment in the Bronx. Due to the regional draw of the Proposed Development, visitors to the Development Site are also expected to patronize existing local businesses within the Study Area which would increase the production and sales at nearby businesses and the demand of goods and service providers to support the Proposed Development. Businesses that could be potentially affected by increased market pressure

would be those which do not directly benefit from an increased visitor population and do not primarily attract local residents such as warehouse and manufacturing uses, auto-related services, or other types of regional focused uses. These uses are not unique to the local neighborhood and are found throughout the Bronx and nearby areas within New York City. Additionally, very few of these businesses exist in the Study Area; therefore, it is not expected that any potential indirect displacement of these uses would significantly alter the socioeconomic characteristics of the Study Area.

Overall, the Proposed Actions would generate increased local spending at nearby restaurants, gas stations, and convenience stores and retail establishments, which would benefit the Study Area population. New York State and New York City would also benefit from gaming taxes, corporate and employee income taxes, sales, hotel, and property taxes, and bridge/tunnel tolls. Therefore, any potential changes to the socioeconomic characteristics of the Study Area would either be beneficial or would not be large enough to significantly alter existing socioeconomic characteristics, and the Proposed Development does not have the potential to result in significant impacts due to indirect business displacement and no further analysis is warranted.

COMMUNITY FACILITIES

The Proposed Actions would not result in a significant adverse community facilities and services impact as described below. The Proposed Actions would not directly eliminate, displace, or alter public or publicly funded community facilities, and as a result would not warrant an analysis of direct effects on community facilities. The Proposed Development would not include any residential uses and thus, the Proposed Development would not introduce a residential population that would burden community facilities and services such as schools, publicly funded early childhood centers, libraries, and health care facilities.

The Proposed Development would result in additional year-round visitors to the Development Site that could increase demand for police protection, fire protection, and emergency services. In the With-Action Condition, the Proposed Actions would generate up to approximately 650 workers and 5,800 visitors at a given time at the Proposed Facility and new golf clubhouse, which would occur during peak business hours. Bally's plans to employ on-site security personnel during business hours and will have 24-hour security surveillance. Security personnel will watch operations on-site and maintain and organize security camera recordings. As a part of the project design, Bally's has also committed to including a police substation on the Development Site. The Proposed Development would be constructed in accordance with New York City Fire Code, and fire hydrants would be installed along Ring Road in compliance with NYCDOT regulations.

Per the *CEQR Technical Manual*, the New York City Fire Department (FDNY) does not allocate resources based on proposed or projected developments, but continually evaluates the need for changes in personnel, equipment, or locations of fire stations and makes any adjustment necessary. The New York City Police Department (NYPD) independently reviews its respective staffing levels based on independent evaluations of an area's needs, precinct population, area coverage, crime levels, and other local factors. Adjustments are made based on these evaluations, rather than proposed or projected developments in an area.

The Proposed Actions would not affect access to and from a fire or police station or emergency service provider, with the exception that additional fire hydrants may be located on Ring Road as it will be improved to NYCDOT current standards. The Proposed Actions would also not create a sizable new neighborhood where none existed before; therefore, the Proposed Actions would not result in a significant adverse community facilities impact.

OPEN SPACE

The Proposed Actions would not result in a significant adverse open space impact. While the Proposed Actions would have a direct effect on the Park, the displaced open space would not have a significant adverse effect on existing users of the Park or others in the study area. The Proposed Actions would

generate additional nonresidents in the area but, even considering the decrease in Park area, this would not cause the ratio of open space per 1,000 residents or non-residents to exceed CEQR impact thresholds given the large amount of open space in the area.

Direct Effects

Of the Park's 413.8 acres, approximately 398.3 acres is publicly accessible open space used for recreational purposes. Approximately 11.97 acres these 398.3 acres would be displaced to facilitate the construction of the Proposed Facility on the Development Site. These displaced 11.97 acres are currently used primarily for the golf clubhouse, golf practice area, and a parking lot. A replacement golf clubhouse would be reconstructed on what would remain part of the Park and the Golf Course. The displaced parking and golf practice area would also be replaced with comparable facilities on the Development Site or Golf Course.

The existing approximately 2.41-acre Ring Road would be mapped and its jurisdiction transferred from NYC Parks to NYCDOT. Bally's would be responsible to design and construct the improvements to Ring Road. These improvements to Ring Road would benefit both those traveling to and from the Proposed Facility and Park users. The *Hutchinson River Parkway Transportation Corridor Study* – a study published by the Department of City Planning (DCP) in 2015 – found that Ring Road did not have the necessary facilities to support the current volumes of traffic and did not provide adequate access and crossing points for pedestrians. The proposed improvements to Ring Road would improve access and crossing points for pedestrians, increase capacity for vehicular traffic, and reduce the potential for flooding associated with precipitation events. Thus, improvements to Ring Road would enhance the visitor experience and would have a positive direct effect to the Park.

If required, trees would be removed in coordination with NYC Parks after receiving an NYC Parks permit. Bally's would follow the NYC Tree Valuation Protocol to determine the value of the tree and the fee for replacement Additionally, the existing parking spaces west of the Hutchinson River Expressway for Park users would remain during and after construction of the improvements to Ring Road.

The approximately 11.97 acres of displaced open space is primarily used by golfers; however, core active and passive recreational facilities of the Park – including the sports fields, barbeque areas, public restrooms, and dog-friendly areas – and the Ferry Point Park Ferry Stop – would not be altered and would continue to be available to Park users.

The age characteristics of the Residential Study Area and the guidance of the *CEQR Technical Manual* indicate an existing demand for playgrounds, grassy or hard-surfaced open spaces, court spaces, little league fields, ballfields, court games, and field sports. The Park contains a playground, ballfields, courts games, and field sports, and none of these facilities would be displaced with the Proposed Actions.

Development Site

The approximately 11.97 acres of the Park's open space located on the Development Site that are proposed to be displaced contain uses that are typically used by golfers paying to access the Golf Course, including about 31,000 sf of buildings, about 50,000 sf of paved walkways, and about 423,000 sf of landscaped area (which includes approximately 97,000 sf of golf practice area). Absent mitigation due to potential shadow impacts, the 18 holes that comprise the Golf Course would remain in their current condition and would continue to be open to the public. The Development Site also includes the Waterfront Access Roadway which connects a parking lot to the south of the Development Site to Ring Road. Public access along the Waterfront Access Roadway would be maintained with the Proposed Actions. The Waterfront Access Roadway would be alienated to allow vehicular access to the Proposed Facility, but the roadway would not be demapped as parkland and would continue to be owned by NYC Parks as part of the Park.

With the Proposed Actions, Bally's would construct a replacement practice area and clubhouse and include parking for the Golf Course within the Proposed Facility. A legal instrument would ensure that

users of the Golf Course or replacement clubhouse would be able to use parking in the Proposed Facility. Replacement of the clubhouse, practice areas, and parking would provide new amenities that are comparable to the removed uses. Therefore, the displaced open space would not have a significant adverse direct open space effect on existing users and would not result in a significant adverse direct open space effect.

Shadows

The Proposed Development could result in significant adverse impacts to the Golf Course's (vegetation) grass in the following limited areas:

- Hole 1: The putting practice area and rough around the teeing areas;
- Hole 9: The green and surrounding fairway and rough;
- Hole 10: The southern fringe of the southernmost tee box;
- Hole 18: The fairway and rough at southwestern edge of the hole; and
- Driving Range: The southern extent of the teeing area.

No significant adverse shadow impacts were identified for other sunlight-sensitive features of an open space resource, including the East River, NYCDOT wetland mitigation project area, a wetland south of Ring Road, and the open space uses west of the Hutchinson River Expressway. Measures to mitigate the significant adverse impacts to the Golf Course's grass and ensure player/pedestrian safety on the Golf Course and near the Proposed Facility are discussed in the Mitigation section below. These significant adverse shadows impacts would not preclude golfers from golfing, or affect a golfer's experience, and thus would not rise to the level of a significant adverse open space impact.

Urban Design

The Proposed Development would change the views of golfers at certain holes when using the Golf Course; however, the Proposed Development would not result in significant adverse urban design impacts. While some views may change from holes nearest the Proposed Facility, views of the Study Area's six visual resources – the Park, the East River, Westchester Creek, the Whitestone Bridge, and the Queens and Manhattan skylines – would continue to be available from other comparable locations throughout the Golf Course.

Hazardous Materials

Construction of the Proposed Development would include ground-intrusive activities, which would be conducted pursuant to a change of use work plan approved by NYSDEC. Environmental oversight and monitoring would be conducted per the change of use work plan under the supervision of a licensed engineer, who would oversee the screening of excavated material, observe imported materials, and implement both a community air monitoring plan (CAMP) and stormwater pollution prevention plan. Additionally, if required, a Construction Health and Safety Plan (CHASP) would be implemented for construction of the Proposed Development and reviewed and approved by NYSDEC prior to construction. With these measures in place and construction activities occurring pursuant a NYSDEC approved change of use work plan, there would be no potential for significant adverse open space impacts to Park users in the area of hazardous materials.

Air Quality

The Proposed Development has the potential to increase stationary and mobile source emissions within the Study Area; however, the Proposed Development would not result in significant adverse air quality impacts.

Noise

The Proposed Development has the potential to result in significant adverse noise impacts to noise-sensitive areas of the Park in the area that is west of the Hutchinson River Expressway and immediate

to the exterior of Ring Road. While the With-Action noise levels are projected to be up to 72.5 dB(A) during the worst peak hour, this level would not exceed the "nuisance levels" identified in the *CEQR Technical Manual*. However, the noise level at the immediate exterior of Ring Road would increase by more than 3 dB(A) during peak hours because of project-generated traffic along Ring Road. The nearby areas do not contain residential uses and are predominately used by transient park users (i.e., daytime users) for recreational uses. These users are currently exposed to noise generated by nearby roadways as well as other recreational users (including for organized sports, public gatherings, recreational events, barbecues, and picnics) and this area is not an area used for serenity and quiet.

Measures to mitigate these impacts are included under the Mitigation section below.

Ring Road

Ring Road currently functions as a NYC Parks roadway and is a two-lane, one-directional roadway used by pedestrians, cyclists, and motorists to access and egress the Park. Ring Road currently occupies approximately 2.41 acres of the Park. The Proposed Actions contemplate mapping a 70-foot right-of-way/City Street section in the area west of the Hutchinson River Expressway. However, in that area, the final street mapped and ultimately built would be 60 feet in width. With this 60-foot-wide roadway, the increase in the proposed roadbed area is anticipated to be approximately 0.36 acres for a total roadbed of 2.77 acres. The remaining area that would be mapped for Ring Road, approximately 2.12 acres, would contain bike lanes, sidewalks, and planting strips, and would be available to the public for recreational purposes. The conversion of Ring Road to a City Street would better support pedestrians, cyclists, and motorists that use the Park because:

- Ring Road's roadbed would be expanded to allow two lanes of vehicular traffic and one lane for new on-street parking;
- A new signalized crossing would be created to assist pedestrians cross the street and calm traffic along Ring Road;
- Ring Road would enable a future MTA bus stop to be located next to the Park, thereby allowing for future improved access to the Park from public transit; and
- New infrastructure would be installed in Ring Road to manage stormwater and reduce the potential for flooding.

Improvements to Ring Road would be designed and constructed in coordination with NYCDOT, NYC Parks, and NYCDEP. The improvements to Ring Road would also create new and safer connections under the Whitestone Bridge for pedestrians and cyclists by creating a sidewalk and bike lane where none currently exists. This new connection would create new opportunities for onward connections to existing pedestrian and cycling facilities via the Park. Thus, the removal of Ring Road from the NYC Parks' jurisdiction would facilitate new recreational amenities in Ring Road that are comparable or improved compared to existing conditions, and the transfer of jurisdiction to NYCDOT would not have an adverse effect on Ring Road's users.

Indirect Effects of Displaced Open Space on Residential Population

The Proposed Actions would not introduce a new residential population; however, the direct displacement of open space has the potential to reduce the acreage of open space per 1,000 residents. In the With-Action Condition, the Residential Open Space Study Area (which has some of the highest amounts of open space per resident in the City) would have an open space ratio (OSR) of 18.32 acres of open space per 1,000 residents, a 3.00 percent decrease compared to the No-Action Condition. The Study Area would continue to have more than seven times the City's planning goal of 2.50 acres per 1,000 residents and would not reduce the residential OSR by more than the CEQR impact threshold of five percent. Thus, the direct displacement of open space would not result in a significant adverse indirect impact on residential users and further analysis is not warranted.

Indirect Effects (Non-Residential Open Space Analysis)

Per the *CEQR Technical Manual*, a significant adverse indirect impact may occur if a project would cause the non-residential OSR to drop below the optimal level of 0.15 acres per 1,000 non-residents. The Non-Residential Open Space Study Area has an existing passive OSR of 685.48 acres per 1,000 non-residents, which is 4,569 times the *CEQR Technical Manual*'s optimal 0.15 acres per 1,000 non-residents.

In the With-Action Condition, approximately 12.33 acres (11.97 of the Development Site and a net 0.36 acres for Ring Road) of open space would no longer be open space, and Bally's would construct the Proposed Facility, replacement golf clubhouse, and improvements to Ring Road. These changes would remove approximately 3.30 acres of passive open space and approximately 9.03 acres of active open space from the Study Area.

The Proposed Actions would increase the non-residential population in the Study Area by up to 6,450 non-residents (5,800 visitors and 650 workers (at a given time) across the Proposed Facility) during peak operations. With the proposed removal of open space, the overall passive open space available to non-residents would decrease from 171.37 acres to 168.07 acres. The addition of 6,450 project-generated non-residents to the Study Area's population would, accordingly, decrease the non-residential OSR from the No-Action Condition's 685.48 acres per 1,000 non-residents to 25.09 acres per 1,000 non-residents in the With-Action Condition. The With-Action non-residential OSR would be more than 167 times above the optimal 0.15 acres per 1,000 non-residents identified in the *CEQR Technical Manual*. Accordingly, the Proposed Actions would not result in a significant adverse indirect open space impact for non-residential users.

SHADOWS

The Proposed Development would result in a significant adverse shadows impact to vegetation on the Golf Course in areas near the Proposed Facility and the replacement golf clubhouse. A detailed analysis found that incremental shadows on the existing wetland, the NYCDOT Wetland Mitigation project, the East River, and areas of the Park that are west of the expressway would be limited and would not result in a significant adverse shadows impact.

The Golf Course primarily consists of manicured lawns that are routinely maintained. The vegetation is sensitive to sunlight (both duration and intensity) and the *CEQR Technical Manual* indicates that a significant adverse impact can occur if vegetation receives less than six hours of direct sunlight during the growing season. Shadows occurring during the cold-weather months do not affect the growing season of outdoor vegetation and therefore, project-generated shadow during the December analysis day would not result in a significant adverse impact to vegetation.

Various maintenance activities are performed throughout the winter while the Golf Course is closed to the public, and plantings and seed mixes can be changed as needed by the maintenance staff to accommodate conditions at the Golf Course. However, because the Proposed Development would reduce the amount of available sunlight to less than six hours of direct sunlight in small, discrete areas of the Golf Course on the March, May and June analysis days, the Proposed Development could result in significant adverse impacts to the Golf Course's grass in the following limited areas:

March Analysis Day

- Hole 1: The putting practice area and rough around the teeing areas;
- Hole 9: The green and surrounding fairway and rough;
- Hole 10: The southern fringe of the southernmost tee box;
- Hole 18: The fairway and rough at southwestern edge of the hole; and
- Driving Range: The southern extent of the teeing area.

May Analysis Day

- Hole 9: The southernmost fairway and rough;
- Hole 18: The southwestern edge of the rough; and
- Driving Range: The southern edge of the teeing area.

June Analysis Day

- Hole 9: The rough near the green.

Due to the impact on vegetation at the Golf Course, the Proposed Actions also have the potential to affect utilization. Adverse utilization impacts may result on portions of holes 1, 9, 10, and 18. Measures to mitigate the significant adverse shadows impacts to the Golf Course's vegetation, and in turn, utilization, are discussed in the Mitigation section below.

HISTORIC AND CULTURAL RESOURCES

The Proposed Actions would not result in a significant adverse impact to historic and cultural resources.

Architectural Resources

As indicated in correspondence from the New York City Landmarks Preservation Commission (LPC) dated 02 April 2024, the Affected Area has no architectural significance.

The New York State Office of Parks, Recreation & Historic Preservation (SHPO)'s Cultural Resource Information System (CRIS) shows no historic or cultural resources within 400 feet of the Affected Area. In a letter dated 24 September 2024, SHPO confirmed that there are no historic properties or historic resources on the Development Site. Accordingly, the Proposed Actions would not result in significant adverse impacts to architectural resources.

Archaeological Resources

The Affected Area is shown outside an "archaeological buffer area" on CRIS.Project-generated development would disturb areas where soils may have not been previously disturbed. As indicated in correspondence from LPC dated 02 April 2024, the Affected Area has no archaeological significance. Therefore, the Proposed Actions would not result in significant adverse impacts to archaeological resources.

URBAN DESIGN AND VISUAL RESOURCES

Development Site

While the Proposed Actions would result in a noticeable change in urban design conditions primarily for golfers using the Golf Course, the Proposed Actions would not result in a significant adverse urban design and visual resources impact. The Proposed Actions would result in a change to the appearance and arrangement to the built environment in the Park, a visual resource. However, the change would not constitute a significant adverse urban design impact because it would not significantly affect the functionality of the Park, the pedestrian experience or the design of the Golf Course. The uses proposed to be removed from the Park are uses that support the Golf Course (i.e., golf clubhouse, practice area and parking). The links-style Golf Course – characterized by rolling hills, dunes, grasses, little-to-no trees, and teeing grounds that rise at varied elevations – would continue to be the defining landscape for golfers. Further, views of the Study Area's six visual resources – the Park, the East River, Westchester Creek, the Whitestone Bridge, the Queens and Manhattan skylines – would continue to be available from other comparable locations in the Park.

The design of the Proposed Development reflects the Development Site's setting adjacent to a links-style golf course that is in a waterfront park. Specifically, the Proposed Facility was designed to:

- Be more than 1,000 feet away from residential uses;

- Ensure the continued use of the Golf Course;
- Minimize the building footprint within the Park while still allowing necessary space for a world-class gaming facility;
- Replace all golf facilities (i.e., golf clubhouse, practice area, parking, and landscaping) that would be removed for development of the Proposed Facility;
- Respond to the surrounding context with rounded architectural elements that reflect the curvature of the East River shoreline near the Development Site and landscape elements that are typical of the links-style Golf Course;
- Mimic the ridges and wave-like shape of both the shoreline of the East River to the southeast and the ridgeline between the Proposed Facility and hole 18, thereby maximizing views from the Proposed Facility to hole 18, the Whitestone Bridge, the East River, and the Queens skyline;
- Set back more than 250 feet from Ring Road to retain open areas between the Proposed Facility and Ring Road;
- Incorporate new commercial uses – such as a gaming facility, hotel, and sundry retail – that would not be incompatible with the Golf Course;
- Develop a gaming facility that would complement the Park and the Nicklaus Design Golf Course;
- Enable floodproofing measures to protect the Proposed Facility from projected changes to flooding conditions;
- Incorporate new publicly accessible pedestrian connections along Ring Road, connecting the east and west portions of the Park;
- Create a new gateway building that signals the arrival into the Bronx from Queens for motorists crossing the Whitestone Bridge; and
- Be shorter than the suspension towers of the Whitestone Bridge – the tallest structure in the Study Area and the area's main vehicular thoroughfare.

Portions of the Proposed Development – including the ground floor lobby and rooftop – would be publicly accessible and new views would be introduced to visual resources that are not available today, particularly the East River, the Whitestone Bridge, and the Manhattan and Queens skylines. These new publicly accessible views would be at various levels, including at the ground floor and on the rooftop.

The Proposed Facility would be setback from Ring Road to reflect the openness of the Park. Additionally, the Proposed Development would disrupt some view corridors of visual resources in the area, however, other comparable views would continue to be available.

Pedestrian views would change between the No-Action and With-Action conditions. From hole 18, pedestrians would no longer see the surface parking and existing golf clubhouse when looking north towards the other Golf Course holes. In the With-Action Condition, pedestrians could view the Proposed Facility. Pedestrian views of visual resources south of the Golf Course would remain unchanged from hole 18.

The lowest floor of the Proposed Facility has been designed to be two feet above the area's flood elevation. The main lobby would create visual and pedestrian connections between the Proposed Facility's main entrance and the green on hole 18. A visual connection would also be created between hole 18 and the Whitestone Bridge. The Proposed Facility incorporates gradual stacking of the building components and soft building edges that are intended to relate to the links and dunes of the links-style Golf Course. The ground floor would be at elevation 35 feet, and the 245-foot-tall Proposed Facility would rise above the ground floor to an elevation of 280 feet. The Proposed Facility would be approximately 97 feet shorter than the towers of the Whitestone Bridge, which rise to an elevation of approximately 377 feet.

The replacement golf clubhouse would be developed north of the Proposed Facility and approximately 190 feet from Ring Road, near the teeing area of hole 1 and the green of hole 9.

Ring Road

As noted above, in the With-Action Condition, Ring Road would be widened to two travel lanes and an on-street parking lane, which would also have the capacity to serve, in part, as a bus stop. The proposed 60-foot-wide right-of-way would be mapped as a City street and transferred to NYCDOT. New street lighting, street trees, and drainage would be developed to current NYCDOT standards. Additionally, new sidewalks and a dedicated bicycle route would be developed within the right-of-way. These new sidewalks and bicycle route would create new pedestrian and cycling connections under the Whitestone Bridge, where no formal sidewalk or bicycle lanes currently exist.

Pedestrian views along Ring Road would be altered with the Proposed Actions. However, pedestrian views of visual resources from Ring Road would not change with the Proposed Actions. Similar to the No-Action Condition, with the Proposed Development a pedestrian's view of the Whitestone Bridge, Manhattan and Queens skyline, and the East River would not be obstructed.

Study Area

The Proposed Development would allow the development of the Proposed Facility on the Development Site and the replacement golf clubhouse on a portion of the Golf Course which would remain on land under the jurisdiction of NYC Parks. The Proposed Development would not alter buildings or streets outside of the Development Site, Golf Course, or Ring Road.

In the With-Action Condition, new buildings would be visible from many locations in the Study Area for pedestrians and drivers. The proposed buildings may obstruct some long-range views of the Study Area's visual resources from select locations; however, the Proposed Actions would not cause a visual resource to become fully obstructed from all the Study Area's public viewing locations. For long-range views that could be obstructed, similar or nearer views of the Study Area's visual resources would continue to be available in the Park.

NATURAL RESOURCES

The Proposed Actions would not result in a significant adverse impact to natural resources. The Proposed Actions would not significantly alter the character of the Affected Area, which would remain developed with buildings, paved surfaces, an active roadway, and landscaping.

Habitats and Vegetation

Habitat within the Development Site generally comprises paved surfaces, buildings, and landscaped areas. Habitat within Ring Road generally comprises an active paved roadway, portions of the Whitestone Bridge, and adjoining landscaped areas. A freshwater wetland dominated by common reed (*Phragmites australis*) is present south of Ring Road. The Proposed Development would not significantly alter the character of the existing Study Area. Buildings, paved surfaces, and landscaping would still be present on the Development Site in the proposed condition. Ring Road would remain an active roadway in the With-Action Condition. The majority of the Golf Course and existing vegetated parkland to the west and south of Ring Road and along the East River would generally remain undisturbed by the Proposed Development.

Work would not occur within the freshwater wetland located south of Ring Road. Project-generated shadow is projected to fall on this wetland for up to 2.5 hours in one day; however, the wetland would not receive project-generated shadow on the December analysis day and would continue to receive more than eight hours of sunlight on the March, May, and June analysis days.

NYCDOT is considering creating a wetland to the south of the Proposed Facility. Both the East River and this potential future wetland would only receive incremental shadow on the June analysis day for less than one hour. Both sunlight-sensitive elements would continue to receive over 11 hours of sunlight

in the June analysis day. Thus, the project-generated shadow is not anticipated to have a significant adverse impact on this wetland, the East River, or the potential future NYCDOT wetland and is not anticipated to significantly impact the ecological integrity of the Study Area.

The Proposed Development would not result in a significant adverse shadows impact to other sunlight-sensitive features. However, the Proposed Development could result in significant adverse impacts to discrete areas of the Golf Course's vegetation (grass) in the following limited areas near the Proposed Facility:

- Hole 1: The putting practice area and rough around the teeing areas;
- Hole 9: The green and surrounding fairway and rough;
- Hole 10: The southern fringe of the southernmost tee box;
- Hole 18: The fairway and rough at southwestern edge of the hole; and
- Driving Range: The southern extent of the teeing area.

Measures to mitigate significant adverse impacts to the Golf Course's grass are discussed in the Mitigation section below. The significant adverse shadows impacts would be limited to manicured areas of the Golf Course and additional habitat outside of the areas of shadow would continue to be available. Thus, the Proposed Development would not cause a loss of habitat that would rise to the level of a significant adverse impact.

Wildlife

The Affected Area is not anticipated to serve as habitat for large populations of terrestrial wildlife. No state- or federal-listed threatened or endangered bird species, or U.S. Fish and Wildlife Service (USFWS)-listed Birds of Conservation Concern, were observed onsite during the May 2024 bird survey. The Whitestone Bridge was surveyed for potential active use by bats as roosting habitat in the vicinity of the Affected Area in June 2024 and was concluded unlikely to be active roosting habitat. Furthermore, there is habitat similar to the habitat present onsite in the vicinity of the Affected Area. This includes the majority of the Golf Course which would remain undisturbed by the Proposed Development, and landscaped parkland west of the Hutchinson River Expressway. As such, any wildlife currently using the Affected Area as habitat would have access to similar, nearby habitat when development within the Affected Area commences. Alteration of habitat within the Affected Area is therefore not anticipated to have a significant impact on local populations of terrestrial wildlife. As previously discussed, the Proposed Development does not involve any disturbance to the freshwater wetland located south of Ring Road, the existing parkland located west and south of Ring Road, or the existing elements of the Park south of the Development Site.

Project-generated stormwater would be conveyed to existing outfalls to the East River and Westchester Creek. Use of existing outfalls would involve connecting to existing infrastructure upland of any tidal wetland or surface water features or adjacent areas and would not require in-water work. Stormwater outfall connection would take place farther upland from the East River or tidal wetland-adjacent areas, and as such would not be anticipated to significantly impact Essential Fish Habitat, or habitat of species mapped by the National Oceanic and Atmospheric Administration (NOAA) NMFS Section 7 mapper in the East River.

Rare or Protected Species and Communities

NYSDEC maps habitat for the state-listed endangered peregrine falcon (Falco peregrinus) within the Study Area but outside of the Affected Area. NYSDEC also maps rare dragonflies and damselflies, not listed as threatened or endangered by NYSDEC, adjacent to Ring Road along its western edge. As previously discussed, there is habitat similar to the habitat present onsite in the vicinity of the Affected Area. As such, any peregrine falcon or rare dragonflies or damselflies currently utilizing herbaceous habitat onsite will continue to have access to a significantly larger area of adjacent, similar habitat after

project construction. The Proposed Development is therefore not anticipated to result in significant disturbance to these species' habitat.

The USFWS Information for Planning and Consultation (IPaC) Species List generated for the Affected Area identifies the federally listed threatened (state listed endangered) piping plover (*Charadrius melodus*) as needing to be considered in an effects analysis for activities in the Affected Area (Appendix E). Because the Study Area is located outside of the known range of breeding populations of piping plover, the Proposed Development is not anticipated to have a significant effect on piping plover populations.

The IPaC system also identifies the federally listed endangered (state listed endangered) northern long-eared bat (*Myotis septentrionalis*), and the federally proposed endangered (state unlisted) tricolored bat (*Perimyotis subflavus*) as needing to be considered in an effects analysis for wind turbine operations in the Affected Area. Because the Proposed Development does not include wind turbines, northern long-eared bat and tricolored bat do not need to be considered in an effects analysis of activities in the Affected Area, according to the USFWS IPaC system. The IPaC report also confirmed the absence of designated, critical bat habitat onsite. However, out of an abundance of caution this analysis assessed the potential for habitat for the currently listed northern long-eared bat within the Affected Area.

Field scientists performed a structural assessment for bats at the Whitestone Bridge to assess the bridge for active use by bats as roosting habitat and did not observe evidence of use by bats. Field scientists also assessed trees within the Affected Area for suitable northern long-eared bat roosting habitat and found only nine trees exhibiting traits indicative of suitable habitat. The small, isolated, and low-density character of woodlands in the surrounding Study Area reduces their likelihood to serve as habitat for active populations of northern long-eared bats. As such, northern long-eared bats are considered unlikely to actively roost in trees within the Affected Area.

Wetlands and Surface Waters

Tidal wetlands and surface waters are mapped in the East River and Westchester Creek within the Study Area. Project-generated stormwater would be conveyed to existing stormwater outfalls. Use of existing outfalls would involve connecting to existing infrastructure upland of any tidal wetland or surface water features or adjacent areas and would not require in-water work. While not anticipated, any work proposed near or in tidal wetlands or surface waters would be performed in accordance with the appropriate permits from NYSDEC, NYCDEP, or the United States Army Corps of Engineers (USACE). Project-generated stormwater would be required to meet the water quality standards of the NYC Unified Stormwater Rule, which requires stormwater to be treated before being discharged into a city-owned system. As such, the project is anticipated to result in a net increase in the quality of stormwater being discharged from the Affected Area.

Project-generated shadow would not be cast on the East River during three of the four CEQR analysis days: the December 21st, March 21st, and May 6th analysis days. On the June analysis day (June 21st, the summer solstice), project-generated shadow would be cast on the East River's littoral zone for about 48 minutes at the end of the June analysis day. The portions of the river that would receive incremental shadow would remain in direct sunlight from 5:57AM to 5:13PM, a duration of 11 hours and 16 minutes, and therefore the Proposed Development would not have a significant adverse impact on the East River.

The sole freshwater wetland in the Study Area is located to the south of Ring Road. This wetland is not anticipated to be regulated by NYSDEC pursuant to § 24-0107 of the NYSDEC Freshwater Wetlands Act but may be regulated by USACE pursuant to Section 404 of the Clean Water Act. The Proposed Development is being designed to avoid disturbing this wetland. If wetland disturbance would occur during the construction of the Proposed Development, appropriate permits from USACE would be obtained as necessary. Project-generated shadow is projected to fall on this wetland for up to 2.5 hours on the March, May, and June analysis days; however, the wetland would continue to receive more than

eight hours of sunlight on the each of the CEQR analysis days. Accordingly, the Proposed Actions would not result in a significant shadows impact to the wetland.

An area south of the Development Site along the shore of the East River may contain a future NYCDOT wetland mitigation project. This area could receive up to 26 minutes of incremental shadow during the June analysis day. This portion of the Park would continue to receive sunlight for over 11 hours on the June analysis day before incremental shadow begins to fall on this area. Accordingly, the Proposed Actions would not result in a significant shadows impact to the area.

HAZARDOUS MATERIALS

Development Site

The Proposed Actions would not result in significant adverse hazardous materials impacts. While the Development Site operated as a municipal solid waste landfill between 1951 and the mid-1960s, existing and ongoing engineering and institutional controls and regulatory oversight are in place to preclude the potential for significant adverse hazardous materials impacts. These controls will be in place during any change in use and new construction at the Development Site and will require vapor barrier and active vapor mitigation system be incorporated into the design of the Proposed Facility and replacement golf clubhouse.

In the 1990s and as part of the development of the Golf Course, a landfill gas interception and venting system was installed in the former landfill to reduce the potential for landfill gas accumulation.

An Environmental Assessment Statement (EAS) was prepared in 1999 (CEQR No. 99DPR006X) by Allee King Rosen & Fleming, Inc. to evaluate the area occupied by the Golf Course for development as a public recreational facility. As reported in the EAS in 1999, test programs indicated high methane concentrations at some locations at a depth of two- to three-feet below the surface of the landfill; however, negligible concentrations were found at the surface. Additionally, sampling indicated the presence of SVOCs, PCBs, arsenic, and lead above risk-based criteria.

In 2000, the NYSDEC issued Part 360 Permit No. 2-6006-00014 (the "Part 360 Permit") to allow the import and placement of nonhazardous, regulated fill necessary to construct the Golf Course. The final cover system was installed throughout the former landfill area of the Park to provide a barrier of uncontaminated soil and prevent exposure to underlying landfill material. The final cover is composed of a topmost layer (a matrix of vegetation, asphalt, gravel, concrete, or paver systems) followed by barrier protection material (BPM), consisting of clean soil meeting permit requirements ranging from one to two feet deep. The BPM contains surface drainage system elements and, in select areas, overlays a demarcation layer, which separates the BPM from the nonhazardous regulated fill material (shaping material) and existing landfill material.

The Development Site contains out-of-bounds areas of the Golf Course and areas capped by the pavement of the parking lot. The Part 360 Permit was modified several times to allow additional nonhazardous, regulated fill and changes in design features. In total, approximately 2,370,000 CY of nonhazardous, regulated fill was imported to the Golf Course.

As noted previously, during development of the Golf Course a landfill-gas ventilation system was installed in the 1990s to prevent accumulation of landfill gas. This landfill-gas ventilation system is primarily a passive system located throughout the Park, including the Development Site; however, active vapor-removal-infrastructure exists in the on-site clubhouse. The passive system includes vent wells installed throughout the former landfill as well as venting trenches along the perimeter of the Golf Course to prevent off-site migration. The active landfill gas system within the on-site clubhouse building includes a sub-membrane depressurization (SMD) system with blowers to extract gas through vents from the landfill's subsurface (below the building slab), and continuous explosive gas monitoring components. In 2013, NYC Parks prepared a Post Construction Custodial Care Plan (PCCCP) to comply with the requirements of 6 NYCRR Part 360. The PCCCP defines the post-construction criteria applicable to operate, monitor, and maintain the environmental protection systems installed at the

former landfill. In addition, 6 NYCRR Part 360 requires a Declaration of Covenants and Restrictions to be recorded against the former landfill property and requires written authorization from NYSDEC for a change of use other than the current use.

Maintenance and monitoring of the landfill-gas system is performed in accordance with the operations, monitoring, and maintenance (OM&M) program detailed in the 2013 Landfill Gas Management Plan (LFGMP). In accordance with the PCCCP, any new buildings require installation of active vapor mitigation systems. Two areas of assumed collection piping are located within the bounds of the Development Site, one in the western part of the Development Site, and one in the southern part of the Development Site. Adjustments to the monitoring system may requested by NYSDEC. During construction, passive collection piping will be maintained to the extent feasible or removed and replaced as necessary for continued landfill gas monitoring.

Per the *2023 Semi-Annual Post Closure Certification Report* – the latest available post closure report available – environmental systems and monitoring are ongoing at the Golf Course. Most recent reporting indicates that:

- the cover system remains in good condition with some areas that required reseeding and mulching, clearing of clogged drains, and some areas of washout into cart paths;
- the asphalt surface of the parking lot continues to function as a suitable landfill cover system, providing an exposure barrier between the public and subsurface materials. Observed cracks are surficial and do not penetrate through the full asphalt cap; and
- groundwater in certain locations beneath Golf Course contains VOCs, SVOCs, metals, ammonia, sulfate, and cyanide above NYSDEC Ambient Water Quality Standards (AWQS). Detections of VOCs, SVOCs, metals, and phenolics during groundwater sampling in 2023 are generally consistent in location or concentration with previous sampling events. The presence of cyanide in groundwater is generally consistent with other previous post-closure monitoring events, however, exceedances of the AWQS were only reported during the 2023 sampling event at two sampling locations.
- gas monitoring results from the landfill-gas system are consistent with previous post-closure monitoring events and suggest landfill gas conditions are stable.

The Proposed Development would be supported by deep foundations such as displacement piles anchored in bedrock, drilled piles, or steel/precast concrete piles. Installation of these piles would require a breach of the landfill cap and excavation of material underlying the existing cap. Anticipated regrading and surface soil displacement is estimated to extend across approximately 18 acres of the Development Site and approximately 4.89 acres for the expansion of Ring Road.

Ground-intrusive activities necessary to develop the Proposed Facility would be conducted pursuant to a Change of Use Work Plan approved by NYSDEC, and environmental oversight and monitoring would be conducted under the supervision of a NY State licensed engineer. Per the Change of Use Work Plan, the NY State licensed engineer would oversee the screening of excavated material, observe imported materials, and implement both a CAMP and stormwater pollution prevention plan (SWPPP) to ensure that air and water quality would not be negatively affected by construction. Excavated material would be characterized prior to excavation and would be disposed in accordance with applicable local, state, and federal regulations at an approved permitted disposal facility.

A vapor barrier and active vapor mitigation system would be incorporated into the design of the Proposed Facility and replacement golf clubhouse. The slabs of the new buildings along with other paved surfaces or a two-foot clean soil cap would comprise a new site cap across the Development Site. These measures would preclude impacts from potential soil vapor contaminants in the Proposed Facility and the replacement golf clubhouse.

The existing landfill infrastructure within the Development Site would be maintained in place to the extent feasible. The infrastructure that cannot be maintained would be replaced in-kind or relocated to

a suitable alternate location within the Development Site in coordination with NYSDEC. The existing clubhouse and associated vapor mitigation system would be demolished and replaced during the Proposed Development. Stormwater at the Development Site would be managed and discharged in accordance with the NYCDEP and other applicable regulatory agencies.

The Change of Use Workplan would govern operations during construction. Following completion of subsurface work but prior to completion of overall construction, a new, separate PCCCP would be developed to define the future operation, maintenance, and monitoring requirements for the operator of the Development Site, while. the existing PCCCP would be updated to exclude the alienated parcel and associated infrastructure. Both PCCCPs would identify use restrictions and provisions to ensure that the engineering and institutional controls remain in place and are effective at the former landfill. Provisions of the PCCCP would include operation, monitoring, and maintenance of environmental protection systems, as needed, post-construction. Future monitoring within the Development Site would be the responsibility of Bally's rather than NYC Parks, thereby reducing the obligation of the City of New York to dedicate resources to monitor the Development Site.

The existing Declaration of Covenants and Restrictions would be amended to remove the alienated parcel and a new Declaration of Covenants and Restrictions would be created specifically for the alienated parcel. Oversight provided by NYSDEC through the Change of Use Work Plan, PCCCPs and Declarations of Covenants and Restrictions, would be in place for the purpose of assuring there is no potential for significant adverse hazardous materials impacts on the Development Site.

Ring Road

As a part of the Proposed Development, Ring Road would be improved to enhance circulation, safety, and access to the Development Site for pedestrians, cyclists, and vehicles. Ring Road would remain under ownership of the City of New York and would be transferred from NYC Parks to NYCDOT. Ring Road exists outside the bounds of the former landfill and jurisdiction of the PCCCP. Therefore, a Phase I Environmental Site Assessment (ESA) was conducted in September 2024 to evaluate environmental conditions.

The 2024 Phase I ESA identified two Recognized Environmental Conditions (RECs) associated with the historic use of surrounding properties. Based on the findings of the Phase I ESA, a Phase II Environmental Site Investigation (ESI) work plan, which includes a health and safety plan, was prepared and submitted to NYCDEP for review and approval. NYCDEP approved the Phase II ESI work plan in a letter dated 30 September 2024. The Phase II ESI will include the collection of soil and groundwater samples along Ring Road. Based on the findings of the Phase II ESI, a remedial action plan (RAP) and CHASP may be required. If required, the RAP and CHASP would be completed for the Final EIS and would be reviewed and approved by NYCDEP prior to the start of development. If required by NYCDEP, institutional controls may also be necessary to ensure the maintenance and oversight of any required engineering controls.

If encountered during the reconstruction of Ring Road, hazardous materials or municipal solid waste would be handled per local, state, and federal regulations. NYCDOT oversight on the improvements to Ring Road, and compliance with local, state, and federal regulations would preclude the potential for significant adverse hazardous materials impacts. Therefore, the Proposed Actions do not have the potential to result in hazardous materials impacts from the proposed widening of and improvements to Ring Road.

WATER AND SEWER INFRASTRUCTURE

The Proposed Development would not result in a significant adverse impact on the City's water supply, wastewater conveyance and treatment, or stormwater management infrastructure.

Water Supply

The With-Action Condition would generate a water demand of approximately 590,779 gpd. Because the Proposed Project is located outside an area of low water pressure and would demand less than one million gpd of water supply, it would not result in a significant adverse impact to the City's water supply.

Wastewater Conveyance and Treatment

The Proposed Development would not result in a significant adverse impact on the City's wastewater conveyance and treatment system. A sewer certification from NYCDEP is required to connect to any of the following: a City (NYCDEP) sewer, a private sewer, a private drain, a septic system, or an approved outlet. The Development Site's existing sanitary ("wastewater") system connects to a NYCDEP 168-inch by 96-inch combined sewer – a system that collects both sanitary and stormwater flows in one pipe – along Emerson Avenue (stormwater is discussed in the next section). The existing Development Site sanitary flows are collected via an internal sewer and then discharged to the NYCDEP combined sewer in Emerson Avenue.

Using CEQR methodologies, the Proposed Development is projected to generate up to 388,117 gpd (0.38 million gallons per day [mgd]) of wastewater, an increase of approximately 382,053 gpd over the No-Action Condition.

Wastewater discharged by the Proposed Development to the Emerson Avenue sewer would be conveyed to NYCDEP's Hunts Point Wastewater Resource Recovery Facility (WRRF). The Hunts Point WRRF has a design capacity of 200 mgd with an excess capacity of approximately 66.64 mgd. The Hunts Point WRRF would be able to easily accommodate the project-generated 0.38 mgd, which represents about 0.57 percent of the excess capacity and approximately 0.19 percent of the overall design capacity. Wastewater treated at the NYCDEP Hunts Point WRRF is ultimately discharged to the East River.

Prior to obtaining construction permits from the New York City Department of Buildings (NYCDOB), NYCDEP must certify that the sewer system can accommodate, or "accept", the projected sanitary discharge; this is accomplished through their site connection permit process. As part of the site connection permit process, NYCDEP may also require a detailed hydraulic analysis to assess the Emerson Avenue sewer and downstream sewer capacity. The existing drainage plan may be amended based on the hydraulic analysis calculations and would be reviewed and approved by NYCDEP. Existing and proposed site connections would also be provided to NYCDEP during the permitting process. NYCDEP's site connection process would identify if sewer upgrades are required prior to granting approval for the Proposed Development's site connection. Without the site connection, NYCDOB would not issue a building permit or certificate of occupancy.

The Proposed Actions would not result in significant adverse impacts on the City's wastewater infrastructure facilities. Further, NYCDEP would review and approve connections from the Proposed Development and confirm whether any upgrades are required to the existing sewer network.

Stormwater Management

Existing and proposed stormwater management for the Affected Area's components are separate and are discussed separately below. The Proposed Development would not result in a significant adverse stormwater management impact and stormwater management for the remainder of the Park would not change or be affected by the Proposed Actions.

The Development Site falls within a Municipal Separate Storm Sewer (MS4) area. As such, the Proposed Development must comply with NYCDEP stormwater regulations for managing stormwater runoff from the site. All design and construction would be in conformance with NYCDEP regulations.

Development Site

The Development Site is within the existing Golf Course and the Park. The Golf Course has multiple drainage areas that discharge stormwater to multiple systems. The portion of the Park where the Development Site is located is currently about 37 percent impervious and 63 percent pervious. Stormwater that runs off the Development Site currently collects in detention ponds adjacent to Ring Road and ultimately discharges to the East River via an outfall south of the Development Site. The remainder of the Golf Course collects stormwater within detention ponds throughout the Golf Course and discharges into the NYCDEP combined sewer in Emerson Avenue.

In the With-Action Condition, new impervious surfaces (pavement and buildings) would be introduced on the Development Site. Subsequent to construction of the Proposed Development, about 71 percent of the Development Site's surfaces would be impervious and 29 percent pervious. For the Development Site, the runoff coefficient would increase from 0.45 to 0.73 per CEQR methodologies. Because of this increase, the Development Site would have an increase in stormwater runoff compared to the existing and No-Action conditions. However, the Proposed Development would need to adhere to NYCDEP's Unified Stormwater Rule (effective as of February 2022), which requires the use of stormwater detention; accordingly, the volume of stormwater discharging from the site would be restricted and treated for water quality. Thus, the Proposed Actions would not overburden or exceed the capacity of the existing stormwater infrastructure.

The design of the Proposed Facility would comply with NYCDEP's Unified Stormwater Rule, which regulates how stormwater is managed from new developments. This includes addressing both the quality and the volume of stormwater discharged from the Development Site. The specific stormwater management practices would be refined in coordination with NYCDEP during the detailed design process. Like the No-Action Condition, stormwater from the Development Site would continue to be discharged to the East River.

Stormwater permitting for the Proposed Development would be under NYCDEP's jurisdiction, who would ensure compliance with the Unified Stormwater Rule. Other applicable agencies may also review and approve the connection process to the existing outfalls. As a part of the stormwater permitting process, existing stormwater drains, and proposed stormwater connections and detention structures would be provided to NYCDEP for review and approval to ensure the Proposed Development complies with the stormwater release rate. With compliance of the Unified Stormwater Rule and agency approvals of the outfall connection and stormwater permitting process, the Proposed Development allowed by the Proposed Actions would not result in significant adverse water and sewer impacts in the area of stormwater management.

Ring Road

Ring Road is currently a NYC Parks roadway and is known to flood during heavy rainstorms. Stormwater that falls on Ring Road is discharged directly into Westchester Creek (via two outfalls) or the East River (via one outfall that also services the Development Site, see above).

In the With-Action Condition, Ring Road would be transferred from NYC Parks to NYCDOT and would be designed and constructed in coordination with NYCDOT, NYCDEP, and NYC Parks. As part of NYCDOT requirements, improvements to Ring Road would include upgrades to stormwater management to meet current NYCDEP and NYCDOT regulations and design standards. The specific stormwater management practices to address Ring Road's stormwater quality and quantity, in addition to required infrastructure such as catch basins and pipes, would be coordinated with NYCDOT and NYCDEP during the design process.

SOLID WASTE AND SANITATION SERVICES

The Proposed Actions would not result in a significant adverse solid waste and sanitation services impact. The Proposed Actions would not directly affect a solid waste management facility but would generate an increment of up to 213.33 tons per week of solid waste, the equivalent of up to 18

commercial carter trucks per week. The project-generated solid waste would be handled by private carters. The project-generated solid waste would represent approximately 0.29 percent of the of the City's anticipated future weekly commercial waste generation handled by private carters by 2025, as projected by the SWMP – a nominal increase relative to the waste handled by private carters in New York City every day. As such, the Proposed Actions would not result in an increase in solid waste that would overburden available waste management capacity. The Proposed Actions would not conflict with, or require any amendments to, the City's solid waste management objectives as stated in the SWMP.

During construction of the Proposed Development, excavated material would be characterized and disposed of in accordance with City, State, and Federal regulations based on the change of use workplan approved by NYSDEC.

Bally's would follow a waste management program that prioritizes landfill avoidance, recycling, and reuse. Bally's would supply the necessary source separation infrastructure at the Proposed Facility and replacement golf clubhouse, train staff on waste sorting and storage, and work with suppliers and waste management vendors on program implementation.

Bally's expects that up to 36 percent of waste generated at the Proposed Facility would be recycled or reused. Once the Proposed Development is operational, Bally's intends to conduct a waste stream audit to confirm baseline conditions and validate or adjust the program. Therefore, the Proposed Actions would not result in significant adverse impacts on solid waste and sanitation services.

ENERGY

The Proposed Actions would not result in a significant adverse impact related to energy systems. The Proposed Actions would result in a demand of approximately 677.9 billion British Thermal Units (BTUs) of energy per year annually. This represents an increase of approximately 672.4 billion BTUs over the No-Action Condition. This incremental increase in annual energy demand would represent approximately 0.19 percent of the City's total annual energy consumption in 2023 within Consolidated Edison's (Con Edison's) service area and 0.40 percent New York City's forecasted future total annual energy demand for the 2030 analysis year. The Proposed Actions would generate an incremental increase in energy demand that would be considered negligible when compared with overall demand within New York City and the City's forecasted annual energy demand in 2030; therefore, the Proposed Actions are not expected to result in a significant adverse impact on energy systems.

Any new development resulting from the Proposed Actions would be required to comply with the NYCECC, which governs performance requirements for heating, ventilation, and air condition systems, as well as the exterior building envelope of new buildings. In compliance with the NYCECC, new development would meet standards for energy conservation, which include requirements related to energy efficiency and combined thermal transmittance. Building materials such as glass and aluminum would be utilized because they are readily available and are considered integral parts of green building design for heating and cooling. With Bally's utilization of state-of-the-art mechanical systems and heat pump technology, and use of energy efficient building materials, the Proposed Facility would likely require less energy than forecasted using the *CEQR Technical Manual* methodology, as discussed below. Therefore, no significant adverse impacts related to energy would occur.

TRANSPORTATION

Traffic

The Proposed Actions would generate approximately 680, 1,921, 2,196, 1,935, and 2,898 total vehicle trips during the weekday AM, midday, PM, Saturday midday, and Saturday PM peak hours, respectively. Traffic conditions were evaluated for these five peak hours at 15 intersections where the vehicle trips generated by the Proposed Actions would exceed the CEQR threshold for conducting detailed traffic analysis. The capacity analyses indicate that seven intersection

approaches/lane groups in the study area would experience a potentially significant adverse traffic impact in at least one peak hour as a result of the Proposed Actions, summarized as follows:

- The northbound Hutchinson River Parkway Service Road left-turn at Lafayette Avenue during the weekday midday, weekday PM, Saturday midday, and Saturday PM peak hours.
- The westbound Lafayette Avenue left-turn at the southbound Hutchinson River Parkway Service Road during the weekday AM, weekday midday, weekday PM, Saturday midday, and Saturday PM peak hours.
- The eastbound Bruckner Boulevard right-turn movement at Brush Avenue during the weekday AM, weekday midday, weekday PM, Saturday midday, and Saturday PM peak hours.
- The eastbound Lafayette Avenue approach at the southbound Cross Bronx Expressway Extension during the weekday AM, weekday midday, weekday PM, Saturday midday, and Saturday PM peak hours.
- The westbound Lafayette Avenue approach at the southbound Cross Bronx Expressway Extension during the weekday AM peak hour.
- The westbound Lafayette Avenue right-turn at Brush Avenue during the weekday midday, weekday PM, Saturday midday, and Saturday PM peak hours.
- The eastbound Schley Avenue approach at the southbound Hutchinson River Parkway Service Road during the weekday midday, weekday PM, Saturday midday, and Saturday PM peak hours.

Traffic conditions of the highway network in the vicinity of the Development Site were analyzed using microscopic traffic simulation models developed through industry-standard Aimsun software. These models analyzed the effect of the Proposed Actions on the highway ramps, mainline segments and complex interchanges adjacent to the Development Site. The models provide outputs such as average speed, average density by lane, travel times along select routes, queues, and delays. Of the 61 highway segments (including basic, merge, diverge, and weave sections) analyzed, there were 15 segments identified to experience significant adverse impacts as a result of the Proposed Actions, summarized as follows:

- SB Hutchinson River Parkway, After Exit 1A during the Weekday PM, Saturday Midday and PM peak hours
- NB Hutchinson River Expressway near Bronx-Whitestone Bridge MTA Building during the Weekday PM, Saturday Midday and PM peak hours
- NB Hutchinson River Expressway downstream of Bronx-Whitestone Bridge during the Weekday PM and Saturday PM peak hours
- NB Hutchinson River Parkway, From Exit 19N to on-ramp from Bruckner Boulevard during Weekday PM and Saturday Midday peak hours
- SB Cross Bronx Expressway Approaching I-695 Merge during Weekday Midday, PM and Saturday Midday peak hours
- SB Hutchinson Expressway south of Exit 18 during the Weekday Midday peak hour
- WB Bruckner Expressway Exit 6B diverge to I-678 and I-95 during the Weekday Midday peak hour
- EB Bruckner Expressway Exit 54 diverge to I-678 and Bruckner Blvd during the Weekday Midday PM, Saturday Midday and PM peak hours
- WB Bruckner Expressway diverge at Exit 6B during the Weekday midday peak hour
- EB Bruckner Expressway diverge at Exit 54 during the Weekday PM peak hour
- SB I-678 Hutchinson River Expressway Merge with Ramps from CBE & Bruckner Expressway during the Saturday midday and PM peak hours

- SB I-678 Hutchinson River Expressway Merge with Ramp from I-95 during the Weekday PM, Saturday midday and PM peak hours
- NB I-95 Bruckner Expressway Merge with ramp from I-678 during the Saturday midday and PM peak hours
- NB Hutchinson River Parkway, between on-ramp from Bruckner Boulevard to Exit 1A during the Weekday PM peak hour
- SB Hutchinson River Expressway, Between On-ramp and Exit 18 during the Saturday midday and PM peak hours

The Mitigation section below discusses potential measures to mitigate these potentially significant adverse impacts to the greatest extent practicable.

Transit

The Proposed Actions would generate approximately 54, 36, 91, 37, and 160 total bus trips; 24, 2, 30, 2, and 58 subway trips; zero, zero, zero, zero, and one total railroad trips; and zero, zero, zero, zero, and one total Citywide Ferry Service (CWFS) trips during the weekday AM, midday, PM, Saturday midday, and Saturday PM peak hours, respectively. The quantities of bus, subway, and railroad trips during the five analysis peak hours are below the CEQR Level 1 screening threshold of 200 peak hour trips and below 50 peak hour trips for CWFS. Therefore, the Proposed Actions would not result in potentially significant adverse transit impacts per CEQR Technical Manual criteria.

Pedestrians

The Proposed Actions would generate approximately three, zero, four, zero, and seven pedestrian trips during the weekday AM, midday, PM, Saturday midday, and Saturday PM peak hours, respectively. The quantities of pedestrian trips during the five analysis peak hours are below the CEQR Level 1 screening threshold of 200 peak hour pedestrian trips. Therefore, the Proposed Actions would not result in potentially significant adverse pedestrian impacts per CEQR Technical Manual criteria.

Parking

The parking analysis evaluates the on- and off-street public parking supply and utilization within ¼-mile radius of the Development Site. In the With-Action Condition, the Proposed Facility would include 4,660 garage parking spaces on the Development Site for use by visitors and employees of the Proposed Facility, as well as for use by members of the general public. Based on the 24-hour parking accumulation, peak parking demand for the Proposed Actions is anticipated to occur between 9:00 p.m. and 10:00 p.m. during the weekday evening period and between 9:00 p.m. and 10:00 p.m. during the Saturday evening period, when there is a demand of approximately 4,199 and 4,520 spaces for the typical weekday and Saturday conditions, respectively. In addition, the existing peak parking demand associated with the Golf Course operation of approximately 73 spaces on weekdays and Saturdays would be accommodated by the proposed on-site garage parking supply. As such, the projected peak parking demand is anticipated to be accommodated by the proposed 4,660-space parking garage on-site. The excess parking supply provided by the proposed on-site garage would also be available for use by members of the general public.

With the formalization of on-street parking along a portion of Ring Road in the With-Action Condition, the available on-street public parking along Ring Road, Schley Avenue, Brush Avenue, and the Hutchinson River Parkway Southbound Service Road within a ¼-mile radius of the Development Site would be at approximately 41, 44, 37, 60, and 92 percent utilization, with approximately 443, 420, 475, 300, and 61 available public parking spaces during the weekday morning, weekday midday, weekday evening, Saturday midday, and Saturday evening periods, respectively. Therefore, the Proposed Actions would not result in a potentially significant public parking shortfall in the study area per *CEQR Technical Manual* criteria.

Vehicular and Pedestrian Safety Evaluation

Crash data for the study area intersections were obtained from NYCDOT for the January 1, 2019, to December 31, 2019, and January 1, 2022, to December 31, 2023, periods. Based on this information, the intersections of Bruckner Boulevard and Zerega Avenue and Bruckner Boulevard and Brush Avenue are denoted as high crash locations because at least 48 reportable crashes occurred at these intersections within a consecutive 12-month period. It is important to note that currently ongoing capital improvements at the two intersections, specifically changes to the existing roadway geometry, are anticipated to promote safer turning maneuvers at the study intersections.

GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE

The Proposed Actions would not result in a significant adverse greenhouse gas emissions and climate change impact. The Proposed Actions would generate an estimated 82,820.77 metric tons of carbon dioxide equivalent (CO_2e) annually, assuming the buildings to be powered by natural gas. Of these, an estimated 36,061.19 tons would be from building operations (if powered by natural gas), and an estimated 46,759.58 metric tons would result from mobile sources. Under this worst-case scenario, the project-generated GHG emissions would be less than 0.15 percent of the City's overall 2022 GHG emissions of approximately 53.7 million metric tons (the latest available data). Based on the assumption that construction-generated GHG emissions would be equivalent to between five- and ten-years' worth of operational GHG emissions, the estimated construction-generated GHG emissions would be approximately between 180,306 and 360,612 metric tons of CO_2e.

The Proposed Actions would advance New York City's GHG reduction goals because the Proposed Development would comply with Local Law 154 by using electric-powered HVAC and hot water systems. Further, the Proposed Development would utilize heat pumps to the extent practicable, which would reduce GHG emissions. Project-generated development would be required to comply with other local laws intended to reduce the GHG emissions such as Local Law 22 of 2008 (known as the New York City Climate Protection Act); the Greener, Greater Building Plan; Local Law 66 of 2014 ("80 x 50"); Local Law 133 of 2016; and the New York City Conservation Code. The new buildings would be subject to the New York City Energy Conservation Code (NYCECC), which was updated in 2020 to be one of the most stringent energy efficient standards nationwide for sustainability and efficiency. The Proposed Development would therefore comply with the City's emissions reduction goals by enabling new construction that minimizes GHG emissions and adheres to the resource- and energy-efficiency standards for new buildings in New York City.

Furthermore, the Proposed Development is expected to increase the accessibility to public transit at the Development Site through improvements to Ring Road. As a part of the roadway improvements, a parking lane would be included and could serve as a future bus stop location with approval by NYCDOT and the MTA. Thus, the Proposed Development is expected to generate fewer emissions from mobile source emissions than estimated using CEQR methodologies.

Climate Change

Portions of the Development Site are located in a one percent annual chance (1-in-100 year) floodplain. This floodplain has a Base Flood Elevation (BFE) of 13 feet, as measured in the North American Vertical Datum of 1988 (NAVD88). Additional portions of the Development Site are shown in the 0.2-percent annual chance (1-in-500 year) floodplain, and the majority of the Development Site is an area of minimal flood hazard chance. The Development Site is in a coastal area that is susceptible to storm surge and coastal flooding.

Portions of the Development Site are also in the future 100- and 500-year projected flood zones that were developed by the New York City Panel on Climate Change (NPCC) through the year 2100. These projected future flood zones account for a projected sea level rise (SLR) of 75 inches.

The Proposed Development will have a Design Flood Elevation (DFE) of 15 feet. At this elevation, the Proposed Development would be two feet above the current BFE. Mechanical spaces are planned at or

above elevation 15 feet. The proposed floodproofing would be achieved by a combination of waterproofed exterior walls and slabs, and, where applicable, flood gates at the building entrances. The Proposed Development would not preclude the ability to increase the DFE post-construction.

The Proposed Development would not increase the potential for flooding or flooding severity. The Proposed Actions also would not preclude the implementation of adaptive solutions in the future, including any technological advancements not yet developed. Based on this information, the Proposed Actions would be consistent with the New York City policies regarding adaptation to climate change despite the development site's location in an area of flood risk.

AIR QUALITY

The Proposed Actions would not result in significant adverse air quality impacts from stationary, large and major sources, or mobile sources.

Stationary Sources – HVAC

The Proposed Facility would use electric- or steam-powered heat and hot water systems. An E-Designation (E-824) will be placed on the Development Site (Block 5622, Lot 1) to avoid the potential for significant adverse stationary source air quality impacts; see requirements below.

Stationary Sources – Large/Major Sources and Industrial Sources

There are no registered industrial sources within 400 feet, or large/major sources within 1,000 feet, of the Development Site. Additionally, no unregistered industrial sources were identified during any site visits. A generator is registered at the Development Site, and this generator would be removed as part of the Proposed Development. Therefore, there is no potential for significant adverse air quality impacts from large/major or industrial sources.

Mobile Sources – Roadway and Parking Garage

A refined analysis was conducted for 1- and 8-hour carbon monoxide (CO), 1-hour and annual nitrogen dioxide NO_2, 24-hour $PM_{2.5}$, annual $PM_{2.5}$, and 24-hour PM_{10}. This refined analysis applied emission factors specific to each peak hour traffic period [i.e., AM, midday (MD), evening (PM), overnight (ON), and Saturday (SAT)] to their respective peak hour traffic volume. The peak-hour traffic emission factors were broken down into the following periods:

- 07:00-11:00 – AM
- 12:00-16:00 (4:00PM) – MD
- 17:00-23:00 (11:00PM) – PM
- 24:00-06:00 – ON

The roadway analysis incorporated projected emissions from the two proposed parking garages. The north parking garage would be naturally ventilated. The south parking garage would be naturally ventilated at the above-grade levels, and mechanically ventilated for the two sub-grade levels. The stack for the mechanical ventilation was placed 400 feet from the southern façade of the hotel tower. An E-Designation (E-824) will be placed on the Development Site (Block 5622, Lot 1) to avoid the potential for significant adverse mobile source air quality impacts; see requirements below.

The refined analysis – which incorporated roadway and garage emissions – found that concentrations for all pollutants would not exceed the National Ambient Air Quality Standards (NAAQS) or CEQR *de minimis* thresholds; therefore, the Proposed Actions would not result in significant adverse air quality impacts from mobile sources.

During the detailed design stage, the proposed parking garages would be designed to comply with New York City Mechanical Code.

An E-Designation (E-824) will be placed on the Development Site (Block 5622, Lot 1) to avoid the potential for significant adverse mobile source air quality impacts; see requirements below.

E-Designation

An E-Designation (E-824) will be placed on the Development Site (Block 5622, Lot 1) with the following requirements:

New development on the above-referenced properties must ensure that the heating, ventilating and air conditioning systems and the hot water system (HVAC) will be powered by electricity or steam.

The emissions stack associated with the south garage must be placed at least 400 feet from the southern façade of the hotel tower and at a release height of at least 95 feet to ensure that the emissions from this stack would not result in significant adverse air quality impacts.

With this E-Designation in place, no significant adverse air quality impacts would occur.

NOISE

The Proposed Actions would generate sufficient traffic to result in the potential for a significant adverse impact to a portion of the Park, an open space resource containing both active and passive uses, in the area that is west of the Hutchinson River Expressway and immediate to the exterior of Ring Road. In this location, the With-Action L_{eq} noise levels could increase to 68.6 to 72.5 dB(A) depending on the peak hour, resulting in peak hour L_{eq} increases between 3.9 to 9.6 dB(A) over the projected No-Action Condition during the same peak period. Accordingly, the Proposed Actions may have the potential to result in a significant adverse mobile source noise impact at measurement location 4. Measures to mitigate this significant adverse impact are discussed the Mitigation section below.

Project-generated mechanical systems would be designed to meet all applicable noise regulations (e.g., Subchapter 5, §24-227 of the New York City Noise Control Code and the New York City Mechanical Code) and would avoid producing noise that would result in a significant increase in ambient noise levels. Therefore, the Proposed Actions would not result in significant adverse noise impacts from project-generated building mechanical equipment (stationary sources).

Existing topography east of Ring Road limits the potential from traffic along Ring Road from increasing noise levels on the Golf Course. Therefore, only on-site vehicular traffic has the potential to significantly increase traffic-generated noise at the Golf Course. The Golf Course would be shielded from on-site vehicular traffic, in part, by intervening structures such as the proposed replacement golf clubhouse, safety barriers, retaining walls, and existing topography.

Golf Course users would primarily park their vehicles within the lower levels of the north parking garage. Because the capacity of the Golf Course would not be increased with the Proposed Actions, traffic associated with Golf Course users that have direct sightlines to holes of the Golf Course would not double and therefore, would not exceed the applicable impact criteria of the *CEQR Technical Manual*.

The golf clubhouse is an existing use that would be replaced on-site. Therefore, the relocation of the golf clubhouse would not introduce new noise-sensitive uses but would change the location of an existing noise-sensitive use on the Development Site. L_{eq} noise levels at the replacement golf clubhouse are not projected to increase by more than 3 dB(A) over No-Action noise levels projected at the existing golf clubhouse. Thus, attenuation is not required at the replacement golf clubhouse.

To achieve the CEQR-recommended interior noise levels, an E-Designation (E-824) will be placed on the Development Site (Block 5622, Lot 1) with the following requirements:

E-Designation

An E-Designation (E-824) will be placed on the Development Site (Block 5622, Lot 1) with the following requirements:

To ensure interior L_{10} noise levels of 45 dB(A) or lower for the proposed hotel (under a closed-window condition), a window/wall attenuation with the following minimum performance will be required:

- **35 dB(A) for facades that have a line of sight and are within 150 feet of the Hutchinson River Expressway.**
- **33 dB(A) for facades that have a line of sight and are beyond 150 feet of the Hutchinson River Expressway.**

To maintain a closed-window condition, an alternate means of ventilation must also be provided. Alternate means of ventilation includes, but is not limited to, air conditioning.

With this E-Designation in place, no significant adverse noise impacts on the Proposed Facility would occur.

PUBLIC HEALTH

The Proposed Actions would not result in a significant adverse public health impact. Per the *CEQR Technical Manual*, if there are no unmitigated significant adverse impacts identified in certain CEQR analysis areas, such as hazardous materials, water quality, air quality, noise, or construction, a public health analysis is not warranted. The Proposed Actions would not result in unmitigated significant adverse impacts in the CEQR technical areas of hazardous materials, water quality, or air quality during the operational or construction phases.

During the operational phase, the Proposed Actions may have the potential to result in an unmitigated significant adverse noise impact to the Park in the area that is west of the Hutchinson River Expressway and immediate to Ring Road. The potential for this impact during the operational phase would be from increased traffic along Ring Road.

The *CEQR Technical Manual* states that a change of 3 dB(A) is just noticeable, a change of 5 dB(A) is clearly noticeable, and a change of 10 dB(A) is perceived as a doubling or halving of sound level. Compared to No-Action noise levels, peak-hour noise would increase at the immediate exterior of Ring Road between 3.9 dB(A) and 9.6 dB(A). Per the *CEQR Technical Manual,* when noise levels increase by more than 3 dB(A) above a No-Action noise level of 62 dB(A), this may be considered a significant adverse noise impact. Accordingly, the worst-case peak-hour increase of up to 9.6 dB(A) would be up to 6.6 dB(A) above CEQR impact criteria for noise.

This significant adverse mobile source noise impact could potentially be mitigated by one or more of the following potential mitigation measures:

- Incorporate a noise-attenuating barrier in Ring Road or near the boundary between Ring Road and the Park that would provide at least 6.6 dB(A) of noise attenuation.
- Implement travel-demand management measures to minimize project-generated vehicle trips, which would reduce noise levels generated by project-generated traffic on this portion of Ring Road.
- Implement traffic mitigations that reduce traffic-generated noise west of the Hutchinson River Expressway and immediate to the exterior of Ring Road.

Additional noise modeling may be conducted between the Draft and Final EIS and will be further explored by Bally's in consultation with the relevant agencies. Such modeling may eliminate or reduce the extent of the significant adverse noise impact.

While the Proposed Development would increase noise in the area of the Park that is west of the Hutchinson River Expressway and adjacent to Ring Road, noise levels would not exceed 85 db(A), the threshold for a significant adverse public health impact from noise. The experienced noise levels would not exceed 72.5 dB[A] and would not result in exposures that exceed CEQR "nuisance" levels. The nearby areas do not contain residential uses and are predominately used by transient park users for

recreational uses. These users are currently exposed to noise generated by nearby roadways as well as their own or other recreational uses (including for organized sports, public gatherings, recreational events, barbecues, and picnics) and this area is not an area used for serenity and quiet.

The recreational activities that occur immediate to Ring Road are transient, and park users are currently exposed to vehicular-generated noise. Thus, the potential unmitigated significant adverse noise impact would only affect park users when they are temporarily exposed to project-generated vehicular noise.

In sum, the potential unmitigated significant adverse noise impact would not result in a significant adverse public health impact because the public's exposure to the project-generated unmitigated significant adverse noise impact would be minimal, transient, of a short duration, and in an area where existing noise levels fall in the decibel range that the *CEQR Technical Manual* indicates is typical of an urban area.

Gambling Addiction

A qualitative analysis on gambling addiction was also included to analyze the potential public health effects of the Proposed Actions. Gambling addiction only affects a small portion of the United States population, with approximately one percent of adults experiencing pathological gambling and an additional four to six million classified as problem gamblers. Vulnerable groups, including those with other addictions and mental health conditions, are particularly at risk. Because of the data on problem gambling, Bally's has implemented a variety of strategies aimed at supporting local communities and reducing the prevalence of gambling addiction, including collaboration with mental health and addiction services, community outreach, and education initiatives to promote healthy gambling behaviors. Bally's serves on numerous responsible gaming boards at both a national and local level for gaming industry groups and other non-profit and advocacy organizations to address problem gambling and is actively enhancing their existing enterprise-wide policies supporting self-exclusion. Bally's also received a three-year Responsible Gaming Check accreditation for Ballycasino.com and Virgincasino.com This accreditation is a thorough assessment conducted by independent organizations to evaluate a gaming operator's adherence to responsible gambling practices and standards. This process ensures that operators, such as casinos or online gaming platforms, implement effective policies and measures to promote safe and responsible gambling among their patrons. Bally's receipt of this accreditation demonstrates Bally's commitment to achieving the highest responsible gaming standards available in the industry today.

NEIGHBORHOOD CHARACTER

The Proposed Actions would not result in significant adverse impacts on neighborhood character. Overall, the technical areas that contribute to a neighborhood's character would not – either individually or in combination – result in moderate adverse impacts on neighborhood character. The Proposed Actions would not result in significant adverse impacts to land use, zoning, and public policy, socioeconomic conditions, community facilities, open space, historic and cultural resources, and urban design and visual resources. The Proposed Actions would result in significant adverse shadows and transportation impacts.

Regarding Land Use, Zoning, and Public Policy, the existing Golf Course parking lot, a portion of the practice area, clubhouse, and other landscaped areas would be removed to develop the Proposed Facility and would allow the majority of the Golf Course (over 200 acres) to remain intact and open to the public. The Proposed Actions would establish a new zoning district, which would permit the development of a gaming facility and would support multiple public policies by providing economic opportunities and improvements to Ring Road. The Proposed Actions would not alter current land uses or zoning beyond the Development Site (approximately the Proposed Rezoning Area).

The Proposed Actions would not displace residents nor introduce new residential units. Additionally, the Proposed Actions would not have the potential to cause an indirect displacement of residents or businesses in exceedance of CEQR impact criteria and would not result in retail market saturation or

effects to specific industries. The Proposed Actions would provide approximately 3,500 new permanent jobs to the surrounding area, and temporary construction jobs for more than two years. The socioeconomic conditions assessment found that existing vacant housing units within the Study Area or in the Bronx could accommodate the potential new workers generated by the Proposed Development. Further, the Proposed Development would provide a new economic use on the Development Site that is not expected to compete with other destination retail in the Bronx and would not have the potential to increase market pressure to surrounding businesses that would significantly alter the socioeconomic characteristics of the Study Area. Visitors to the Development Site are also expected to patronize existing local businesses within the Study Area which would increase the production and sales at nearby businesses and the demand of goods and service providers to support the Proposed Development. Therefore, the Proposed Development, including project-generated jobs, are anticipated to increase the socioeconomic diversity of the neighborhood.

The Development Site does not contain a community facility, the Proposed Development would not introduce a new community facility, and the Proposed Actions would not directly alter an existing community facility. The Proposed Development would also not include any residential uses and thus, the Proposed Development would not introduce a residential population that would burden community facilities and services. The Proposed Development would result in additional year-round visitors to the Development Site that could increase demand for police protection, fire protection, and emergency services; however, Bally's has committed to including a police substation within the design of the Proposed Facility, hiring on-site security personnel, and would include a designated area within the facility for emergency management and medical services. The Proposed Development would also improve access between the Development Site and nearby police precincts, fire stations, and hospitals by mapping and improving Ring Road – the only roadway that provides access to the Development Site and portions of the Park that are east of the Whitestone Bridge.

The Proposed Actions would attract additional non-residents (visitors) to the area but would not cause the ratio of open space per non-resident to drop below CEQR impact thresholds. The Proposed Actions would remove a portion of the Golf Course practice area; however, the practice area would be relocated and be of a similar size and character. In addition, because parkland would be alienated from the Park, park improvements and replacement parkland would be provided consistent with the requirements of the State alienation legislation. Bally's would contribute funds to the City of New York to be devoted to NYC Parks for such public improvements and would deed the designated new parkland to NYC Parks. Thus, with these park improvements and replacement parkland, the Proposed Actions would have an overall beneficial effect to open space.

The Proposed Development would result in a significant adverse shadows impact to portions of the Golf Course. Vegetation (grass) is sensitive to sunlight (both duration and intensity) during the growing season. The Proposed Development would reduce the amount of available sunlight to less than six hours of direct sunlight – the *CEQR Technical Manual* impact threshold for vegetation – in small, discrete areas of the Golf Course on the March, May and June analysis days. Due to the impact on vegetation at the Golf Course, the Proposed Actions also have the potential to affect Golf Course utilization. Adverse utilization impacts may result on portions of holes 1, 9, 10, and 18. Thus, the Proposed Actions would result in significant adverse shadow impacts exclusively affecting golfers. Outside of the Golf Course, other areas of the Park including the basketball courts, cricket fields, football fields, dog-friendly areas, the East River shoreline, and other recreational areas would not have significant adverse shadow impacts. Shadow impacts to the Golf Course would not have the potential to change the character of the neighborhood compared to the No-Action Condition.

Significant adverse shadow impacts would be confined to the grass on the Golf Course, which would exclusively affect golfers, and measures would be implemented to mitigate these adverse impacts.

While the Proposed Actions would result in significant adverse shadow impacts to limited areas of the Golf Course, this would not constitute a significant adverse neighborhood character impact. The project-generated shadows would be limited to areas closest to the new buildings and would not alter

the majority of the 222-acre course. The proposed new buildings would support and complement its existing use as a Golf Course. With the Proposed Actions, only the existing surface parking lot, golf clubhouse, a portion of the practice area and other landscaped areas would be removed. The defining features of the Golf Course would continue to be available for golfers and would not be removed. Vegetation closest to the new buildings may receive prolonged shadow in limited areas; however, measures to mitigate these impacts would ensure that the defining characteristics of the Jack Nicklaus designed course are not altered.

The Proposed Actions would not result in a significant adverse impact to historic and cultural resources. In correspondence from the LPC dated 02 April 2024, the Affected Area has no architectural significance. The New York State Office of Parks, Recreation & Historic Preservation (SHPO)'s Cultural Resource Information System (CRIS) confirmed in a letter dated 24 September 2024 that there are no historic properties or historic resources on the Development Site and the Affected Area has no archaeological significance. Further, there are no historic or cultural resources within the Study Area, and the closest State/National Register-eligible historic resource is located over 2,000 feet from the Affected Area.

While the Proposed Actions would result in a noticeable change in urban design conditions primarily for golfers within the Golf Course Subarea, the Proposed Actions would not result in a significant adverse urban design and visual resources impact. The Proposed Actions would result in a change to the appearance and arrangement of the built environment in the Park, a visual resource, primarily when users are on the Golf Course at certain holes. However, the change would not constitute a significant adverse urban design impact because it would not significantly affect the functionality of the Park, the pedestrian experience, or the design of the Golf Course. Uses proposed to be removed from the Park are uses that support the Golf Course and comparable amenities would be provided with the Proposed Actions. Improvements to Ring Road would also provide enhanced access to the Golf Course and Park – two defining neighborhood features. Further, views of signature features of the Golf Course and the Study Area's six visual resources would continue to be available from other comparable locations within the Golf Course Subarea and other areas in the Park. Views of visual resources from other areas within the Study Area would not be altered with the Proposed Actions.

While the Proposed Actions would generate vehicular and pedestrian trips in the Study Area, the Proposed Actions would not significantly alter the neighborhood character of the Study Area in the area of transportation. The transportation analysis of the Proposed Development found that the Proposed Actions have the potential to result in significant adverse impacts in the contributing technical area of traffic. However, several of these impacts can be mitigated and the Mitigation section below includes several proposed measures to mitigate transportation impacts. These mitigation measures will be implemented pursuant to a TMP, which was developed in consultation with NYCDOT, NYSDOT, NYC Parks, MTA (TBTA), and NYCDEP.

Significant adverse transportation impacts would not result in significant adverse impacts to neighborhood character. While the Proposed Development would increase traffic volumes, it would not change the character of the neighborhood. Significant adverse traffic impacts could occur on already busy thoroughfares and along portions of the existing highway network, rather than residential streets. Traffic congestion along these roadways would be present absent the Proposed Development due to background growth. Thus, traffic impacts would not constitute changes in neighborhood character compared to the No-Action Condition.

The Proposed Development would be served by mechanical equipment that would comply with the New York City Mechanical and Noise codes and would not significantly alter the ambient noise conditions in the area. An (E)-Designation (E-824) will be placed on Block 5622, Lot 1, to ensure the implementation of required window-wall attenuation requirements and means of an alternate ventilation for the Proposed Facility.

The Proposed Actions would have the potential to result in a significant adverse noise impact to the Park in the area that is west of the Hutchinson River Expressway and immediate to the exterior of Ring Road; however, this would not result in a significant adverse neighborhood character impact. With-Action noise levels would not exceed 85 dB(A) – the exposure level that the *CEQR Technical Manual* indicates can harm hearing. Further, noise levels would not increase beyond 70 to 75 dB(A) - the CEQR threshold for "nuisance levels" for outdoor noise. The effects of the project-generated vehicular noise would be greatest near Ring Road and less in other areas farther away, such as the barbecue areas near the waterfront. Measures would be implemented to mitigate this adverse impact. The noise impact to the Park in the area that is west of the Hutchinson River Expressway and immediate to the exterior of Ring Road would not have the potential to change the character of the neighborhood compared to the No-Action Condition.

CONSTRUCTION

Construction activities would likely occur in one phase over a period of 30 months, with construction of the Proposed Facility and golf clubhouse and improvements to Ring Road running concurrently without gaps.

No significant adverse construction impacts would occur in relation to land use and public policy, socioeconomic conditions, community facilities and services, open space, historic and cultural resources, natural resources, hazardous materials, air quality, neighborhood character, and noise; however, construction of the Proposed Actions has the potential to result in significant adverse transportation (traffic) and noise impacts.

Transportation

The peak number of trips generated by construction of the Proposed Development is expected to occur in the seventh quarter of construction (Q7). During this peak quarter, project-generated construction would generate an average of approximately 1,800 workers and 580 truck deliveries per day. Therefore, Q7 was selected to assess the construction transportation conditions to identify any potentially significant adverse impacts to traffic, transit, pedestrians, and parking in the study area.

Traffic

Construction of the Proposed Development would generate a maximum of approximately 1,431 and 851 Passenger Car Equivalent (PCE) vehicle trips during the weekday AM (5:00 AM – 6:00 AM) and weekday PM (2:00 PM – 3:00 PM) construction peak hours, respectively. Traffic conditions were evaluated for the weekday AM and weekday PM construction peak hours at nine intersections where the net increase in PCE vehicle trips due to the construction of the Proposed Development would exceed the CEQR threshold for conducting detailed traffic analysis. The capacity analyses indicate that the following five intersection approaches/lane groups in the study area could experience a potentially significant adverse traffic impact in at least one peak hour as a result of construction activities associated with the Proposed Actions:

- The northbound Hutchinson River Parkway Service Road left-turn at Lafayette Avenue during the weekday AM construction peak hour.
- The westbound Lafayette Avenue left-turn at the southbound Hutchinson River Parkway Service Road during the weekday AM and PM construction peak hours.
- The eastbound Bruckner Boulevard right-turn at Brush Avenue during the weekday AM construction peak hour.
- The eastbound Lafayette Avenue approach to the southbound Cross Bronx Expressway Extension during the weekday PM construction peak hour.
- The eastbound Schley Avenue approach to the southbound Hutchinson River Parkway Service Road during the weekday AM construction peak hour.

The highway network analysis during the construction peak hours, indicates that there are five study area highway segment (out of the 61 segments that were analyzed) that would experience a potentially significant adverse traffic impact, summarized as follows:

- SB Cross Bronx Expressway Approaching I-695 Merge during the weekday construction PM peak hour
- NB Hutchinson River Expressway near Bronx-Whitestone Bridge MTA Building during the weekday construction PM peak hour
- SB Hutchinson River Expressway downstream of Exit 18 during the weekday construction PM peak hour
- SB I-678 Hutchinson River Expressway merge with Ramps from CBE & Bruckner Expressway during the weekday construction PM peak hour
- SB Hutchinson River Expressway between On-ramp and Exit 18 during the weekday construction PM peak hour

The Mitigation section below discusses potential measures to mitigate these potentially significant adverse traffic impacts. The feasibility of the proposed mitigation measures will be further explored by Bally's during construction of the Proposed Development with the implementation of a Construction Traffic Monitoring Plan (CTMP). The CTMP will project the actual travel demand by construction workers and deliveries associated with construction of the Proposed Development and will include the roadway improvements that have been implemented in the study area at that time.

Transit

Construction of the Proposed Development would generate a maximum of approximately 104 average subway trips and approximately 104 average Citywide Ferry Service (CWFS) trips during the weekday AM and PM construction peak hours. These levels of peak hour subway and CWFS trip generation are not expected to exceed the CEQR threshold for conducting detailed analyses of these respective transit modes. Therefore, the Proposed Development would not result in potentially significant adverse transit impacts during construction.

Pedestrians

Construction of the Proposed Development would generate a maximum of approximately 104 average pedestrian trips (resulting from the approximately 104 average CWFS trips) during the weekday AM and PM construction peak hours. This level of peak hour pedestrian trip generation is not expected to exceed the CEQR threshold for conducting detailed analyses of pedestrian conditions. Therefore, the Proposed Development would not result in potentially significant adverse pedestrian impacts during construction.

Parking

Construction of the Proposed Development would generate a maximum parking demand of approximately 1,042 spaces during the weekday midday period. This construction-generated demand would be accommodated by a dedicated off-street parking supply provided on the Development Site or in an off-site parking facility located within the transportation study area. If off-site parking within the transportation study area is not available, off-site parking facilities outside the transportation study area may be used for construction workers, who would then be shuttled to the Development Site. Therefore, the Proposed Development would not result in a potential public parking shortfall in the study area during construction.

If Bally's cannot identify off-site parking facilities within the transportation study area for construction worker vehicles, Bally's will evaluate off-site parking facilities outside of the transportation study area as part of the CTMP. Bally's will identify and analyze potential effects of the off-site parking facilities outside of the transportation study area. Locations outside of the transportation study area will not be selected by Bally's if new significant adverse transportation, noise, or air quality impacts would occur.

Air Quality

The construction air quality analysis did not identify any significant adverse impacts. Detailed air quality modeling was completed to assess whether mobile source emissions during the construction stage would have the potential to result in significant adverse air quality impacts during construction. The dispersion modeling analysis of construction-related air emissions for mobile construction sources determined that the Proposed Actions would not result in significant adverse construction impacts relating to mobile air quality.

Further, measures would be taken to reduce pollutant emissions during construction in accordance with all applicable laws, regulations, and building codes. These include dust suppression measures, idling restriction, and the use of ultra-low-sulfur diesel fuel. In addition to the required laws and regulations, an emissions reduction program would be used. With these emission reduction measures, significant adverse construction air quality impacts from stationary sources would not occur.

Noise

Golf Course

Construction-generated noise would have the potential to result in significant adverse construction impacts.

While noise increases would not exceed the NYC Noise code limit of 85 dB(A) at any receptor, construction is projected to increase noise levels highest at the Golf Course, where golfers could experience up to a 12- to 15-dB(A) increase in noise levels under worst-case conditions for up to 10 construction quarters (30 months). However, most work during construction quarters 6 through 8 – the noisiest construction quarters – would occur in the interior fit-out phase and noise would be significantly reduced by the Proposed Facility's façade since it will be in place before interior fit-out work begins. The façade would likely attenuate noise that is generated within the building by a minimum of 10 dB(A), resulting in in significantly lower noise levels and smaller affected area during these quarters.

The Development Site is near the Golf Course's driving range and holes 1, 9, 10, and 18. Golf Course users would only be exposed to the highest construction-noise levels in areas of the course that are nearest construction activities, notably the teeing area on holes 1 and 10, the green hole on 9, and the fairway on hole 18.

The Mitigation section below discussed the mitigation measures proposed for this significant adverse impact.

Ferry Point Park

Construction-generated vehicles using Ring Road to access or egress the Development Site may also result in a potential significant adverse noise impact on portions of the Park.

The Mitigation section below discussed the mitigation measures proposed for this significant adverse impact.

Further, the analysis showed that the nearest residences, which are more than 1,000 feet away from the Development Site, located along Emerson Avenue, would not be exposed to noise levels that would require attenuation. Further, construction during nighttime hours (10:00 PM to 7:00 AM), which may occur as part of the Proposed Project, would be subject to the conditions imposed by the New York City Department of Buildings (DOB) as part of an After-Hours Variance. Such conditions would include the implementation of an approved noise mitigation plan. By adhering to the approved noise mitigation plan, nighttime construction-generated noise at nearby sensitive nighttime receptors would be minimized to the extent deemed appropriate by DOB. Therefore, no significant adverse construction noise impacts would affect the closest residents.

Other Technical Areas

Construction activities have the potential to affect other technical areas such as land use and public policy, socioeconomics, community facilities and services, open space, historic and cultural resources, natural resources, hazardous materials, neighborhood character, and infrastructure. For the Proposed Development, a preliminary analysis of construction effects was warranted for all technical areas with the exception of water and sewer infrastructure, because construction would not cause a disruption to existing water and sewer infrastructure. These analyses concluded that there would not be any construction-related significant adverse impacts on land use and public policy, socioeconomics, community facilities and services, open space, historic and cultural resources, natural resources, hazardous materials, neighborhood character.

ALTERNATIVES

No-Action Alternative

In the No-Action Alternative, existing conditions on the Development Site and Ring Road are expected to remain. Uses that support the golf course would continue to occupy the Development Site. Ring Road would remain as a park roadway and would not be improved.

Compared to the Proposed Actions, the No-Action Alternative would not result in the development of a gaming facility or generate additional demands for community resources such as police and fire protection, changes to open space resources, or increased demand for water, electricity, or solid waste and sanitation services. The No-Action Alternative would not result in any significant adverse impacts (as defined by the *CEQR Technical Manual*); however, the No-Action Alternative would not achieve the purpose and need of the Proposed Actions because there would be no new economic activity, including the approximately 3,500 permanent jobs and up to 1,800 construction jobs that would not be created, and no privately funded improvements to the Park and Ring Road would be implemented.

No Unmitigated Significant Adverse Impacts Alternative

The No Unmitigated Impact Alternative analyzed the potential reduction in programming for a project that would not result in unmitigated significant adverse impacts. The No Unmitigated Impact Alternative analyzed was found to reduce the Proposed Development to a point where it would no longer be economically viable. While the No Unmitigated Impact Alternative would not be expected to result in any unmitigated potentially significant adverse shadows, noise, traffic, or construction traffic and noise impacts, it would no longer meet the programmatic goals or Purpose and Need of the Proposed Actions.

A sensitivity analysis was conducted to determine the amount by which the Proposed Development would need to be reduced such that there would be no unmitigated significant adverse impacts. The sensitivity analysis found that the Proposed Development could not be reduced in height to avoid significant adverse shadow impacts because of its location in a park, a sunlight-sensitive resource.

For noise, the Proposed Development would need to be reduced by approximately 58 percent (to approximately 42 percent of the total program) to avoid a significant adverse impact from mobile sources. Reduction of the Proposed Development by 58 percent would result in a gaming facility providing approximately 2,161 gaming positions, 210 hotel rooms, an 840-person capacity event space, and 2,562 sf of sundry retail space. While this reduced development program would not be expected to result in an unmitigated significant adverse noise impact, the Proposed Development would no longer meet the programmatic goals or Purpose and Need of the Proposed Actions.

To eliminate all unmitigated significant adverse traffic impacts at local intersections, the Proposed Development would need to be reduced by approximately 90 percent (to approximately 10 percent of the total program) to avoid all unmitigated significant adverse impacts (both operational and construction). Reduction of the Proposed Development by 90 percent would result in a gaming facility providing approximately 515 gaming positions, 50 hotel rooms, a 200-person capacity event space, and

610 sf of sundry retail space. While this reduced development program would not result in an unmitigated significant adverse traffic impact, this reduced development program would, similar to the above, significantly compromise the goals or Purpose and Need of the Proposed Actions.

The Proposed Development cannot be reduced such that there would be an elimination of all unmitigated significant adverse traffic impacts on all highway segments within the transportation study area (both operational and construction traffic). The Proposed Development's program could not be reduced to avoid unmitigated significant adverse transportation impacts because there are no measures that may be undertaken by Bally's to improve the operational capacity of the existing highway network.

The No Unmitigated Impact Alternative would not provide a destination gaming facility with gaming and recreational uses, hotel rooms, and accessory commercial uses necessary to complement the existing Golf Course.

MITIGATION

Based on the analysis conducted for this Draft EIS, the Proposed Actions have the potential to result in significant adverse impacts related to shadows, transportation (vehicular traffic), noise, and construction (vehicular traffic and noise). Measures to vastly improve or fully mitigate these significant adverse impacts to the greatest extent practicable are identified and described below.

Shadows

The detailed shadow assessment analyzed the potential shadow impacts from the Proposed Development on the Park, the East River, a wetland west of the Hutchinson River Expressway, and the future NYCDOT Wetland Mitigation project area. Based on this analysis, the Proposed Development would result in significant adverse impacts only to discrete locations of the Golf Course's vegetation (grass) closest to the proposed buildings. Therefore, the Proposed Development could also result in adverse impacts on portions of holes 1, 9, 10, and 18 with respect to utilization.

Because of these impacts and to ensure player/pedestrian safety on the Golf Course and near the Proposed Facility, mitigation measures are proposed for several holes and the driving range of the Golf Course. Hole 18 may be partially reconfigured to move portions of these holes away from the Proposed Facility. Additionally, portions of holes 1, 9 and 10 may also be slightly reconfigured or relocated. Any Golf Course reconfiguration would be reviewed and approved by Nicklaus Design and NYC Parks. Further, to support vegetative growth, changes to seed mixes, changes to turf maintenance protocols, the addition of fans, and artificial sunlight may be incorporated within impacted areas of the Golf Course, as needed and pursuant to consultation and approval by Nicklaus Design and NYC Parks. Bally's would also introduce full-shade and shade-tolerant vegetation in areas near the Proposed Facility.

The conceptual design of the reconfigured golf holes and practice facility and inclusion of other measures to mitigate the significant adverse impacts resulting from the Proposed Development would be further refined between Draft and Final EIS. With these mitigation measures, significant adverse impacts are expected to be fully mitigated. If any of the mitigation measures are deemed to be infeasible and no alternative mitigation measures can be identified, then significant adverse shadow impacts would remain unmitigated.

Transportation

The Proposed Actions would have the potential to result in significant adverse traffic impacts during one or more peak hours at up to seven intersection approaches/lane groups at six study area intersections. The significant adverse traffic impacts could either be entirely mitigated or would remain unmitigated in the future with the Proposed Development as described in detail below.

- The potentially significant adverse traffic impacts to the northbound Hutchinson River Parkway Service Road left-turn movement at Lafayette Avenue would remain unmitigated but would be vastly improved with the proposed signal timing modifications compared to the With-

Action Condition during the weekday midday and PM and Saturday midday and PM peak hours.

- The potentially significant adverse traffic impacts to the westbound Lafayette Avenue left-turn movement at the Southbound Hutchinson River Parkway Service Road would remain unmitigated during the weekday AM, midday, PM, and Saturday midday and PM peak hours. Potential alternative mitigation measures will be explored for this intersection between the DEIS and FEIS in consultation with NYCDOT.
- The potentially significant adverse traffic impacts to the eastbound Bruckner Boulevard right-turn movement would remain unmitigated during the weekday AM, midday, PM, and Saturday midday and PM peak hours. Potential alternative mitigation measures will be explored for this intersection between the DEIS and FEIS in consultation with NYCDOT.
- The potentially significant adverse traffic impacts to the eastbound Lafayette Avenue and westbound Lafayette Avenue approaches at the Cross Bronx Expressway Extension Southbound Service Road and Saint Raymond's New Cemetery Gate would be mitigated during the weekday AM, midday, PM, and Saturday midday and PM peak hours by implementing parking restrictions and re-striping the eastbound Lafayette Avenue approach to the intersection.
- The potentially significant adverse traffic impacts to the westbound Lafayette Avenue right-turn movement at Brush Avenue would be mitigated with proposed signal timing modifications during the weekday AM, midday, PM, and Saturday midday and PM peak hours.
- The potentially significant adverse traffic impacts to the eastbound Schley Avenue approach at the southbound Hutchinson River Parkway Service Road would be mitigated during the weekday AM, midday, and PM peak hours and would remain unmitigated but vastly improved during the Saturday midday and PM peak hours compared to the With-Action Condition with parking restrictions and lane re-striping along the southbound Hutchinson River Parkway Service Road approach to the intersection.

The Proposed Development would result in significant adverse traffic impacts to five highway segments during the Weekday midday peak hour, eight highway segments during the Weekday PM peak hour, nine highway segments during the Weekend midday peak hour, and eight highway segments during the Weekend PM peak hour. The identification of significant adverse impacts on the highway network is not uncommon for projects of this scale, especially where, like here, the Hutchinson River Parkway/Expressway, Cross Bronx Expressway, Bruckner Expressway, and Throgs Neck and Whitestone Bridges are all in the immediate vicinity of the Proposed Development and are projected to be utilized to serve as the primary routes to/from the Proposed Facility. Potential measures to provide more capacity along these highways such as additional lanes are not practicable or reasonable.

However, Bally's is exploring the feasibility of constructing a one-way westbound overpass from the northbound Hutchinson River Parkway Service Road to the southbound Hutchinson River Parkway Service Road that would enable traffic to bypass the signalized intersections at Lafayette Avenue. Significant adverse impacts identified at the intersection of Lafayette Avenue and the northbound Hutchinson River Parkway Service Road and at the intersection of Lafayette Avenue and the southbound Hutchinson River Parkway Service Road would be fully mitigated or vastly improved during one or more peak hours analyzed if the overpass is determined to be practicable and feasible. The potential overpass will be further explored by Bally's in consultation with relevant City, State and Federal agencies between the Draft and Final EIS. If the overpass is deemed infeasible and no alternative mitigation measures can be identified, then the significant adverse traffic impacts at the intersection of Lafayette Avenue and the northbound Hutchinson River Parkway Service Road and at the intersection of Lafayette Avenue and the southbound Hutchinson River Parkway Service Road would remain unmitigated.

The feasibility of the proposed mitigation measures will be further explored by Bally's in a post-implementation Traffic Monitoring Plan (TMP). The TMP will measure the actual travel demand generated by the Proposed Actions at the time the Proposed Development is complete and will include the roadway improvements that have been implemented in the study area at that time. The TMP, if necessary, will revise the traffic analyses based on the new travel demand surveys and would incorporate NYCDOT improvement projects that have been implemented in the study area. The TMP and supporting documentation will be reviewed by applicable agencies, including NYCDOT. At the time of the TMP's implementation, if reviewing agencies determine that additional or alternative mitigation measures would more adequately address traffic impacts, Bally's would work with NYCDOT to evaluate the feasibility and implementation of such mitigation measures. If, based on the TMP, any of the mitigation measures are deemed to be infeasible and no alternative mitigation measures can be identified at that time, then the significant adverse traffic impacts would continue to remain unmitigated.

Noise

The Noise analysis concluded that a potentially significant adverse noise impact could result from project-generated traffic along Ring Road. This potential significant adverse noise impact could occur within the Park in the area that is west of the Hutchinson River Expressway and immediate to the exterior of Ring Road. During the noisiest peak hour, L_{eq} noise levels are projected to increase by up to 9.6 dB(A) over the No-Action noise level (or 6.6 dB(A) over the impact threshold) at a single noise analysis location. This potential significant adverse noise impact may be mitigated by one or more of the following potential mitigation measures:

- Incorporate a noise-attenuating barrier near the boundary between Ring Road and the Park that would provide at least 6.6 dB(A) of noise attenuation.
- Implement travel-demand management measures to minimize project-generated vehicle trips, which would reduce noise levels generated by project-generated traffic on this portion of Ring Road.
- Implement traffic mitigations that reduce traffic-generated noise west of the Hutchinson River Expressway and immediate to the exterior of Ring Road.

If mitigation is deemed infeasible and no alternative mitigation measures can be identified, then this significant adverse noise impact would remain unmitigated.

Additional noise modeling may be conducted between the Draft and Final EIS and will be further explored by Bally's in consultation with the relevant agencies. Such modeling may reduce the extent of, or eliminate, the significant adverse noise impact.

Construction

Transportation

Potentially significant adverse traffic impacts could result from the construction of the Proposed Development during at least one of the weekday AM or PM construction peak hours at up to five intersection approaches/lane groups at five study area intersections.

The potentially significant adverse construction traffic impacts at the impacted intersection approaches/lane groups would either be mitigated or would remain unmitigated in the future during Construction of the Proposed Development as described in detail below.

- The potentially significant adverse traffic impact to the northbound Hutchinson River Parkway Service Road left-turn movement at Lafayette Avenue during the weekday AM construction peak hour would remain unmitigated but vastly improved compared to the Construction With-Action Condition with implementation of traffic signal timing modifications.

- The potentially significant adverse traffic impacts to the westbound Lafayette Avenue left-turn movement at the southbound Hutchinson River Parkway Service Road during the weekday AM and PM construction peak hours would remain unmitigated during construction of the Proposed Development.
- The potentially significant adverse traffic impact to the eastbound Bruckner Boulevard right-turn movement at Brush Avenue during the weekday AM construction peak hour would remain unmitigated during construction of the Proposed Development.
- The potentially significant adverse traffic impact to the eastbound Lafayette Avenue approach to the Cross Bronx Expressway Extension Southbound Service Road and Saint Raymond's New Cemetery Gate during the weekday PM construction peak hour would remain unmitigated during construction of the Proposed Development.
- The potentially significant adverse traffic impact to the eastbound Schley Avenue approach to the Hutchinson River Parkway Southbound Service Road during the weekday AM construction peak hour would be mitigated with implementation of on-street parking restrictions and lane re-striping.

The feasibility of the proposed mitigation measures will be further explored by Bally's as part of a Construction Traffic Monitoring Plan (CTMP), which will be developed in coordination with the lead agency and collaboration with NYCDOT, NYSDOT, NYC Parks, MTA (TBTA), and NYCDEP. If based on the CTMP, any of these mitigation measures are deemed infeasible and no alternative mitigation measures can be identified, then the potentially significant adverse traffic impacts during construction would remain unmitigated.

Potentially significant adverse temporary traffic impacts could result from the construction of the Proposed Development at five highway segments (of the 61 segments analyzed) during the weekday PM construction peak hour. The duration of these impacts would be limited and would be separate from the impacts to operational traffic.

There are no proposed mitigation measures to the highway network. The proposed mitigation measures described for the local intersections may help reduce the overall impacts at the local streets/signalized intersections, but the five highway segments that are projected to experience a potentially significant adverse impact in the weekday construction PM peak hour would remain unmitigated during construction.

Noise

Golf Course

Construction-generated noise would have the potential to result in significant adverse construction impacts.

While noise increases would not exceed the NYC Noise code limit of 85 dB(A) at any receptor, construction is projected to increase noise levels highest at the Golf Course, where golfers could experience up to a 12- to 15-dB(A) increase in noise levels under worst-case conditions for up to 10 construction quarters (30 months). However, most work during construction quarters 6 through 8 – the noisiest construction quarters – would occur in the interior fit-out phase and noise would be significantly reduced by the Proposed Facility's façade since it will be in place before interior fit-out work begins. The façade would likely attenuate noise that is generated within the building by a minimum of 10 dB(A), resulting in in significantly lower noise levels and smaller affected area during these quarters.

The Development Site is near the Golf Course's driving range and holes 1, 9, 10, and 18. Golf Course users would only be exposed to the highest construction-noise levels in areas of the course that are nearest construction activities, notably the teeing area on holes 1 and 10, the green hole on 9, and the fairway on hole 18.

This potential significant adverse construction-noise impact could be mitigated by one or more of the following potential mitigation measures:

- Incorporate additional noise attenuation into the proposed temporary construction-noise barrier (e.g. concrete-wall or multi-layered plywood fence);
- Increase the height of the proposed temporary construction-noise barrier up to 15 feet;
- Incorporate additional temporary construction-noise barriers between certain noise-sensitive receptors (i.e. the driving range and the green of hole 9) and construction activities;
- Restrict the location of certain pieces of construction equipment on the Development Site; or
- Restrict the times when certain pieces of construction equipment can be used.

With these mitigation measures, significant adverse construction noise impacts on the golf course would be fully mitigated.

Additional construction-noise modeling may be conducted between the Draft and Final EIS and will be further explored by Bally's in consultation with the relevant agencies. Such modeling may reduce the extent of, or eliminate, the potential significant adverse construction-noise impact.

Ferry Point Park

Construction-generated vehicles using Ring Road to access or egress the Development Site may also result in a potential significant adverse noise impact on portions of the Park.

This potential significant adverse construction noise impact could be mitigated by one or more of the following potential mitigations:

- Install a temporary construction noise barrier (e.g., a plywood fence) along the exterior of Ring Road. The noise barrier could extend to a height that exceeds those of engines on a typical construction vehicle;
- Restrict vehicle speeds along Ring Road;
- Restrict the times when certain vehicles travel along Ring Road (i.e., outside of primary hours of the Park);
- Reduce the number of workers traveling to and from the Development Site in peak construction hours; or
- Restrict the number of construction-generated passenger-car-equivalents that travel along Ring Road at certain times.

With these measures in place, significant adverse construction noise impacts on Ferry Point Park would be fully mitigated.

Additional construction-noise modeling may be conducted between the Draft and Final EIS and will be further explored by Bally's in consultation with the relevant agencies. Additional mitigation(s) may also be evaluated and proposed between Draft and Final EIS to address the effects of construction-generated vehicular noise (including the additional potential increase in noise levels associated with construction on the Development Site) on the Park.

Further, the analysis showed that the nearest residences, which are more than 1,000 feet away from the Development Site, located along Emerson Avenue, would not be exposed to noise levels that would require attenuation. Further, construction during nighttime hours (10:00 PM to 7:00 AM), which may occur as part of the Proposed Project, would be subject to the conditions imposed by the New York City Department of Buildings (DOB) as part of an After-Hours Variance. Such conditions would include the implementation of an approved noise mitigation plan. By adhering to the approved noise mitigation plan, nighttime construction-generated noise at nearby sensitive nighttime receptors would

be minimized to the extent deemed appropriate by DOB. Therefore, no significant adverse construction noise impacts would affect the closest residents.

UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS

The Proposed Actions are expected to result in significant adverse impacts in the area of shadows, transportation (vehicular traffic), noise, and construction (vehicular traffic and noise). To the greatest extent practicable, mitigation measures have been proposed for the identified significant adverse impacts in coordination with NYC Parks, NYCDOT, and NYCDEP. However, at this time, no practicable mitigation has been identified to fully mitigate the significant adverse impacts for shadows, noise, and vehicular traffic (operational and construction), and there are no reasonable alternatives that would meet the purpose and need of the Proposed Actions, eliminate potential impacts, or not cause other or similar significant adverse impacts. These instances, which are listed and described below, are considered unavoidable adverse impacts.

Shadows

The Proposed Actions would result in significant adverse impacts to discrete locations of the Golf Course's vegetation (grass) closest to the proposed buildings in limited areas. This may adversely affect portions of holes 1, 9, 10, and 18 with respect to utilization. Because of these impacts to small portions of the vegetation of the Golf Course and to ensure player/pedestrian safety on the Golf Course and near the Proposed Facility, mitigation measures are proposed for several holes and the driving range of the Golf Course. Hole 18 may be partially reconfigured to move portions of the hole away from the Proposed Facility. Additionally, portions of holes 1, 9 and 10 may also be slightly reconfigured or relocated.

Any Golf Course reconfiguration would be reviewed and approved by Nicklaus Design and NYC Parks pursuant to the existing concession agreement between Bally's and NYC Parks. Further, to support vegetative growth, changes to seed mixes, changes to turf maintenance protocols, the addition of fans, and artificial sunlight may be incorporated within the impacted areas of the Golf Course, as needed and pursuant to consultation and approval by Nicklaus Design and NYC Parks. Bally's may also introduce full-shade and shade-tolerant vegetation in areas near the Proposed Facility.

The conceptual design of the reconfigured golf holes and practice facility and inclusion of other measures to mitigate the significant adverse impacts resulting from the Proposed Development would be further refined between Draft and Final EIS.

With these mitigation measures, significant adverse impacts would be partially mitigated. If any of the mitigation measures are deemed to be infeasible and no alternative mitigation measures can be identified, then impacts to holes 1, 9, 10 and 18 and the driving range of the Golf Course would remain unmitigated and constitute unavoidable significant adverse impacts.

Transportation

The Proposed Actions would result in significant adverse transportation impacts in the area of vehicular traffic. The analysis identified seven traffic intersection/approach lane groups in the study area that would experience a significant adverse impact in at least one peak hour. Several of the significant adverse impacts related to traffic could be mitigated with traffic signal timings, on-street parking restrictions, and/or lane assignments. However, four of the adversely impacted intersections would remain unmitigated with the Proposed Actions. In the absence of feasible mitigation measures, the traffic impacts during peak hours would continue to remain unmitigated and would constitute unavoidable significant adverse impacts.

Bally's is exploring the feasibility of constructing a one-way westbound overpass from the northbound Hutchinson River Parkway Service Road to the southbound Hutchinson River Parkway Service Road. This potential overpass would enable traffic to bypass the signalized intersections at Lafayette Avenue. Significant adverse impacts identified at the intersection of Lafayette Avenue and the northbound

Hutchinson River Parkway Service Road and at the intersection of Lafayette Avenue and the southbound Hutchinson River Parkway Service Road would be fully mitigated or vastly improved during one or more peak hours analyzed if the overpass is determined to be practicable and feasible. The potential overpass will be further explored by Bally's in consultation with relevant City, State, and Federal agencies between the Draft and Final EIS.

The Proposed Development would also result in significant adverse traffic impacts to five highway segments during the weekday midday peak hour, eight highway segments during the weekday PM peak hour, nine highway segments during the weekend midday peak hour, and eight highway segments during the weekend PM peak hour. Potential measures to provide more capacity along these highways such as additional lanes are not practicable or reasonable.

The feasibility of the proposed mitigation measures will be further explored by Bally's in a Transportation Monitoring Plan (TMP). The TMP, if necessary, will revise the traffic analyses based on the new travel demand surveys and would incorporate NYCDOT improvement projects that have been implemented in the study area. The TMP and supporting documentation will be reviewed by applicable agencies, including NYCDOT. At the time of the TMP's implementation, if reviewing agencies determine that additional or alternative mitigation measures would more adequately address traffic impacts, Bally's would work with NYCDOT to evaluate the feasibility and implementation of such mitigation measures. If, based on the TMP, any of the mitigation measures are deemed to be infeasible and no alternative mitigation measures can be identified at that time, then the significant adverse traffic impacts would continue to remain unmitigated and constitute unavoidable significant adverse impacts.

Noise

A potentially significant adverse noise impact could result from project-generated traffic along Ring Road. This potential significant adverse noise impact could occur within the Park in the area that is west of the Hutchinson River Expressway and immediate to the exterior of Ring Road. While the noise levels would not exceed the CEQR threshold for nuisance levels, L_{eq} noise levels could increase by more than 3 dB(A) over the No-Action noise levels during peak hours at a single noise analysis location. During the noisiest peak hour, L_{eq} noise levels are projected to increase by up to 9.6 dB(A) over the No-Action noise level (6.6 dB(A) above the applicable impact threshold). Measures to mitigate these impacts were identified. If this mitigation is deemed infeasible and no alternative mitigation measures can be identified, then this significant adverse noise impact would remain unmitigated and constitute unavoidable significant adverse impacts.

Construction

Traffic

The Proposed Actions would result in significant adverse construction impacts in the area of vehicular traffic. The analysis identified five traffic intersection/approach lane groups in the study area could experience a significant adverse impact during at least one of the weekday AM and PM construction peak hours. Several of the significant adverse impacts related to construction traffic could be mitigated with traffic signal timings, on-street parking restrictions, and/or lane assignments. However, three of the adversely impacted intersections would remain unmitigated with the Proposed Actions and would constitute unavoidable significant adverse impacts.

Potentially significant adverse traffic impacts could result from the construction of the Proposed Development at five highway segments during the weekday PM construction peak hour. There are no proposed mitigation measures to the highway network. These impacts therefore constitute unavoidable significant adverse impacts.

The proposed mitigation measures described for the local intersections may help reduce the overall impacts at the local streets/signalized intersections, but the one highway segment (the southbound Cross

Bronx Expressway Approaching I-695 Merge, during the weekday PM construction peak hour) may continue to experience an unmitigated significant adverse impact.

GROWTH-INDUCING ASPECTS OF THE PROPOSED PROJECT

The Proposed Development would generate jobs and tax revenue, improve public infrastructure, enhance street safety, and provide Park improvements and replacement parkland consistent with the requirements of the State alienation legislation. Thus, the Proposed Development would be consistent with public policies such as *OneNYC 2050* and *Rebuild, Renew, Reinvent*: *Blueprint for New York City's Economic Recovery,* and the vision set forth in *NYC Streets Plan* and the *Waterfront Revitalization Program*.

The Proposed Actions would allow more intensive land uses on the Development Site and may increase the demand for community resources such as police and fire protection, demand for water, electricity, and solid waste and sanitation services, and retail. However, the Development Site is generally isolated from surrounding goods and services because of its location within the Park. The Proposed Development would include a regional entertainment destination, and the uses on the Development Site are anticipated to satisfy most of the demand for accommodations and food services generated by the Proposed Actions. The project-generated demand for additional services would be limited and would largely be satisfied by the existing nearby commercial and community facilities, as well as the project-generated commercial and recreational uses.

Once constructed, the Proposed Development would introduce approximately 3,500 new jobs. However, these new jobs are not expected to significantly affect real estate market conditions in the Study Area. Based on existing trends, most employees are anticipated to reside outside of the Study Area and commute to the Development Site. The Socioeconomic Conditions analysis identified that the Study Area and the Bronx have existing capacity to accommodate the project-generated housing demand within the existing vacant units.

The Proposed Actions are limited to the Affected Area, which includes the Development Site and Ring Road. Zoning capacity would not be increased outside of the Proposed Rezoning Area. The Proposed Actions would not introduce new public infrastructure (e.g., develop a public sewer line in an area not currently served by sewers) or greatly increase infrastructure capacity that would induce or unlock development in secondary areas. With the Proposed Actions, a City Street would be created (mapped) where none currently exists (Ring Road). However, other than the Development Site, the land that fronts along Ring Road is limited to areas of the Park or Schley Avenue, areas that are and will continue to be under ownership of the City of New York. Thus, the Proposed Actions would not generate the potential for new private development to occur along Ring Road.

Overall, the Proposed Actions would not have significant potential to induce growth outside of the Development Site. The proposed rezoning would not change the zoning outside of the Proposed Rezoning Area and would not allow new development on other portions of the Park. Areas of the Park outside of the Affected Area would continue to have the protections of mapped parkland and will continue to be under the jurisdiction of NYC Parks.

IRREVERSIBLE AND IRRETRIEVABLE COMMITMENT OF RESOURCES

Both natural and manufactured resources would be used in the demolition, construction, and operation of the Proposed Development. These resources include: time and materials used in construction; energy (gas and electricity) consumed during construction and operation of the project when complete; and human effort (time and labor) required to plan, design, develop, construct, and operate various components of the development. These resources likely could not be reused and are thus considered permanently committed to future development resulting from the Proposed Actions.

The Proposed Actions would facilitate a long-term commitment of land resources in the Affected Area and remove public parkland. This commitment of land would render the proliferation of other land uses on the Development Site or Ring Road highly unlikely. The Proposed Actions would allow a new

gaming facility on the Development Site, which would remove the existing golf clubhouse, surface parking lot, a portion of the golf course practice area and additional landscaping within the Golf Course. This development would only occur with the Proposed Actions, which would include the removal of parkland from the Park.

New development on the Development Site would result in up to 3,500 permanent jobs, up to 1,800 temporary construction jobs, and significant tax revenue for both the City and State. Additionally, the Proposed Actions would allow improvements to Ring Road to enhance circulation, safety, and access to the Park (on the east and west sides of the Whitestone Bridge), as well as the Development Site for pedestrians, cyclists, and vehicles.

The Proposed Actions would enable Bally's to construct the Proposed Facility, replacement golf clubhouse, and improvements to the Waterfront Access Roadway and Ring Road. This would change the land use on the Development Site from parkland (containing the golf clubhouse, surface parking, a portion of the practice area and landscaping) to gaming, recreational, and associated accessory uses. Funds and human efforts committed to the planning, design, construction, and operation of project-generated development would not be available for other projects.

Habitat within the Development Site generally comprises previously developed areas such as paved surfaces, buildings, and landscaping. Habitat within Ring Road generally comprises an active paved roadway, the Whitestone Bridge, and adjoining landscaped areas. A freshwater wetland is present south of Ring Road. The Proposed Development allowed by the Proposed Actions would not significantly alter the character of the existing Study Area. Buildings, paved surfaces, and landscaping would still be present on the Development Site with the Proposed Actions and Ring Road would remain an active roadway. The majority of the Golf Course (including all 18 golf holes) and existing vegetated parkland to the west and south of Ring Road and along the East River would remain undisturbed by the Proposed Development. Additionally, work would not occur within the freshwater wetland and no impacts to natural resources nearby are anticipated.

Per the *CEQR Technical Manual*, when considering the trade-offs of the project, short-term losses are weighed against the long-term benefits of the Proposed Actions. The Proposed Actions would respond to multiple land use goals and objectives outlined in public policies such as *OneNYC 2050, Rebuild, Renew, Reinvent: Blueprint for New York City's Economic Recovery*, and the 2015 *Hutchinson River Transportation Corridor Parkway Study*. In addition to the Proposed Facility, Park improvements and replacement parkland would be provided consistent with the requirements of the State alienation legislation. Bally's would contribute funds to the City of New York to be devoted to NYC Parks for such public improvements and would deed the designated new parkland to NYC Parks. Improvements to Ring Road would be privately funded by Bally's and include roadway widening, new pedestrian and cycling infrastructure, and improvements to stormwater drainage.

In conclusion, the Proposed Actions would allow the development of a new gaming facility and replacement golf clubhouse, which would generate new jobs, significant economic activity, and tax revenue for both the City and State. The Proposed Facility would complement the Golf Course and the Park, and improvements to Ring Road would be compatible with the roadway's existing use as a vehicular throughway that provides access to the Park and the Golf Course. The Proposed Actions would not result in an immediate or long-term loss of environmental resources, since the Proposed Development would not negatively affect any nearby natural resources, and the Development Site has been previously developed as a municipal solid waste landfill before the landfill was closed and redeveloped as a Golf Course with supportive uses. The long-term commitment of land resources needed for the Proposed Development would be balanced by the beneficial aspects of the project including economic development, job creation, park and roadway improvements, and resiliency measures in accordance with City policy goals.

EFFECTS ON DISADVANTAGED COMMUNITIES

Effective 30 December 2024, Section 8-0109(2)(k) of the New York State Environmental Conservation Law requires that this Environmental Impact Statement (EIS) 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. The 2021 *CEQR Technical Manual* does not provide guidance regarding the scope of this analysis; further, as of the publication date of this Draft EIS, the New York State Department of Environmental Conservation (NYSDEC) has not proposed a rule that provides additional considerations regarding this new statutory provision.

The Proposed Actions would allow the Proposed Facility, an approximately 3,093,880-gross-square-foot (gsf) gaming space with food and beverage space, a hotel, an event center, retail, and a 4,660-space parking garage. Bally's has also committed to develop a police substation in the Proposed Facility. In connection with the Proposed Facility, a replacement golf clubhouse would also be constructed in Ferry Point Park and the uninterrupted circular roadway within the Park that connects the southbound and northbound Hutchinson River Expressway service roads (the "Ring Road") would be converted to a City Street under New York City Department of Transportation (NYCDOT) jurisdiction. Collectively, the Proposed Facility, replacement golf clubhouse, and construction of Ring Road comprise the "Proposed Development." The Development Site and the improved Ring Road comprise the "Affected Area."

The InfoLocator application maintained by NYSDEC maps the boundaries of Disadvantaged Communities (DAC) in New York State. The Affected Area is wholly outside of a DAC. The closest DAC is approximately 1,100 feet from the nearest point of the Development Site.

The Proposed Actions would not result in significant adverse impacts in the following CEQR technical areas: land use, zoning, and public policy; socioeconomic conditions; community facilities and services; open space; historic and cultural resources; urban design and visual resources; natural resources; hazardous materials; water and sewer infrastructure; solid waste and sanitation services; energy; air quality; greenhouse gas emissions and climate change; public health; and neighborhood character.

Significant adverse impacts have the potential to occur in the following CEQR technical areas: shadows; transportation; noise; and construction (traffic and noise). However, the location of the significant adverse impacts related to shadows and construction-noise would be limited to the Golf Course, which is wholly outside a DAC and significant adverse noise impacts from project-generated traffic would only occur in the portions of Ferry Point Park that are west of the Hutchinson River Expressway and immediately adjacent to Ring Road, which is also outside of a DAC.

This EIS discloses that the Proposed Actions have the potential to result in significant adverse traffic impacts at certain local intersections and highway segments. Traffic congestion occurs in locations throughout New York City, including in areas outside of DACs. In the Existing and No-Action Condition, the Hutchinson River Expressway and the Whitestone Bridge would still be present even without the Proposed Development. Air and noise emissions associated with traffic may have the potential to create a pollution burden on a DAC, but traffic itself does not constitute pollution.

While this EIS discloses potential significant adverse traffic impacts, the Proposed Actions would not result in a significant adverse air quality impact from mobile sources (vehicular traffic), because modeled pollutant concentrations are not projected to exceed National Ambient Air Quality Standards or CEQR *de minimis* criteria. Similarly, the Proposed Actions would not generate a significant adverse noise impact from mobile sources on or in a DAC.

The Proposed Actions have the potential to result in significant adverse traffic impacts at up to 15 highway segments. While these highway segments are located partially within and outside of a DAC, the purpose of the Interstate Highway system is to allow transportation between neighborhoods and cities along a limited-access roadway. Outside of air and noise emissions, additional vehicular volume

on an existing Interstate Highway would have a limited effect on the community through which it traverses.

The Proposed Actions have the potential to result in significant adverse traffic impacts at up to seven intersections/approach lane groups, of which three could be fully mitigated. The remaining significant adverse traffic impacts at four intersections/approach lane groups may be vastly improved or fully mitigated during one or more peak hours.

Bally's is exploring the feasibility of constructing a one-way westbound overpass from the northbound Hutchinson River Parkway Service Road to the southbound Hutchinson River Parkway Service Road. This potential overpass would enable traffic to bypass the signalized intersections at Lafayette Avenue. Significant adverse impacts identified at the intersection of Lafayette Avenue and the northbound Hutchinson River Parkway Service Road and at the intersection of Lafayette Avenue and the southbound Hutchinson River Parkway Service Road would be fully mitigated or vastly improved with this potential overpass.

Accordingly, with the mitigation included in this Draft EIS and those that will be further studied between Draft and Final EIS, the Proposed Actions would have limited to no effect on traffic conditions in a DAC.

I. NEW YORK STATE ENVIRONMENTAL CONSERVATION LAW

This Notice of Completion for the Draft Environmental Impact Statement for the Bally's Bronx Project has been prepared in accordance with Article 8 of the New York State Environmental Conservation Law.

CONTACT OFFICE

Requests for copies of the Draft EIS should be forwarded to the contact office, Mayor's Office of Environmental Coordination, 100 Gold Street, 2nd Floor, New York, NY 10038, or by email to ebrunner@cityhall.nyc.gov or phone at (212) 788-6822. The Draft EIS is also available on the CEQR Access website: https://a002-ceqraccess.nyc.gov/ceqr (search for CEQR #: 24DME011X).

Hilary Semel

January 17, 2025

Hilary Semel
Assistant to the Mayor
On behalf of the Deputy Mayor for Housing,
Economic Development and Workforce

Date