1 PROJECT DESCRIPTION

1.1 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 (see Figure 1-1, Figure 1-2, and Figure 1-3). 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[1], 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.

[1] Defined as one seat at a slot machine or table game.

Figure 1-1: Regional Location Map



Figure 1-2: Site Location Map

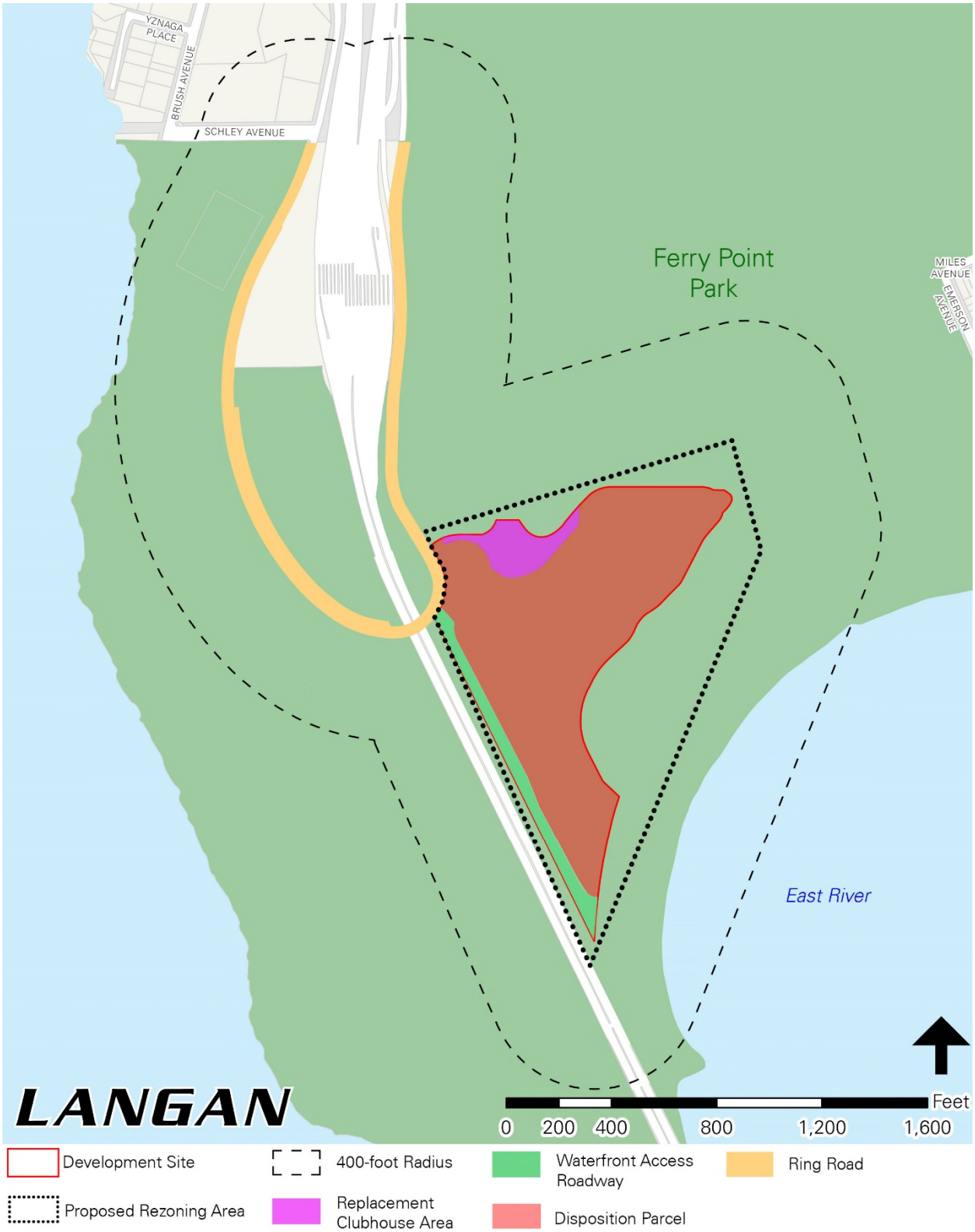
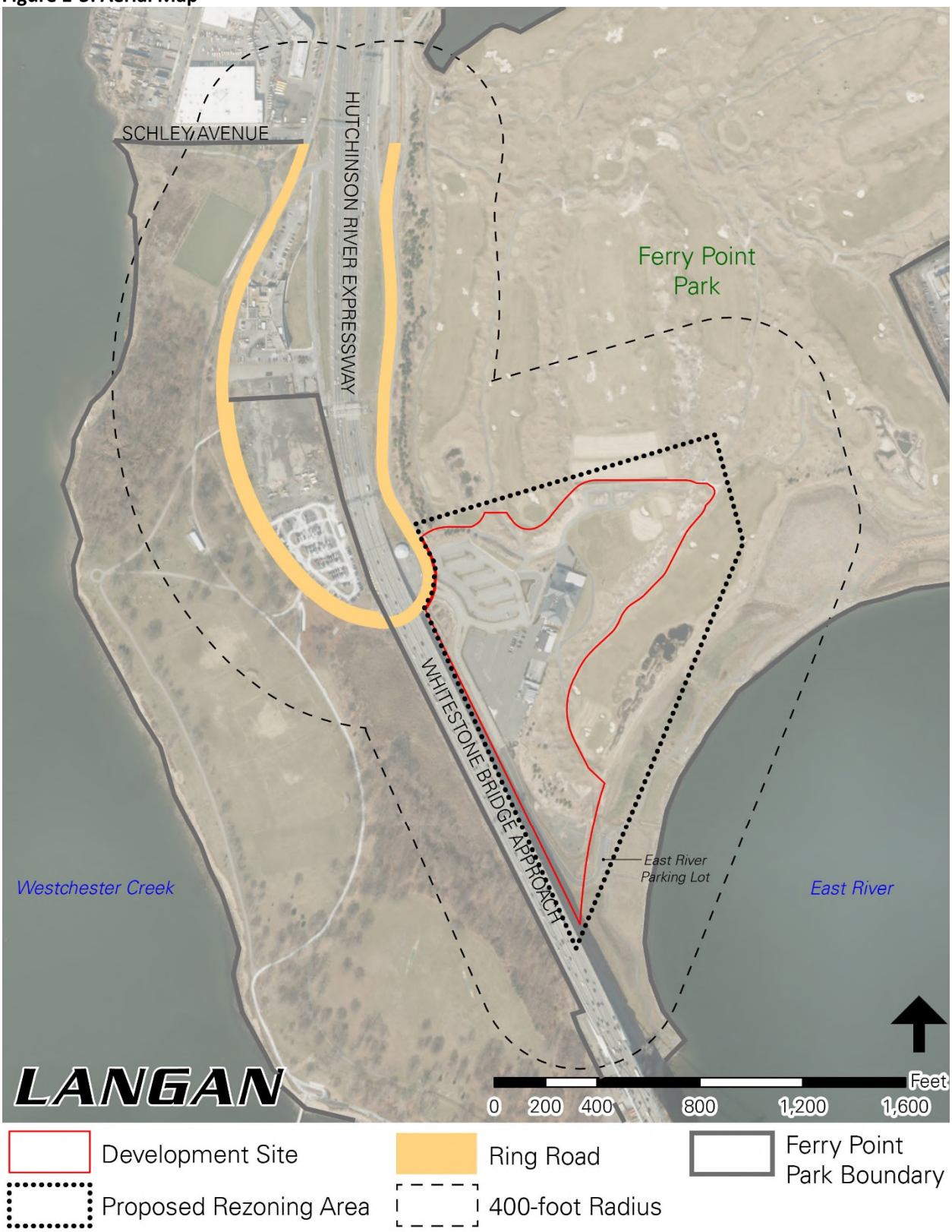


Figure 1-3: Aerial Map



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 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

In order to develop the Proposed Facility, a number of discretionary actions are proposed ("Proposed Actions"). They include:

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.

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 Actions would support the recommendations made in the *Hutchinson River Parkway Transportation Corridor Study* (New York City Department of City Planning, May 2015) by making infrastructure and safety improvements to the Park, Ring Road, and the surrounding roadways. Ring Road is currently a park roadway that is under jurisdiction of NYC Parks. With the Proposed Actions, Ring Road would be mapped as a City street and transferred from NYC Parks to NYCDOT. Ring Road would be widened and improved in coordination with NYCDOT, NYCDEP, NYC Parks, and MTA to accommodate vehicles, bicycles, and pedestrians that access the Park and the Proposed Facility. New traffic controls are proposed to enhance pedestrian safety when crossing Ring Road. Pedestrian improvements such as new paved sidewalks would also enhance connectivity along Ring Road beneath the Whitestone Bridge, allowing improved connections within the Park. The roadway floods during larger storm events. New stormwater infrastructure would be installed in Ring Road to minimize the potential for flooding during precipitation events.

An Environmental Assessment Statement (EAS) was prepared to study the Proposed Actions, and subsequently a Positive Declaration was issued on May 22, 2024, by the Office of the Deputy Mayor for Housing, Economic Development, and Workforce (ODMHEDW) in their capacity as the Lead Agency. In their review of the EAS, ODMHEDW determined that the Proposed Actions may result in significant adverse environmental impacts and directed that an environmental impact statement be prepared.

1.2 Affected Area

Background

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 (see Figure 1-4). 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.[2] In 2015 the landfill was capped and closed, and the Golf Course was completed over the former landfill.

Figure 1-4: Tax Map



[2] https://www.nycgovparks.org/parks/ferry-point-park/history

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.

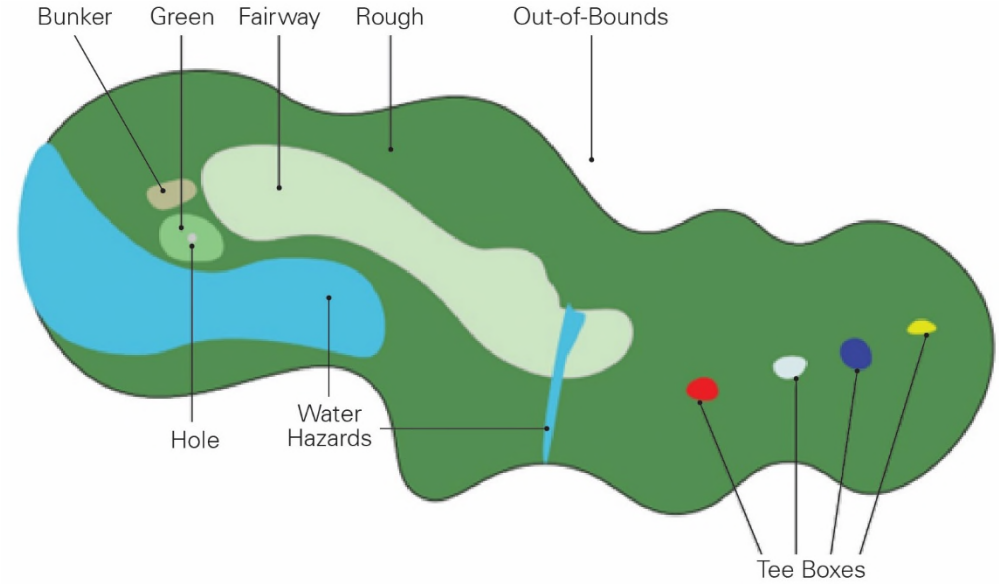
The Park also contains areas that are inaccessible to the public outside of the Affected Area. The TBTA uses space under the Whitestone Bridge for maintenance activities. The TBTA also maintains a salt dome on the interior of Ring Road, east of the Whitestone Bridge.

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.

The goal of golf is of course to hit the ball into the hole (which may also be called a cup) in as few strokes (swings/hits) as possible. Figure 1-5 shows the key components of a golf hole.

Figure 1-5: Illustrative Golf Course Hole Diagram



A golfer begins the hole at a tee box. Typically, golfers can select from multiple tee boxes that are color-coded based on difficulty. The most difficult tee box is typically located furthest away from the hole. On most holes, the golfer hits the ball from their selected tee box towards the fairway (short-cut grass) while avoiding the rough, where longer grass makes it more difficult to hit the ball cleanly. From the rough or fairway, golfers typically aim for the hole, which is on a green (very short grass). A hole may also incorporate hazards such as water features or bunkers to increase difficulty. Once golfers have hit their ball and it lands on the green, they then attempt to putt the ball into the hole (sometimes designated with a flag or other element).

A round of golf at the Golf Course consists of 18 holes, the typical number of holes at a golf course. The arrowheads on Figure 1-6 show the location of each hole's green, where golfers complete a hole. The end of the arrow without the arrowhead is the tee area.

Figure 1-6: Bally's Links Layout Plan



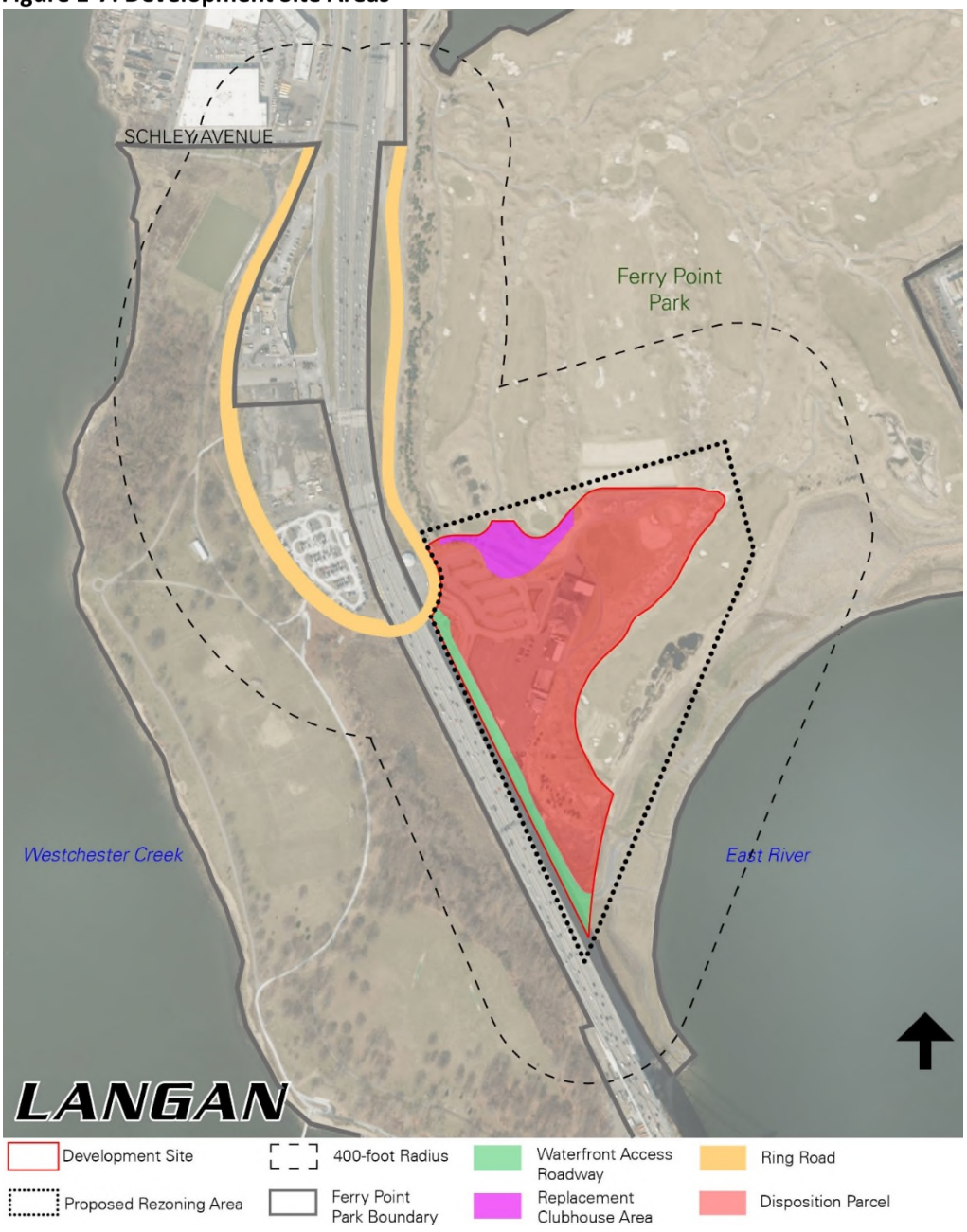
Source: https://www.provisualizer.com/

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.

Figure 1-7: Development Site Areas



As noted in Figure 1-7, 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.

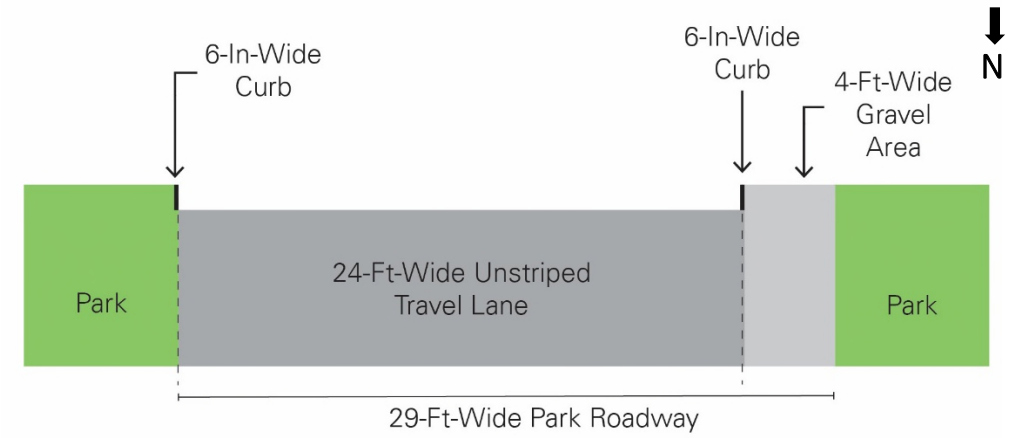
As shown in Photograph 1-1 and Figure 1-8, Ring Road currently has an approximately 24-foot-wide travel lane, a 4-foot-wide gravel area that could serve as the roadway's shoulder, and guardrails on either side.

Photograph 1-1: Ring Road Existing Configuration – View South



View south along Ring Road towards the Whitestone Bridge. The paved parking lot is in the left of the frame.

Figure 1-8: Illustrative Existing Configuration of Ring Road – Sectional Looking South



As shown in Photograph 1-2 and Figure 1-9, the configuration narrows near the wetland area at the southern edge of Ring Road, near the Whitestone Bridge. In this section, the roadbed remains as a 24-foot-wide travel lane, but an approximately two-foot-wide gravel area (yellow arrow) is separated from the wetland (blue arrow) by a guardrail. The gravel area is used by pedestrians along the roadway's edge.

Photograph 1-2: Existing Conditions of Ring Road near Bridge Underpass



The gravel area (yellow arrow) has minimal separation from moving traffic on Ring Road (looking east). The wetland is in the right of the frame (to the south of Ring Road).

Figure 1-9: Illustrative Configuration of Ring Road near Wetland – Sectional Looking East

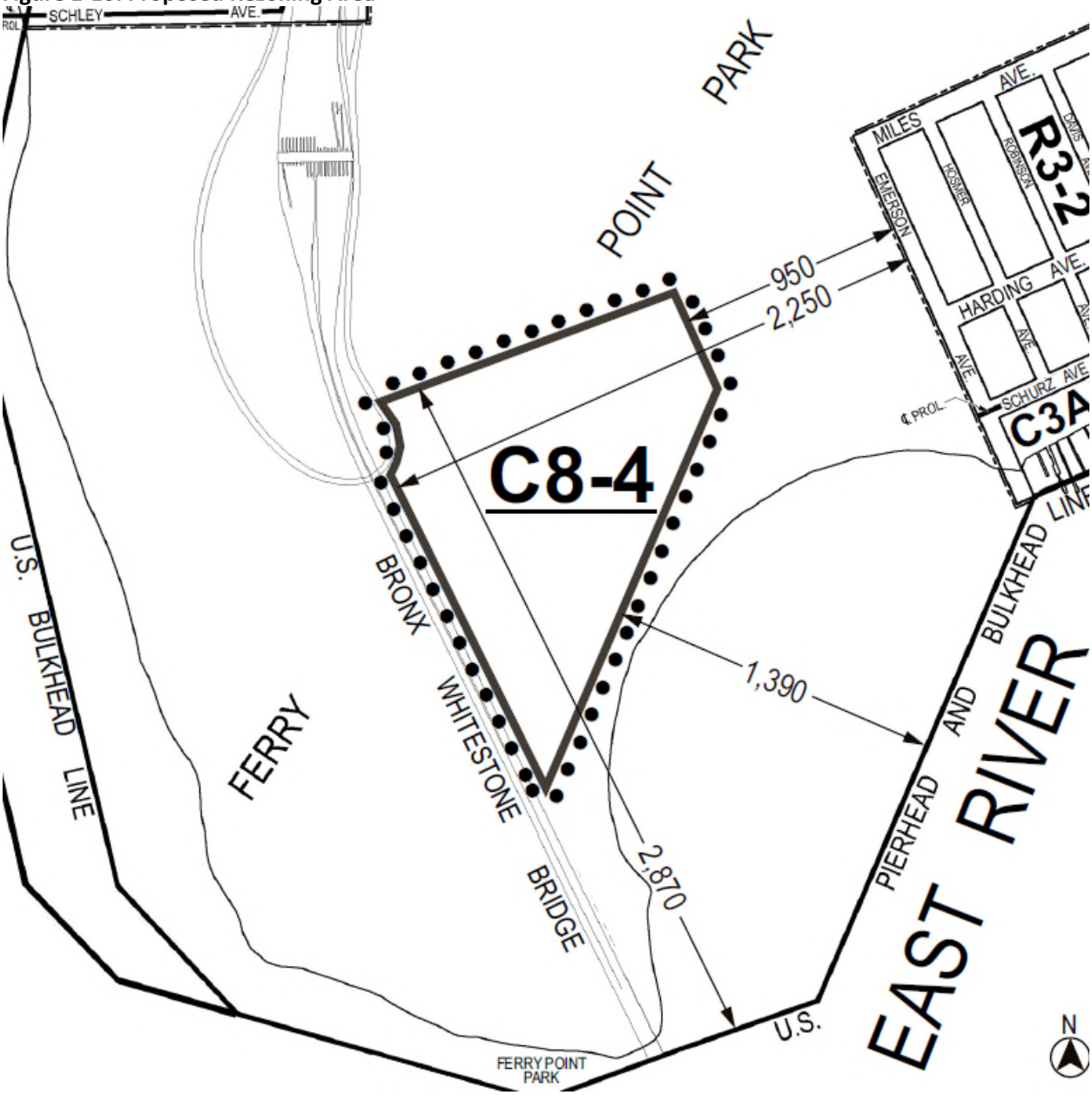


Ring Road is a one-directional, sole roadway into and out of the Park and is primarily used by motorists but is also occasionally used for recreational purposes such as jogging or cycling. The roadway is the only formal connection under the Whitestone Bridge and serves as an informal connection between the east and west portions of the park for motorists, pedestrians, and cyclists.

Proposed Rezoning Area

The Proposed Rezoning Area – shown in Figure 1-10 – 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.

Figure 1-10: Proposed Rezoning Area



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.

1.3 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 (see Figure 1-11). The 18-hole links-style course was designed by Nicklaus Design.[3] 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. Figure 1-11 below shows the land uses within a quarter-mile of the Affected Area.

[3] Nicklaus Design is a golf course design organization that produces premium golf courses across the world, https://nicklausdesign.com/

Figure 1-11: Existing Land Use and Zoning Map



1.4 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 site plan is shown in Figure 1-12 and the proposed floor area by use is shown in Table 1-1 below.

Table 1-1: 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.

Figure 1-12: Proposed Site Plan



Source: HKS Architects

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 (BOH) 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.

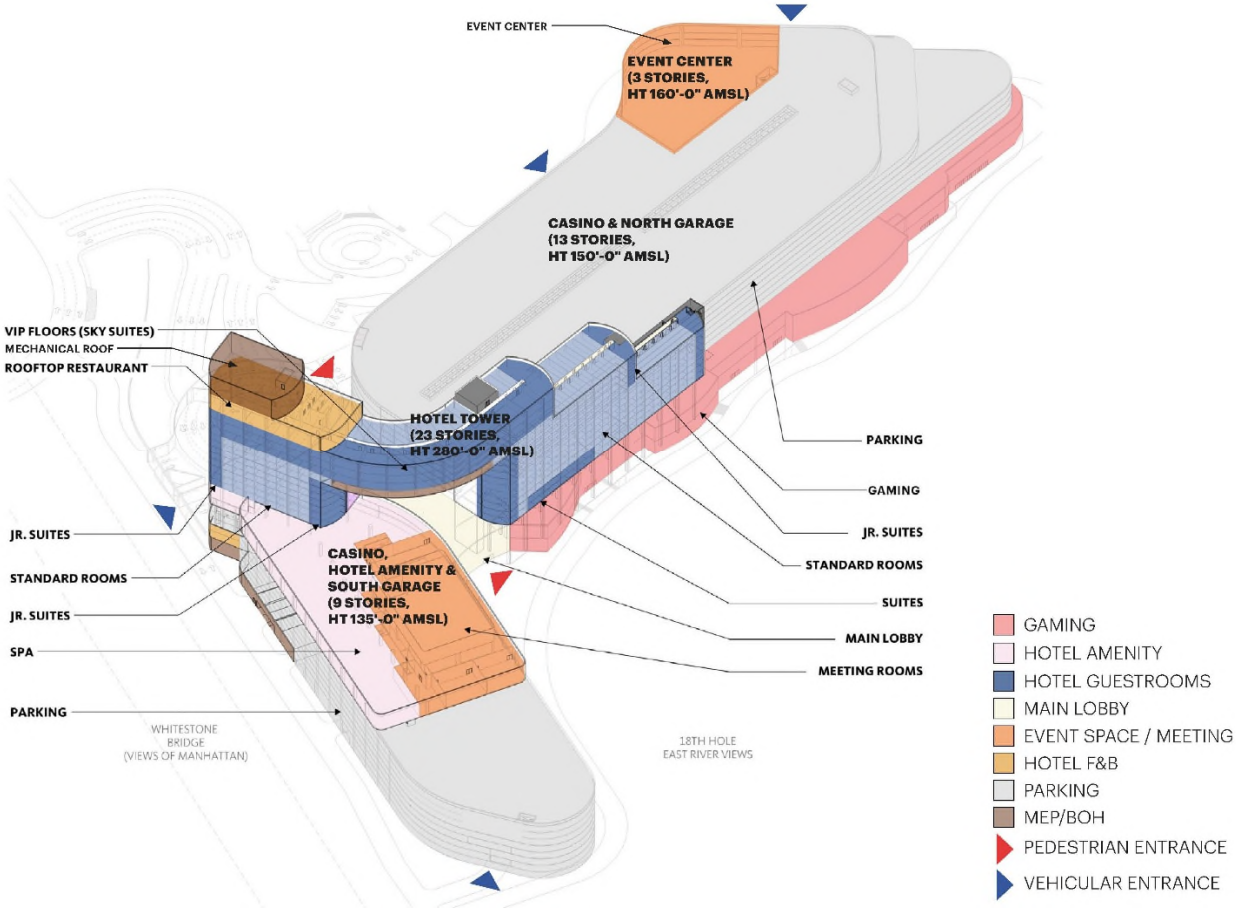
Level 6 would largely contain self-park parking in both the north and south wings. In the south wing, level 7 would contain the hotel's spa, fitness, and meeting rooms. The north wing would contain hotel rooms, self-parking, and the balcony level of the event space.

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.

Figure 1-13 shows the proposed illustrative axonometric programming plan. 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.

Figure 1-13: Proposed Facility Illustrative Programming Plan



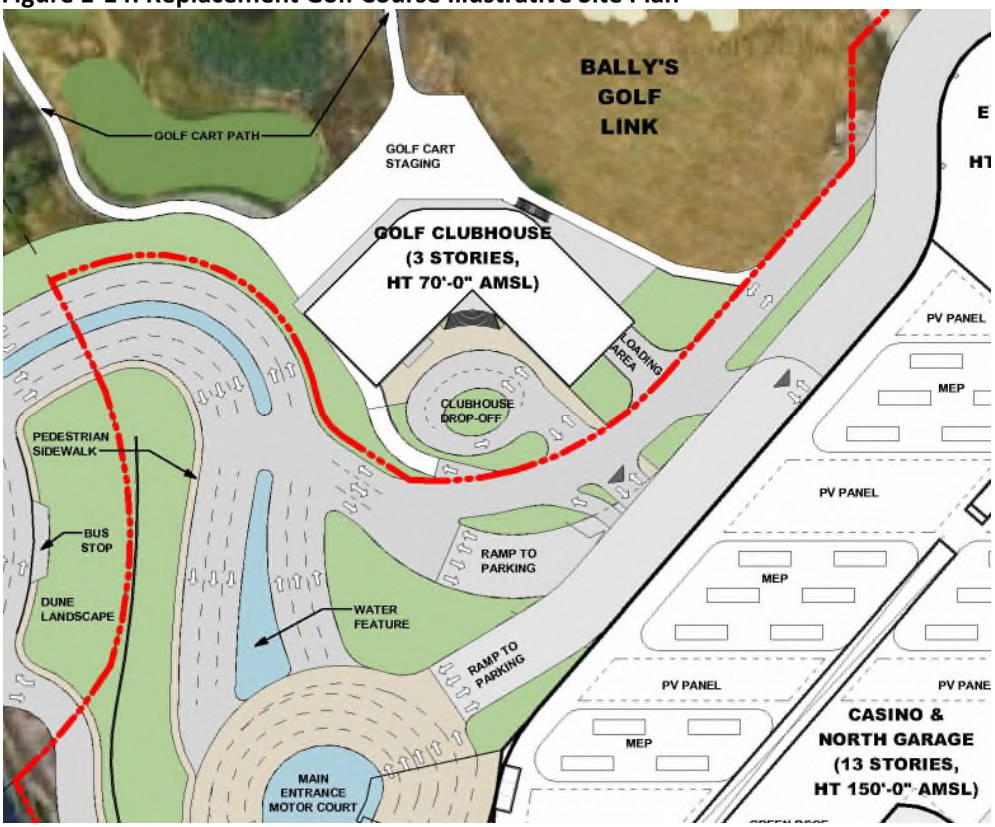
Source: HKS Architects

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 (see Figure 1-14).

Figure 1-14: Replacement Golf Course Illustrative Site Plan



Source: HKS Architects

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
- 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.[4] 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.[5]

In coordination with NYCDOT and with input from other agencies such as NYC Parks, NYCDEP, and MTA, 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 (see Figure 1-15). East of the expressway and north of the Development Site, the roadway would be 38 feet wide.

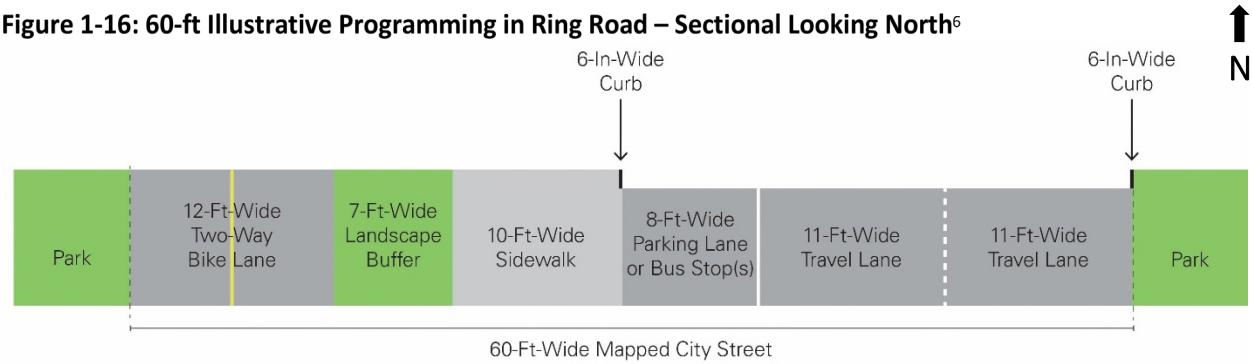
[4] The proposed acreage to be initially mapped as an NYCDOT street is larger than what will be the final NYCDOT 60-foot road width because Bally's is coordinating with NYC Parks, MTA/TBTA, and NYCDOT to confirm roadway design and final location within the 70-foot width. Areas in excess of the 60 feet that are not mapped for the roadway and conveyed to NYCDOT will remain parkland.
[5] The State alienation legislation permits the alienation of up to 9.61 acres, which would conservatively allow for an up to a 100-foot right-of-way. Permission from the State to alienate this amount of parkland is necessary to accommodate design flexibility required by NYCDOT, NYCDEP, NYC Parks, and the MTA along with potential minor modifications to the configuration of Ring Road that may arise during ULURP, and to allow temporary construction activities within the alienated area. Areas not mapped for the final 60-foot-wide roadway will remain parkland under the jurisdiction of NYC Parks.

Figure 1-15: Ring Road Proximity to Existing Wetland



As shown in Figure 1-16, 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.

Figure 1-16: 60-ft Illustrative Programming in Ring Road – Sectional Looking North[6]



Pedestrian connections beneath the Whitestone Bridge are limited (see Figure 1-17). 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.

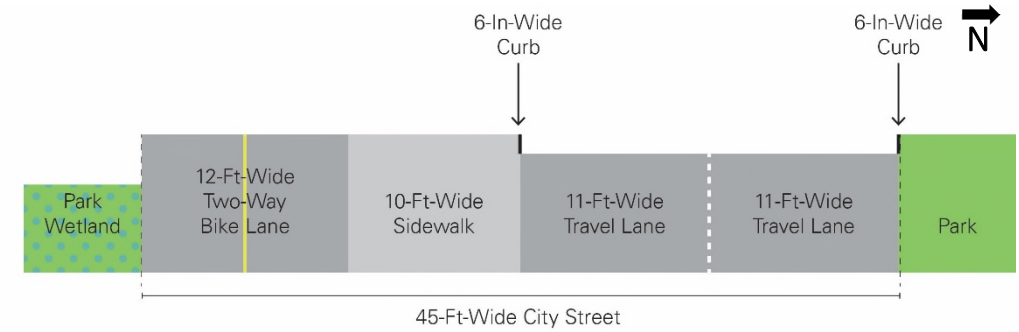
[6] See Footnote 4.

Figure 1-17: Ferry Point Park Pedestrian Pathways (Non-Golf Course Pathways)



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, as illustratively shown in Figure 1-18.

Figure 1-18: 45-ft Conceptual Programming for Ring Road – Sectional Looking West



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. Figure 1-19 shows the illustrative configuration.

Figure 1-19: 38-ft Conceptual Programming for Ring Road – Sectional Looking North



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.

1.5 Proposed Actions

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 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 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.

State Environmental Quality Review Classification

Collectively, the Proposed Actions are classified as a "Type I" action pursuant to Part 617 of the New York Codes, Rules, and Regulations (NYCRR) because the Proposed Actions would introduce more than 60,000 gsf of non-residential floor area on a site that is within publicly-owned parkland. Type I actions require an environmental review to be completed to inform decision makers of potential project consequences pursuant to the State Environmental Quality Review Act (SEQRA). Therefore, a coordinated review with City and State agencies is required.

City Environmental Quality Review

SEQRA allows a local government to promulgate its own procedures provided they are no less protective of the environment, public participation, and judicial review than provided by SEQRA. The City of New York exercised this prerogative by promulgating its own procedures, known as City Environmental Quality Review (CEQR), to consider the circumstances of New York City's urban environment. The Office of the Deputy Mayor for Housing, Economic Development, and Workforce (ODMHEDW) is the CEQR Lead Agency for environmental review.

Uniform Land Use Review Procedure

Several of the Proposed Actions are subject to the City of New York's Uniform Land Use Review Procedure (ULURP), namely the city and zoning map amendments. ULURP is mandated by the City Charter and requires opportunities for review and comment by the public; the application and associated environmental review documents are referred to the affected community board(s) and borough president for advisory votes. The application is then voted on by the New York City Planning Commission, and, if approved, is voted on by the New York City Council. If the application is approved by City Council, the mayor has up to five days to veto, which can be overridden by City Council with a two-thirds vote.

NYC Waterfront Revitalization Program

The Development Site is in the City's Coastal Zone; accordingly, the Proposed Actions are subject to review for consistency with the policies of the New York City Waterfront Revitalization Program (WRP). The City Planning Commission (CPC), in its capacity as the City Coastal Commission (CCC), and the New York City Department of City Planning (DCP) are responsible for administering the WRP. The CPC reviews and makes WRP consistency determinations for local actions that come before the CPC, as well as reviews certain state and federal actions. DCP reviewed the WRP consistency assessment. DCP and CCC review of state and federal actions is advisory and for the purpose of consultation in accordance with state and federal laws and regulations.

1.6 Purpose and Need

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.[7] 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.[8] The

[7] https://cbsix.org/resources/casino-license-awarding-process/
[8] https://nycasinos.ny.gov/system/files/documents/2023/01/01.03.23.rfa_.pdf

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.

Relevant Planning Initiatives

Hutchinson River Parkway Transportation Corridor Study

In the spring of 2013, DCP began the *Hutchinson River Parkway Transportation Corridor Study* to evaluate the transportation needs along and surrounding the Hutchinson River Parkway corridor. The goal of the study was to develop long-term recommendations to relieve congestion, to improve circulation and access to and from the Hutchinson River Parkway/Expressway, and to improve the operation and maintenance of Ring Road. The study area was from Pelham Parkway to the Park and was completed in May 2015.

The study found that Ring Road does not have the necessary facilities to support the then-current level of traffic and does not provide adequate access and crossing points for pedestrians. As this area continues to develop, traffic would likely continue to increase in this area. DCP recommended that Ring Road be improved and transferred to NYSDOT. The plan also included recommended short-term safety improvements for pedestrians, cyclists, and vehicles. Several of the recommendations would be fulfilled with the completion of the Proposed Development.

Rebuild, Renew, Reinvent: A Blueprint for New York City's Economic Recovery

A Blueprint for New York City's Economic Recovery is a plan to accelerate the recovery of New York City's economy after the 2020 COVID-19 pandemic. The plan is intended to propel job creation back to pre-pandemic employment levels and create equitable economic opportunities for all. The core principles of the plan are to focus on people, build on existing strengths, tap into New York City's innovators and entrepreneurs, break down government silos, promote equity and economic opportunity, and call New York businesses and organizations to work together. 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. The Proposed Facility would increase the number of employment opportunities, both directly and indirectly, and would therefore support the economic recovery of the Bronx, and New York City, after the COVID-19 pandemic.

NYC Streets Plan (2024 Update)

The *2021 New York City Streets Plan* created a vision for planning and designing New York City streets, including ten goals to be achieved through recommendations across ten program areas. The 2024 update is the second update to the plan, which includes the work performed by NYCDOT in 2023 and the ongoing efforts to achieve the *NYC Streets Plan* goals. The Proposed Actions would include improvements to Ring Road and other supplemental improvements to enhance the circulation near the Development Site. Improvements to Ring Road would reduce congestion, enhance pedestrian and cyclist safety, and would be designed in coordination with NYCDOT, NYCDEP, NYC Parks, and the MTA.

Vision Zero

The *Vision Zero Action Plan* was developed under the administration of Mayor Bill de Blasio in 2014. It is the guiding plan and foundation for ending traffic deaths and injuries on New York City streets. *Vision Zero* is a collaborative effort to eliminate traffic fatalities through support from the City, NYPD, and the private sector to make NYC streets safer. The Proposed Development would improve Ring Road and the surrounding roadways in coordination with NYCDOT. Improvements would enhance safety for pedestrian, cyclists, and drivers, furthering the goal of the *Vision Zero Action Plan*. Pedestrian improvements such as paved sidewalks would also enhance connectivity along Ring Road beneath the Whitestone Bridge, allowing improved connections between the Development Site and the western portions of the Park.

1.7 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).

As described in Section 1.5, "Proposed Actions," 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 1-2.

Table 1-2: 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).

1.8 Public Review Process

Bally's requires the approval of the Proposed Actions to allow the Proposed Development. The Proposed Actions are subject to both ULURP and CEQR.

State Alienation Process

Parkland alienation occurs when a municipality wishes to sell, lease, or discontinue the use of municipal parkland. Parkland alienation can be applicable to every municipal park in New York State, whether owned by a city, county, town, or village. To convey parkland to a non-public entity – or to use parkland for a non-park use – the municipality must receive prior authorization from the New York State Office of Parks, Recreation and Historic Preservation in the form of legislation enacted by the New York State Legislature and approved by the Governor. The bill that grants the Legislature's authorization is commonly referred to as a parkland alienation bill.

The core legal basis governing the use of parkland comes from common law, called the "public trust doctrine." The doctrine is defined by 150 years of State court decisions, which explain when municipalities must seek State legislative approval to alienate public parkland.

After the Legislature authorizes the alienation of parkland, the alienated areas – or parts of the alienated areas – can be converted from a park use to a non-park use at the discretion of the municipality.

Part 617.5 of the New York Codes, Rules, and Regulations states that actions undertaken by the New York State Legislature – including parkland alienation – are not subject to environmental review. Thus, an environmental review is not specifically required in connection with the Legislature's authorization of the parkland alienation.

Uniform Land Use Review Procedure (ULURP)

The City's ULURP process, mandated by Sections 197-c and 197-d of the New York City Charter, is designed to allow public review of ULURP applications at four levels: Community Board, Borough President, the CPC, and the City Council. The procedure has mandated time limits for review at each stage to ensure a maximum review period of approximately seven months.

The process begins with certification by the CPC that the ULURP application is complete. The application is then referred to the relevant Community Board (in this case Bronx Community Board 10). The Community Board has up to 60 days to review and discuss the proposal, hold a public hearing, and adopt an advisory resolution on the ULURP application. The Borough President then has up to 30 days to review the application. CPC then has up to 60 days, during which time a public hearing is held on the ULURP application.

Environmental review is required for Type I Actions, usually in the form of an Environmental Assessment Statement (EAS) or an Environmental Impact Statement (EIS). Comments made at the Draft EIS (DEIS) public hearing and subsequent comment period (the record for commenting remains open for ten days after the hearing to receive written comments) are incorporated into a Final EIS (FEIS). The FEIS must be completed at least ten days before CPC decides to approve, approve with modifications, or deny the application.

If the ULURP application is approved, or approved with modifications, it moves forward to the City Council for review. The City Council has 50 days to review the application and during this time will hold a public hearing on the Proposed Actions. The Council may approve, approve with modifications, or deny the application. If the Council proposes a modification to the Proposed Actions, the ULURP review process is extended for 15 days, providing time for a CPC determination on whether the proposed modification is within the scope of the environmental review and ULURP review. If it is, then the Council may proceed with the modification; if not, then the Council may only vote on the actions as approved by the CPC. Following the Council's vote, the Mayor has five days in which to veto the Council's actions. The City Council may override the mayoral veto within ten days.

City Environmental Quality Review (CEQR)

CEQR is a process by which agencies review discretionary actions to identify whether a proposed action(s) may have a significant adverse effect on the environment. Pursuant to the SEQRA (Article 8 of the Environmental Conservation Law), the City of New York has established rules for its own environmental quality review in accordance with SEQRA (Executive Order 91 of 1977, as amended, and 62 RCNY Chapter 5, the Rules of Procedure for CEQR). The environmental review process provides a means for decision-makers to systematically consider environmental effects along with other aspects of project planning and design, to propose reasonable alternatives, and to identify, and when practicable mitigate, significant adverse environmental impacts. CEQR rules guide environmental review, as follows:

- Establish a Lead Agency. Under CEQR, the "lead agency" is the public entity responsible for conducting the environmental review. In accordance with CEQR rules (62 RCNY §5-03), ODMHEDW is serving as the CEQR lead agency for environmental review.
- Environmental Review and Determination of Significance. The lead agency determines whether a proposed action(s) may have a significant impact on the environment. To do so, ODMHEDW, in this case, evaluated an EAS dated May 22, 2024, for the Proposed Actions. Based on information contained in the EAS, ODMHEDW determined that the Proposed Actions may have a significant adverse impact on the environment, as defined by statute, and issued a Positive Declaration requiring that an EIS be prepared.
- Scoping. Along with the Positive Declaration, ODMHEDW issued a Draft Scope of Work for the EIS, dated May 22, 2024, marking the beginning of the comment period on the Draft Scope. "Scoping," or creating the scope of work, is the process to identify the environmental impact analysis areas, the methodologies to be used, and the key issues to be studied. Scoping creates an opportunity for others to comment on the study areas, methodologies, and areas of analysis presented in the scoping document. CEQR requires a public scoping meeting as part of the EIS process. A public scoping meeting was held on Tuesday, June 25, 2024, at 4:00 pm. The public review period for agencies and the public to review and comment on the Draft Scope of Work was open through July 12, 2024. Modifications to the Draft Scope of Work for the project's EIS were made as a result of public and interested agency input during the scoping process. A Final Scope of Work document for the Proposed Actions was issued on January 17 2025.

- Draft Environmental Impact Statement (DEIS). This DEIS was prepared in accordance with the Final Scope of Work and followed the methodologies and criteria of the *2021 CEQR Technical Manual* to determine the significant adverse impacts that could result from the Proposed Actions. ODMHEDW reviewed all aspects of the document, calling on other City and state agencies to participate where the agency's expertise is relevant. Once the lead agency was satisfied that the DEIS was complete, it issued a Notice of Completion and circulated the DEIS for public review.
- DEIS Public Review. Publication of the DEIS and issuance of the Notice of Completion signals the start of the public review period. During this time, which must extend for a minimum of 30 days, the public has the opportunity to review and comment on the DEIS either in writing or at a public hearing convened to receive such comments. When the CEQR process is coordinated with the ULURP process, the public hearings may be held jointly. The lead agency must publish a notice of the hearing at least fourteen days before it takes place and must accept written comments for at least ten days following the close of the hearing.
- All substantive comments received at the hearing become part of the CEQR record. The substantive comments must be summarized and responded to in the Final Environmental Impact Statement (FEIS).
- Final Environmental Impact Statement (FEIS). After the DEIS public comment period closes, the FEIS will be prepared. The FEIS must address relevant comments on the DEIS, either in a separate chapter or in changes to the body of the text, graphics, and tables. Once the lead agency determines the FEIS is complete, it will issue the Notice of Completion and circulate the FEIS.
- Findings. To document that the responsible public decision-makers have taken a hard look at the environmental consequences of the Proposed Actions, agencies approving discretionary actions must adopt a formal set of written findings, reflecting their conclusions about the significant adverse environmental impacts of the project, potential alternatives, and potential mitigation measures. The findings may not be adopted until ten days after the FEIS Notice of Completion has been issued. Once findings are adopted, the lead and involved agencies may implement the action(s). Accordingly, the CPC must wait at least ten days after the FEIS is complete to take action on an application.