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Chapter 3: Analytical Framework

A. INTRODUCTION

The No. 7 Subway Extension—Hudson Yards Rezoning and Redevelopment Program is a multifaceted and far-reaching public initiative to create the development opportunities necessary to help sustain economic growth in New York City (the City). The size and scope of the Proposed Action have led to the determination that the Proposed Action may generate significant environmental impacts and, as a result, that a comprehensive Final Generic Environmental Impact Statement (FGEIS) should be prepared. A Generic EIS (GEIS) is an appropriate vehicle to evaluate environmental impacts of a proposed program, such as the Proposed Action, having wide applications, including new or significant changes to existing land use plans, development plans, and zoning regulations.

This chapter outlines the procedural framework utilized to comply with environmental review regulations and identifies the necessary approvals, actions, and schedule to implement the Proposed Action. In addition, the chapter provides an overview of the analytical framework used to guide the GEIS technical analyses presented in subsequent chapters of this document.

B. ENVIRONMENTAL REVIEW PROCESS

All agencies of government at the State, County, and local level within New York, except the State Legislature and the courts, must comply with the State Environmental Quality Review Act (SEQRA). The City has further promulgated local regulations, the City Environmental Quality Review (CEQR), to specifically implement the SEQRA for actions within the City, to take into account the special circumstances of the City.

To understand the environmental consequences of their decision-making, and to afford the public an opportunity to participate in identifying such consequences, all discretionary decisions of an agency to approve, fund, or directly undertake an action are subject to review under the SEQRA/CEQR, unless explicitly excluded or exempted under the regulations. Discretionary decisions involve choices to be made by the decision-makers that determine whether and how an action (as described in Chapter 2, “Description of the Proposed Action”) is to be taken. Non-discretionary or ministerial decisions for which the only determination of an action’s approval is verification of compliance with specific and pre-determined criteria (e.g., issuance of a building permit) are not subject to the SEQRA/CEQR. Discretionary actions by numerous agencies would be required for the Proposed Action. As set forth below, the SEQRA/CEQR process for this FGEIS follows a prescribed path, to enable the agencies to make informed decisions.

1. Legislative Applicability

This document has been prepared pursuant to the SEQRA, Article 8 of the Environmental Conservation Law, and its implementing regulations (6 NYCRR Part 617) and CEQR requirements as established in Executive Order No. 90, 1977, and as set forth in its implementing Rules and Procedures, Title 62, Chapter 5, of the Rules of the City of New York.

2. Generic Environmental Impact Statement (GEIS)

This document has been prepared under the regulatory framework for GEISs. As described above, this framework is appropriate for decisions relating to multiple and broad actions that often cover a

large geographic area. In particular, the reason for preparing a GEIS under the guidelines of the SEQRA and CEQR is that there are multiple decisions associated with the Proposed Action, not all of which may be fully implemented as currently anticipated, and because some of the actions encompass a broad land area. The studies contained in this FGEIS: provide analysis criteria and assessments that enable the decision-makers to understand the significant environmental impacts associated with the Proposed Action; consider reasonable alternatives to the Proposed Action (including those with lesser or fewer impacts); and adopt feasible mitigation measures to reduce or avoid any significant adverse environmental impacts from the Proposed Action.

3. Process Overview

a) Establishing a Lead Agency

Under the SEQRA and CEQR, the “lead agency” is the public entity responsible for conducting the environmental review of a proposed action. Where the proposed action is governmental in nature, the lead agency is also the entity primarily responsible for carrying out, approving, or funding the proposed action. Other agencies can also participate in the review process as involved or interested agencies. Involved agencies are those with discretionary decisions to make regarding some aspect of the proposed action. Interested agencies are agencies without jurisdiction to fund, approve, or undertake an action, but that wish to comment during the review process.

The No. 7 Subway Extension must be approved by the Metropolitan Transportation Authority (MTA), and is an action subject to review under the SEQRA. The proposed zoning text and map amendments require approval by the City of New York City Planning Commission (CPC) and the New York City Council (the Council) under Sections 200 and 201 of the City Charter and the City’s Uniform Land Use Review Procedure (ULURP), and are actions subject to review under the CEQR. The proposed No. 7 Subway Extension and zoning text and map amendments are the central components of the Proposed Action and have been designed to help realize the goals and purposes as set forth in Chapter 1, “Project Purpose and Need.” Therefore, the MTA and CPC are serving as “co-lead agencies” to carry out a single, comprehensive environmental analysis for the Proposed Action under the SEQRA and CEQR process. This co-lead determination was made in February 2003.

Additional agencies would be required to take other actions associated with the Proposed Action. These agencies are serving as involved agencies. A detailed list of all the actions required for the Proposed Action is included in Section D, List of Principal Actions.

b) Determination of Significance

The first step in the environmental review process is to determine whether the action is subject to environmental review. For SEQRA/CEQR purposes, actions are broadly divided into three types, as defined by State law and regulations: Type II actions, Type I actions, and Unlisted actions. Type II actions are defined by the SEQRA in 6 NYCRR Part 617.5 and are those actions or classes of actions that have been found not to have a significant impact on the environment, and therefore will not require an environmental review. Type I actions are defined in the State regulations in 6 NYCRR Part 617.4 as those actions that are more likely to have a significant effect on the environment and more likely to require the preparation of an EIS than Unlisted actions (description below). Unlisted actions are all actions that are not listed as Type I or Type II. Due to its size and scope, the Proposed Action is defined as a Type I action in accordance with 6 NYCRR Part 617.4.

Therefore, pursuant to the SEQRA/CEQR, the lead agency’s first task is to determine whether a proposed action might result in a significant impact on the environment. To do so, it either prepares an Environmental Assessment Statement (EAS) pursuant to the CEQR or an Environmental Assessment Form (EAF) pursuant to the SEQRA. These documents include information about the

existing environmental setting of the Proposed Action, as well as a screening analysis to determine the potential of the proposed action to have significant adverse impacts.

A determination of significance by the lead agency is the step in the SEQRA/CEQR process in which it is decided whether an EIS must be prepared for an action classified as Type I or Unlisted. The lead agency must make one of three possible determinations. If the lead agency determines that the action would not have a significant adverse impact on the environment, it issues a Negative Declaration. The issuance of a Negative Declaration constitutes the completion of the CEQR and SEQRA process and, consequently, no EIS must be prepared. If the lead agency determines that the action may have a significant effect on the environment, but that all such effects can be eliminated or avoided by specific changes in the action or mitigation that can be easily implemented, then the lead agency issues a Conditional Negative Declaration obligating a commitment to those measures necessary to avoid or mitigate impacts. Pursuant to State regulations, Conditional Negative Declarations are not permitted for Type I actions, such as the Proposed Action, and may only be used for Unlisted actions. If the lead agency determines that the action may have one or more significant adverse impacts, the agency issues a Positive Declaration, creating the need to prepare an EIS (or in this case, a GEIS).

Upon review of the combined EAS/EAF completed for the Proposed Action, the co-lead agencies (the MTA and CPC) issued a Positive Declaration on the Proposed Action on April 21, 2003.

c) Scoping

Once the lead agency issues a Positive Declaration, the scope of the environmental studies to be undertaken as part of the EIS is established and shared with interested and involved agencies and the public. “Scoping” (optional under the SEQRA but required under CEQR) is the process of focusing the environmental impact analyses on the key issues that are to be studied and creating an opportunity for the public to comment on the intended effort. The lead agency provides a draft scope to all involved agencies and makes it available to anyone who has written to express interest in the project. Although the SEQRA does not mandate public scoping, CEQR requires a public scoping meeting. Under the CEQR, involved governmental agencies and the public are given the opportunity to provide comments on the draft scope of work. After considering such comments, the lead agency prepares and issues a final scope of work.

For this GEIS, a Draft Scoping Document was issued by the co-lead agencies on April 30, 2003. The public review period for interested and involved agencies and the public to review and comment on the Draft Scoping Document was held open through June 16, 2003, including a public scoping meeting with afternoon and evening sessions held on June 5, 2003 at the Fashion Institute of Technology. A Final Scoping Document was issued in May 2004.

d) Preparation of the DGEIS

The DGEIS was prepared in accordance with the Final Scoping Document. It is a comprehensive document used to systematically consider the expected environmental effects of the Proposed Action, evaluate reasonable alternatives, and identify feasible mitigation measures that, to the maximum extent practicable, can address any potentially significant adverse environmental impacts of the Proposed Action. The lead agency reviews all aspects of the document to determine its adequacy and adherence to the work effort outlined in the Final Scoping Document. Once the lead agency is satisfied that the DGEIS is complete for purposes of public review, it issues a Notice of Completion and circulates the DGEIS for public review.

The co-lead agencies have determined that the DGEIS was complete for purposes of public review and comment and that the document satisfactorily addressed key issues as set forth in the Final Scoping Document. The DGEIS, along with the Notice of Completion, was being circulated among public agencies and the general public. Circulation of the DGEIS marked the beginning of a public

review period, during which time a public hearing was held to solicit comments on the DGEIS. The completion of the DGEIS also allowed for certification for the applications for zoning text and map amendments, City Map amendments, site selection, and acquisition and disposition actions, which marked the start of ULURP, discussed in more detail below.

On June 21, 2004 the co-lead agencies issued the DGEIS Notice of Completion, the land use applications were certified, and the formal public review period under ULURP began.

e) Public Review

Publication of the DGEIS and issuance of the Notice of Completion commences the public review period. During this time, which must extend for a minimum of 30 days, the public may review and comment on the DGEIS, either in writing or at a public hearing convened for the purpose of receiving such comments. A public hearing is required for CEQR review and is optional for SEQRA review. Where a SEQRA review is coordinated with a City process that requires a public hearing, the hearings may be held jointly. In any event, the lead agency must publish a notice of the hearing at least 14 days before it takes place and must accept written comment for at least 10 days following the close of the hearing. All substantive comments received during the public review process become part of the record and are summarized and responded to in the Final GEIS (FGEIS). Chapter 29, “Responses to Comments,” in this FGEIS provides a summary of all substantive comments received during the public comment period for the Proposed Action.

The public hearing for the DGEIS prepared for the proposed No. 7 Subway Extension—Hudson Yards Rezoning and Development Program was held on September 23, 2004 at the Fashion Institute of Technology. The public review period for interested and involved agencies and the public to review and comment on the DGEIS was held open from September 23, 2004 through October 4, 2004.

f) Preparation and Completion of the FGEIS

After the close of the public comment period, the lead agency prepares the Final EIS (FEIS) (or for this project, the FGEIS). The FGEIS must include a summary of the substantive comments received and the lead agency’s responses to the comments. When the lead agency has reviewed the FGEIS and determines it is a complete and adequate document, a Notice of Completion of the FGEIS is issued. The completed FGEIS is available to agencies and the public for a minimum of 10 days before the lead agency and the involved agencies can make their respective findings as to the expected environmental impacts of the Proposed Action, after which such agencies are in a position to make their respective decisions on the Proposed Action.

The FGEIS for the Proposed Action was completed in November 2004.

g) Statement of Findings

The lead agency and each involved agency must adopt a formal set of written findings based on the FGEIS and reflecting its conclusions about the significant environmental impacts of the Proposed Action, potential alternatives, and potential mitigation measures. The Statement of Findings (SOF) may not be adopted until 10 days after the Notice of Completion has been issued for the FGEIS.

In accordance with 6 NYCRR Part 617.11(d), a SEQRA Findings Statement issued in connection with a project approval must (i) consider the relevant environmental impacts, facts, and conclusions disclosed in the FEIS; (ii) weigh and balance environmental impacts with relevant social, economic, and other considerations; (iii) provide the rationale for the agency’s decision; (iv) certify that the requirements of 6 NYCRR Part 617.11(d) were met; and (v) certify that consistent with social, economic, and other essential considerations, and considering the reasonable alternatives available, the action is one that avoids or minimizes adverse environmental impacts to the maximum extent

practicable, and that adverse environmental impacts will be avoided or minimized to the maximum extent practicable by incorporating as conditions to the decision those mitigation measures identified as practicable.

Once the findings are adopted, the SEQRA/CEQR process is completed and the lead agency and involved agencies may begin to approve and implement the Proposed Action.

h) Summary of SEQRA/CEQR Schedule

The following actions have been, or will be, taken regarding the environmental review process for the Proposed Action:

- Preparation by the MTA and CPC, as co-lead agencies, of a combined EAS and EAF in February 2003;
- Preparation and issuance of a Positive Declaration on April 21, 2003;
- Preparation and issuance of a Draft Scoping Document on April 30, 2003;
- Public review and comment on the Draft Scoping Document, including a Public Scoping Meeting held on June 5, 2003 with a written comment period extending to June 16, 2003;
- Issuance of a Final Scoping Document in May 2004;
- Notice of Completion of the DGEIS on June 21, 2004;
- A public hearing on the DGEIS was held on September 23, 2004 with a written comment period extending to October 4, 2004;
- A public hearing on the ULURP applications was held on September 23, 2004.
- Preparation and issuance of the FGEIS in November 2004.
- Issuance of Statement of Findings in November 2004.

C. COORDINATION WITH OTHER REVIEW PROCESSES

The SEQRA/CEQR environmental process is intended to provide decision-makers with an understanding of the environmental consequences of proposed actions presented before an agency. Often, the environmental review process is integrated and coordinated with other decision-making processes utilized by government agencies. For the proposed No. 7 Subway Extension—Hudson Yards Rezoning and Development Program, there are four key public processes that are important milestones in implementing the project. These are ULURP, Waterfront Revitalization, Eminent Domain, and General Project Plans review and approval. They are summarized below.

1. Uniform Land Use Review Procedure (ULURP)

The ULURP establishes a standardized procedure whereby applications affecting land use in the City are publicly reviewed. The ULURP, set forth by Sections 197-c and 197-d of the City Charter, is a process specifically designed to allow public review of proposed actions at four levels: Community Board, Borough President, CPC, and the City Council. The procedure sets time limits for review at each stage to ensure a maximum total review period of approximately seven months. The process begins with certification by the CPC that the ULURP application is complete; certification will be made when there is compliance with the SEQRA/CEQR, through issuance of a Negative Declaration (i.e., a determination of no significant impact), issuance of a Conditional Negative Declaration, or upon issuance of the Notice of Completion for the DEIS (in this case, a DGEIS).

The application is then referred to the relevant Community Board(s). The Community Board(s) have up to 60 days to review and discuss the proposal, hold a public hearing, and adopt a recommendation regarding the actions. Once this is complete, the Borough President has up to 30 days to review the ULURP application and issue a recommendation. In the case of ULURP applications which involve land located in two or more Community Boards, the Borough Board also reviews the applications for a 30-day period coterminous with that of the Borough President. CPC then has up to 60 days for review of the application, during which time a public hearing is held. Typically this hearing also serves as the CEQR hearing on the DGEIS. Comments made at the DGEIS public hearing are incorporated into an FGEIS. In compliance with the SEQRA/CEQR requirement that findings and decision must wait 10 days after the Notice of Completion, the FGEIS must be completed at least 10 days before the CPC makes any decisions. In the event that the CPC votes to approve the application or to approve it with modifications, the CPC files its decision with the City Council and sends copies to the affected Community Board(s) and Borough President (and Borough Board if necessary). Within 50 days of filing with the City Council, the City Council holds a public hearing and takes final action on the decision. The City Council can approve, approve with modifications, or disapprove the application(s). In the event that the City Council proposes to approve with modifications, the time frame for actions may be extended from 50 to 65 days, in order to permit CPC review and comment on the proposed modifications. The City Charter enables the Mayor to veto a City Council action within five days of the City Council's decision. The City Council by 2/3 vote can override a Mayoral veto within 10 days.

As outlined in Section D, List of Principal Actions, there are numerous actions associated with the Proposed No. 7 Subway Extension—Hudson Yards Rezoning and Development Program that are subject to the ULURP. In addition to the zoning map amendments, these include changes to the City Map, site selection, and acquisition and disposition of property. The Proposed Action also includes zoning text amendments subject to review by the CPC and City Council under Sections 200 and 201 of the New York City Charter. Zoning text amendments are not subject to the ULURP, but in this case will be reviewed concurrent with the ULURP applications.

2. Waterfront Revitalization

The City has adopted a Local Waterfront Revitalization Program (LWRP) pursuant to the New York State Waterfront Revitalization of Coastal Areas and Inland Waterways Act. The CPC serves as the City's Coastal Commission under the LWRP. Actions that are subject to ULURP Sections 200 and 201 of the New York City Charter are also reviewed by the CPC in its capacity as the Coastal Commission for consistency with the program's policies. The City Council approved a new LWRP in October 1999. The new plan replaced 56 City and State policies with 10 policies designed to simplify and clarify the consistency review process. Discretionary actions subject to CEQR and occurring within the program's boundaries are to be reviewed by the lead agency for consistency with the program's policies. However, if the action involves federal or State agencies within the program boundaries, the 56 policies are used to assess the consistency of such actions within the LWRP.

Since a portion of Hudson Yards, the area west of Eleventh Avenue, is within the designated Coastal Zone of New York City, the LWRP consistency assessment is incorporated into this FGEIS.

3. Eminent Domain (Condemnation)

Government agencies often acquire private property to pursue infrastructure improvements, publicly initiated development projects, or other public purposes. Land that is not acquired as part of a "willing seller, willing buyer" relationship can be obtained by a government agency through the use of the eminent domain process. As set forth in the New York State Eminent Domain Procedure Law (EDPL), upon demonstrating a public purpose and need for acquiring property, and working through

a highly regulated process of determining the value of the land to be acquired, the property can be transferred to a public agency. The condemnation process may also involve local, State, or federal standards in relocation assistance for affected residents and businesses. A decision by the City of New York to acquire land, whether through condemnation or otherwise, is considered an action subject to both the ULURP and CEQR. Where acquisition is planned for street or park purposes, the acquisition is authorized in the ULURP approval of a proposed amendment to the City Map to authorize a new street or park. Similarly, condemnation by non-City agencies is also considered a discretionary decision and is therefore subject to the SEQRA.

As detailed in this FGELS, there are a number of parcels that will need to be directly acquired, including those properties needed by: the City in developing the Midblock Park and Boulevard System, the midblock public parking garage under a portion of the Midblock Park and Boulevard System, and the park and municipal facility on Block 675; the MTA in building and operating the No. 7 Subway Extension; and the Convention Center Development Corporation in assembling the land necessary for its expansion program.

For land needed to build and operate the proposed No. 7 Subway Extension, the City, acting on behalf of the MTA, would acquire parcels outright (“in fee”) where their use has been determined to be necessary for construction activities and permanent structures. Sites so acquired could be used temporarily during construction, but would also be used permanently for the location of station entrances, emergency entrances, ventilation and electrical service rooms, and other related facilities. The acquisition of permanent and temporary easements for construction-related and/or operation purposes would also be undertaken by the City on behalf of the MTA through negotiation or under the EDPL.

For parcels that would be mapped as City public parks and streets, as well as parcels for municipal facilities, the City would acquire parcels in fee through negotiated purchase or through the use of the EDPL. Specifically, these would include the parcels associated with the proposed public park on Block 675, the midblock public parking garage, and the Midblock Park and Boulevard System. The initial development of the Midblock Park and Boulevard System (2005-2010), would take place on parcels located in the mapped City park between West 33rd and West 34th Street. The subsequent development of the Midblock Park and Boulevard System to West 42nd Street and construction of the midblock public parking garage would take place between 2010 and 2025.

Some of the property needed for Phase I of the Convention Center Expansion has been acquired. Other parcels for Phase I will be acquired in fee through negotiated purchase or through the use of the EDPL, when necessary. The acquisitions necessary include the site for the hotel and those parcels between the existing Convention Center and the Quill Bus Depot.

4. General Project Plans

General Project Plans (GPP) would be prepared for the Multi-Use Facility and Convention Center Expansion. The approval process for the GPPs is set forth in the New York State Urban Development Corporation Act, Chapter 54 of the Laws of 1968 (the UDC Act) and would be followed by the Empire State Development Corporation (ESDC) and/or Convention Center Development Corporation (CCDC). The procedure under the UDC Act is generally as follows: the ESDC and/or CCDC Board of Directors initially adopts a GPP and makes it available for public review and comment, including a public hearing. After the hearing, the Board may affirm, reject, or modify the GPP.

D. LIST OF PRINCIPAL ACTIONS

Several City and State agencies will make decisions on the actions and approvals necessary to implement the proposed No. 7 Subway Extension—Hudson Yards Rezoning and Development Program. The majority of these decisions, and the most fundamental decisions necessary to allow the Proposed Action to go forward, are those of the two co-lead agencies—the MTA and CPC. Nonetheless, there are many other public actions that will be required by other agencies. The following summary identifies the current understanding of the various individual actions associated with the Proposed Action.

1. Rezoning and Related Land Use Actions

- ULURP approval for area-wide zoning map amendments (e.g., new Special Hudson Yards District; amendments to existing Special Garment Center District, Special Clinton District, and Special Midtown District; and elimination of the Special Jacob K. Javits Convention Center District); City Map amendments (e.g., mapping of new parks and a new boulevard roadway); acquisition of property for park and street purposes; and site selections and acquisitions of property for a public parking garage, a multi-agency municipal facility for DSNY and NYPD Tow Pound operations, and other acquisitions/dispositions of property. ULURP approval would be sought for the acquisition of property for the No. 7 Subway Extension by the City on behalf of the MTA.
- City Council and CPC approval of zoning text amendments pursuant to Sections 200 and 201 of the New York City Charter.
- CPC determination of consistency with the LWRP.
- Amtrak consent for the City to build a portion of the Midblock Park and Boulevard System over the Empire Line railroad right-of-way.
- Port Authority of New York and New Jersey (PANYNJ) approval for the pedestrian bridge in the Midblock Park and Boulevard System between West 39th and West 41st Streets from Tenth to Eleventh Avenues.

2. No. 7 Subway Extension

- MTA Board approval of the No. 7 Subway Extension.
- Acquisition of property for the No. 7 Subway Extension by the City on behalf of the MTA.
- City transfer to the MTA/NYCT of property required for the No. 7 Subway Extension.
- PANYNJ approval to construct the No. 7 Subway Extension under the Port Authority Bus Terminal (PABT).
- Possible New York State Department of Environmental Conservation (DEC) water quality or wetlands permits for additional rail storage facilities at MTA's Corona Yard.
- Possible United States Army Corps of Engineers wetlands permit for additional rail storage facilities at MTA's Corona Yard.

3. Convention Center Expansion

- CCDC or ESDC approval for General Project Plan of the Convention Center Expansion, including override of the City Map to discontinue and acquire West 39th, West 40th and the eastern half of West 41st Streets between Eleventh and Twelfth Avenues.

- Approval of financing for the Convention Center Expansion by one or more State agencies or public benefit corporations.
- CCDC or ESDC acquisition of private land, possibly including condemnation through the EDPL for the Convention Center Expansion.
- MTA approval to relocate the Quill Bus Depot as a consequence of the Convention Center Expansion.
- Possible DEC stationary source air permits for the relocated Quill Bus Depot and Convention Center Expansion.
- New York State Department of State Coastal Zone Certification.
- Amtrak approval for Convention Center use of existing unused portion of rail right-of-way next to Empire Line.

4. Multi-Use Facility

- ESDC adoption of GPP for development of the Multi-Use Facility and related project actions, and override of provisions of the New York City Zoning Resolution and override of City Map to discontinue and acquire West 33rd Street and a volume of air space above the northern sidewalk of West 30th Street
- MTA/TBTA approval of lease arrangements for the western portion of Caemmerer Yard, for development of the Multi-Use Facility.
- ESDC acquisition of leasehold interest in air space over the western portion of Caemmerer Yard.
- ESDC lease of such air space to the New York Jets or an affiliate for construction and operation of Multi-Use Facility.
- City approvals related to financing of the platform and roof of the Multi-Use Facility.
- Possible DEC stationary source air permits for the Multi-Use Facility.
- New York State Department of State Coastal Zone Certification.
- Public Authorities Control Board approval of the acquisition of the leasehold interest of the air space over the western portion of the Caemmerer Yard.

In addition, financing support for the redevelopment of Hudson Yards may be provided by one or more public agencies, including the New York City Industrial Development Agency (NYCIDA).

E. FRAMEWORK FOR ENVIRONMENTAL ANALYSES

1. Scope of Environmental Analysis

As set forth in the Positive Declaration, the co-lead agencies have determined that the size and scope of the Proposed Action, including the Rezoning, No. 7 Extension, Multi-Use Facility, and Convention Center Expansion, may result in one or more significant adverse environmental impacts and thus require preparation of an EIS. As noted above, it was identified that a GEIS is the appropriate format for this environmental analysis, since the Proposed Action has a wide application. This document generally uses methodologies and follows the guidelines set forth in the *CEQR Technical Manual*, where applicable. These are generally considered to be the most appropriate technical analysis

methods and guidelines for environmental impact assessment of projects in the City and are consistent with the SEQRA.

This document provides a description of “Existing” (Year 2003) conditions. It also presents assessments of conditions in the future without the Proposed Action (Future Without the Proposed Action) and the future with the Proposed Action (Future With the Proposed Action, i.e., the Build Year). Identification and evaluation of impacts of the Proposed Action are based on the change from the Future Without the Proposed Action to the Future With the Proposed Action.

The Proposed Action which is the subject of this document has multiple elements that will be developed or implemented over a period of more than 20 years. In such cases, the *CEQR Technical Manual* suggests that one or more analysis years be established based on the anticipated first full year of operation of a proposed element or, in the case of an area-wide rezoning, the year in which a substantial level of the development allowed under the proposed rezoning, would be anticipated. In this document, the Future Without the Proposed Action and Future With the Proposed Action have been assessed for the years 2010 and 2025 (see Section 3, Analysis Years).

2. Reasonable Worst-Case Development Scenario (RWCDS)

A RWCDS is used to assess the range of effects (e.g., traffic, air quality, neighborhood character) that might occur as a result of development under the rezoning. The new uses that may arise as a result of the proposed rezoning and associated land use actions would include large-scale office and residential development, which is currently not permitted in the Hudson Yards area. This document assesses development that is likely to result from the rezoning over a period of 20 to 30 years.

To determine the RWCDS associated with the zoning actions, specific sites were identified that are most likely to be developed over time, based on a set of criteria. The criteria for identifying specific development sites include the size of the site, its current utilization and land use, and the opportunity for assemblages and transfer of development rights from adjacent properties. A complete description of the criteria is included in Chapter 2, “Description of the Proposed Action.” Many sites met one or more of the criteria. The sites more likely to experience redevelopment were chosen from among this group, based primarily on size, location, and degree of utilization. These are called “Projected Development Sites.” Other sites with smaller footprints, and less potential for redevelopment or conversion, were identified as “Potential Development Sites.” This document analyzes the Projected Development Sites for all categories of concern. The Potential Development Sites are analyzed for effects that would be site-specific to their location, including urban design, shadows, architectural resources, archaeological resources, hazardous materials, air quality, and noise.

The proposed zoning text and map amendments would generate between 2.1 and 2.6 million square feet of office space, 17,929 to 83,746 square feet of retail space, and 1,252 to 1,376 dwelling units in the Rezoning Area by 2010. Between 2010 and 2025, approximately 24.3 million square feet of office space, 582,456 to 755,494 square feet of retail space and 9,055 to 9,179 dwelling units are anticipated as a result of the rezoning. These development projections represent the net increase, or incremental difference, in residential and commercial office and retail land uses with the proposed zoning changes and provide the basis for the environmental review of the proposed zoning map and text amendments. Detailed descriptions for each projected and potential development site, including site descriptions, zoning designations and FAR, as well as existing, future conditions with and without the rezoning, and the incremental differences in residential, office, industrial/manufacturing, auto-related, institutional/community facility, and parking square footage, are contained in Appendix A.2. The RWCDS conservatively assumes full utilization of FAR on all Projected Development Sites.

Tables 3-1, 3-2, and 3-3, respectively, present the anticipated residential population and projected dwelling units in the Project Area, including residential development anticipated as a result of the rezoning, plus additional development not attributed to the rezoning, but occurring within the Project Area (and assumed for analytical purposes), in the Future With and Without the Proposed Action. Tables 3-4 through 3-8 present 2010 and 2025 projected development sites with and without relocation of Madison Square Garden (MSG), and development in the Project Area and primary study area anticipated in the Future Without the Proposed Action.

As shown in Table 3-1, new residential development in the Project Area, under both scenarios (with and without the relocation of MSG), would provide housing for approximately 17,500 residents in 9,899 dwelling units. For analytical purposes, it is estimated that approximately 8,340 dwelling units would be market-rate and 1,560 would be low- to moderate-income units (estimates vary slightly depending on whether MSG relocates). These estimates are consistent with current development patterns in the area and are based on the projection that approximately 17.3 percent and 16.3 percent of the dwelling units with the Proposed Action in 2010 and 2025, respectively, would be low- to moderate-income units. It is assumed that developers would utilize voluntary mechanisms such as 80-20 financing or use of the Inclusionary Housing Bonus to generate these units.

**TABLE 3-1
PROJECTED RESIDENTIAL POPULATION AND HOUSING UNITS**

With MSG Remaining at Present Site									
	Future Without the Proposed Action			Future With the Proposed Action			Increment		
	2010	2025	Total	2010	2025	Total	2010	2025	Total
Low-Moderate Income	347	231	578	539	1,599	2,138	192	1,368	1,560
Market Rate	2,059	927	2,986	2,711	8,614	11,325	652	7,687	8,339
Total Units	2,406	1,158	3,564	3,250	10,213	13,463	844	9,055	9,899
Estimated Population									
Low-Moderate Income	868	578	1,446	1,348	3,998	5,345	480	3,420	3,900
Market Rate	3,356	1,511	4,867	4,419	14,041	18,460	1,063	12,530	13,593
Total Residents	5,328*	2,089	6,313	6,871*	18,038	23,805	1,543	15,950	17,493
With MSG Relocation									
	Future Without the Proposed Action			Future With the Proposed Action			Increment		
	2010	2025	Total	2010	2025	Total	2010	2025	Total
Low-Moderate Income	395	181	576	521	1,616	2,137	126	1,435	1,561
Market Rate	2,183	805	2,988	2,77	8,549	11,326	594	7,744	8,338
Total Units	2,578	986	3,564	3,298	10,165	13,463	720	9,179	9,899
Estimated Population									
Low-Moderate Income	988	453	1,441	1,303	4,040	5,343	315	3,588	3,902
Market Rate	3,558	1,312	4,870	4,527	13,935	18,461	968	12,623	13,591
Total Residents	5,650*	1,765	6,311	6,933*	17,975	23,804	1,283	16,210	17,492

Notes:

1. The above analysis assumes an average household size of 1.63 for market-rate units and 2.50 for low-moderate income units within the Project Area.
2. The 2010 Future Without the Proposed Action total includes development from the RWCDs, River Place II and the Ivy Tower and 360 West 42nd Street developments (576 units). Units from the Ivy Tower and 360 West 42nd Street developments (576) are included in both the Future With and Future Without the Proposed Action in 2010.
3. Average household sizes for Manhattan community districts that had higher proportions of low-income residents in Census 2000 range between 2.28 and 2.90. For the purposes of estimating future low-moderate income populations in the Project Area, a multiplier of 2.5 is assumed.

* Includes 1,104 additional residents residing in the Fashion Institute of Technology (FIT) dormitories

TABLE 3-2
RESIDENTIAL UNITS IN THE PROJECT AREA

With MSG Remaining at Present Site				
Project Area	Existing Conditions	Future Without the Proposed Action	Future With the Proposed Action	Increment
2010				
RWCDS Sites	62	1,298	2,674	1,376
River Place II	0	532	0	-532
Ivy Tower	0	320	320	0
360 West 43rd Street	0	256	256	0
Total	62	2,406	3,250	844
2025				
RWCDS Sites	443	1,158	10,213	9,055
Cumulative Total	505	3,564	13,463	9,899
With MSG Relocation				
Project Area	Existing Conditions	Future Without the Proposed Action	Future With the Proposed Action	Increment
2010				
RWCDS Sites	145	1,470	2,722	1,252
River Place II	0	532	0	-532
Ivy Tower	0	320	320	0
360 West 43rd Street	0	256	256	0
Total	145	2,578	3,298	720
2025				
RWCDS Sites	360	986	10,165	9,179
Cumulative Total	505	3,564	13,463	9,899

RWCDS = Reasonable Worst-Case Development Scenario

MSG = Madison Square Garden

**TABLE 3-3
DEVELOPMENT UNDER CONSTRUCTION OR PROPOSED OUTSIDE THE PROJECT AREA
EXPECTED TO BE COMPLETED IN THE FUTURE WITHOUT THE PROPOSED ACTION**

Ref No.	Development Name/Address	Proposal	Build Year	Total DU	Market Rate Units	Low-Moderate Units	Total Population	
Expected To Be Completed by 2010								
1	Hudson River Park, Segment 6 and portions of Segments 5 and 7	Bikeway/walkway, get-down, passive and active open spaces, Pier 72 decking removed and pilings retained to support wildlife, boathouses, and a major civic plaza with fountain near 42nd St.	2005	0	0	0	NA	
2	W. Midtown Intermodal Ferry Terminal (Piers 78 and 79)	33,914 gsf terminal – 29,000 sf for passenger operations, 1,100 sf of office and 32,810 sf of café and concessions	2004	0	0	0	NA	
3	306 W. 44th St., W. 44th St. and Eighth Ave.	564 residential units; 13,750 sf retail	2005	564	564	0	919	
4	New York Times Headquarters 8 Times Square	1,400,000 sf office; 31,600 sf retail	2006	0	0	0	NA	
5	11 Times Square W. 42nd St./Eighth Ave.	725,000 sf office; 50,000 sf retail	2005	0	0	0	NA	
6	Studio City, 592-608 Eleventh Ave. between W. 44th and 45th Sts.	750,000 sf TV production; 45,000 sf office; 3,500 sf retail	2006	0	0	0	NA	
7	435 Seventh Ave. between W. 33rd and 34th Sts.	180,000 sf office	2007	0	0	0	NA	
8	Friars Tower, W. 31st St. between Seventh Ave. and Broadway	534 residential units	2005	534	534	0	870	
9	158 W. 25th St. between Sixth and Seventh Aves.	100-room hotel	2004	0	0	0	NA	
10	Crobar - 530 W. 28th St.	40,000 sf nightclub -1,500 person occupancy	2004	0	0	0	NA	
11	Eighth Ave. and W. 20th St.	37 residential units; 7,000 sf ground-floor retail	2004	37	37	0	60	
12	Special W. Chelsea District Rezoning (south of W. 27th St.)	3,368 residential units, 154,495 sf retail, 198,726 sf community facility space	2010	3,368*	2,908*	460*	5,890*	
13	Biltmore Theater Project 770-780 Eighth Ave.	460 residential units; 38,906 sf office; 6,101sf retail; 650 theater seats.	2004	460	460	0	750	
14	812 Sixth Ave.	269 residential units; 59,000 sf retail	2004	269	269	0	438	
15	35 W. 33rd St. between Fifth and Sixth Aves.	168 residential units	2004	168	168	0	268	
16	One Times Square Tower between 41st and 42nd Sts. Broadway and Seventh Ave.	965,370 sf office; 60,290 sf retail	2004	0	0	0	NA	
17	One Bryant Park between 42nd and 43rd Sts. Sixth Ave. and Broadway	2,100,000 sf office, 20,000-30,000 sf retail, rehabilitation of theater	2007	0	0	0	NA	
18	Homestead Village Hotel 40th St. between Fifth and Sixth Aves.	150 hotel rooms; 68,000 retail	2005	0	0	0	NA	
19	HSBC Bank; 14-10 W. 40th St.	232,750 sf office; 4,048 sf retail	2007	0	0	0	NA	
20	Bush Tower Annex 140 W. 42nd St.	140,000 sf office	2005	0	0	0	NA	
21	325 Fifth Avenue	240 residential units	2007	240	240	0	391	
22	400 Fifth Avenue	300 residential units	2007	300	300	0	489	
23	Clinton Mews – 511 West 46th and 516 West 47th Streets	151 residential units	2006	151	151	0	246	
24	Pitcairn – 505-513 West 47th Street	95 residential units	2006	95	95	0	155	
25	InterActiveCorp Headquarters – Eleventh Avenue between West 18th and West 19th Streets	160,000 sf office and 5,000 sf retail	2005	0	0	0	NA	
26	Ladies Mile Rezoning	931 residential units and 34,715 sf retail	2010	931	869	62	1,571	
				2010 Total	7,117	6,595	522	12,055
Expected To Be Completed by 2025								
27	Special W. Chelsea District Rezoning (north of W. 27th St.)	1,340 residential units; 138,182 sf retail	After 2010	1,340*	1,143*	197*	2,356*	
				Total	8,457	7,738	719	114,411

* Based on provisions of the proposed Special West Chelsea District Rezoning and High Line Open Space DEIS, a Base FAR Scenario is assumed in which the proposed High Line publicly accessible open space would not be created and the transfer of development rights and bonus mechanisms would not be available. This scenario would generate less residential floor area. The Base FAR Scenario would result in a net increase of a total of 3,041 units of which approximately 2,127 units would be developed in 2010 (of which 290 would be low-moderate income rate units) and 914 additional units in 2025 (of which 125 would be low-moderate income rate units).

TABLE 3-4
2010 PROJECTED DEVELOPMENT SITES WITHOUT MSG RELOCATION

Site #	Office FA	Hotel FA	Retail FA	Residential FA	CF/Inst FA	MSG Seats	Total Non-MSG FA
14	51,111	0	44,444	533,328	93,286	0	722,169
18	0	0	23,376	911,664	0	0	935,040
19	445,740	0	20,400	816,000	0	0	1,282,140
22	0	0	8,300	124,094	0	0	132,394
33	2,179,770	0	38,580	0	0	0	2,218,350
37	0	0	7,406	288,838	0	0	296,244
Total	2,676,621	0	142,506	2,673,924	93,286		5,586,337

Source: DCP

FA = Floor Area

CF/Inst = Community Facility/Institutional

See Figure 2-12 for site locations.

**TABLE 3-5
2025 PROJECTED DEVELOPMENT SITES WITHOUT MSG RELOCATION**

Site #	Office FA	Hotel FA	Ind/ Mfg FA	Retail FA	Res. FA	Trans/ Utility FA	CF/Inst FA	MSG Seats	Total Non MSG FA
1	4,266,751	500,000	0	171,000	570,000	0	100,000	0	5,607,751
2	1,287,579	0	0	12,450	0	0	0	0	1,300,029
3	2,864,415	0	0	21,510	0	0	0	0	2,885,925
4	1,743,575	0	0	14,550	194,000	0	0	0	1,952,125
5	2,116,125	0	0	20,250	270,000	0	0	0	2,406,375
6	1,377,424	0	0	18,240	243,200	0	0	0	1,638,864
7	1,445,389	0	0	19,140	255,200	0	0	0	1,719,729
8	1,377,424	0	0	18,240	243,200	0	0	0	1,638,864
10	1,520,151	0	0	20,130	268,400	0	0	0	1,808,681
12	1,651,550	0	0	21,870	291,600	0	0	0	1,965,020
46	1,925,675	0	0	25,500	0	0	0	0	1,951,175
<i>Large Scale Plan Subtotal</i>	<i>21,576,058</i>	<i>500,000</i>	<i>0</i>	<i>362,880</i>	<i>2,335,600</i>	<i>0</i>	<i>100,000</i>	<i>0</i>	<i>24,874,538</i>
9	49,450	0	0	43,000	516,000	0	43,000	0	651,450
11	65,320	0	0	56,800	681,600	0	56,800	0	860,520
13	59,800	0	0	52,000	624,000	0	52,000	0	787,800
14	51,111	0	0	44,444	533,328	0	93,266	0	722,149
15	25,415	0	0	22,100	265,200	0	22,100	0	334,815
16	21,275	0	0	18,500	222,000	0	18,500	0	280,275
17	0	0	0	12,053	470,083	0	0	0	482,136
18	0	0	0	23,376	911,664	0	0	0	935,040
19	445,740	0	0	20,400	816,000	0	0	0	1,282,140
20	1,196,874	0	0	17,640	0	0	0	0	1,214,514
21	0	0	0	0	0	450,000	0	0	450,000
22	0	0	0	8,300	124,094	0	0	0	132,394
23	0	0	0	37,020	352,023	0	0	0	389,043
24	0	0	0	17,445	387,230	0	0	0	404,675
25	0	0	0	19,449	233,388	0	0	0	252,837
26	0	0	0	12,678	304,265	0	0	0	316,943
27	0	0	0	19,750	237,000	0	0	0	256,750
28	0	0	0	10,368	204,943	0	0	0	215,311
29	0	0	0	12,753	153,036	0	0	0	165,789
30	0	0	0	17,775	213,300	0	0	0	231,075
31	1,776,972	0	0	0	827,840	0	0	0	2,604,812
32	1,368,357	0	0	24,219	0	0	0	0	1,392,576
33	2,179,770	0	0	38,350	0	0	0	0	2,218,120
35	335,082	0	0	29,511	703,608	13,950	0	0	1,082,151
36	578,590	0	0	8,891	21,751	0	0	0	609,232
37	0	0	0	7,406	288,838	0	0	0	296,244
38	0	0	0	4,937	58,078	0	0	0	63,015
39	10,992	0	3,119	7,410	267,213	0	0	0	288,734
40	0	0	0	4,938	83,946	0	0	0	88,884
41	0	0	53,844	16,281	581,115	0	0	0	651,240
42	0	0	0	5,760	75,967	0	0	0	81,727
43	0	0	0	13,308	307,980	0	11,400	0	332,688
44	0	0	0	8,666	69,238	0	0	0	77,904
45	0	0	0	0	0	0	0	23,000	0
Total	29,740,806	500,000	56,963	998,408	12,870,328	463,950	397,066	23,000	45,027,521

Source: DCP.

Ind/Mfg = Industrial/Manufacturing

CF/Inst = Community Facilities/Institutional

See Figure 2-13 for site locations.

TABLE 3-6
2010 PROJECTED DEVELOPMENT SITES WITH MSG RELOCATION

Site #	Office FA	Hotel FA	Retail FA	Residential FA	CF/ Inst FA	MSG Seats	Total Non-MSG FA
4	1,743,575	0	14,550	194,000	0	0	1,952,125
18	0	0	23,376	911,664	0	0	935,040
19	445,740	0	20,400	816,000	0	0	1,282,140
22	0	0	8,300	124,094	0	0	132,394
24	0	0	17,445	387,230	0	0	404,675
37	0	0	7,406	288,838	0	0	296,244
Total	2,189,315	0	91,477	2,721,826	0	0	5,002,618

Source: DCP

CF/Inst = Community Facilities/Institutional

See Figure 2-14 for site locations.

**TABLE 3-7
2025 PROJECTED DEVELOPMENT SITES WITH MSG RELOCATION**

Site #	Office FA	Hotel FA	Ind/ Mfg FA	Retail FA	Res. FA	Trans/ Utility FA	CF/Inst FA	MSG Seats	Total Non MSG FA
1	4,266,751	500,000	0	171,000	570,000	0	100,000	0	5,607,751
2	1,287,579	0	0	12,450	0	0	0	0	1,300,029
3	2,864,415	0	0	21,510	0	0	0	0	2,885,925
4	1,743,575	0	0	14,550	194,000	0	0	0	1,952,125
5	2,116,125	0	0	20,050	270,000	0	0	0	2,406,175
6	1,377,424	0	0	18,240	243,200	0	0	0	1,638,864
7	1,445,389	0	0	19,140	255,200	0	0	0	1,719,729
8	1,377,424	0	0	18,240	243,200	0	0	0	1,638,864
10	1,520,151	0	0	20,130	268,400	0	0	0	1,808,681
12	1,651,550	0	0	21,870	291,600	0	0	0	1,965,020
<i>Large Scale Plan Subtotal</i>	<i>19,650,383</i>	<i>500,000</i>	<i>0</i>	<i>337,180</i>	<i>2,335,600</i>	<i>0</i>	<i>100,000</i>	<i>0</i>	<i>22,923,163</i>
9	49,450	0	0	43,000	516,000	0	43,000	0	651,450
11	65,320	0	0	56,800	681,600	0	56,800	0	860,520
13	59,800	0	0	52,000	624,000	0	52,000	0	787,800
14	51,111	0	0	44,444	533,328	0	93,266	0	722,149
15	25,415	0	0	22,100	265,200	0	22,100	0	334,815
16	21,275	0	0	18,500	222,000	0	18,500	0	280,275
17	0	0	0	12,053	470,083	0	0	0	482,136
18	0	0	0	23,376	911,664	0	0	0	935,040
19	445,740	0	0	20,400	816,000	0	0	0	1,282,140
20	1,196,874	0	0	17,640	0	0	0	0	1,214,514
21	0	0	0	0	0	450,000	0	0	450,000
22	0	0	0	8,300	124,094	0	0	0	132,394
23	0	0	0	37,020	352,023	0	0	0	389,043
24	0	0	0	17,445	387,230	0	0	0	404,675
25	0	0	0	19,449	233,388	0	0	0	252,837
26	0	0	0	12,678	304,265	0	0	0	316,943
27	0	0	0	19,750	237,000	0	0	0	256,750
28	0	0	0	10,368	204,943	0	0	0	215,311
29	0	0	0	12,753	153,036	0	0	0	165,789
30	0	0	0	17,775	213,300	0	0	0	231,075
34	316,710	0	0	62,790	0	0	0	23,000	379,500
31	1,776,972	0	0	0	827,840	0	0	0	2,604,812
34	316,710	0	0	62,790	0	0	0	23,000	379,500
35	335,082	0	0	29,511	703,608	13,950	0	0	1,082,151
36	578,590	0	0	8,891	21,751	0	0	0	609,232
37	0	0	0	7,406	288,838	0	0	0	296,244
38	0	0	0	4,937	58,078	0	0	0	63,015
39	10,992	0	3,119	7,410	267,213	0	0	0	288,734
40	0	0	0	4,938	83,946	0	0	0	88,884
41	0	0	53,844	16,281	581,115	0	0	0	651,240
42	0	0	0	5,760	75,967	0	0	0	81,727
43	0	0	0	13,308	307,980	0	11,400	0	332,688
44	0	0	0	8,666	69,328	0	0	0	77,994
45	4,662,100	1,000,000	0	133,000	0	0	0	0	5,795,100
Total	29,245,814	1,500,000	56,963	1,105,929	12,870,418	463,950	397,066	23,000	45,640,140

Source: DCP

Ind/Mfg = Industrial/Manufacturing

CF/Inst = Community Facilities/Institutional

See Figure 2-15 for site locations.

TABLE 3-8
DEVELOPMENT UNDER CONSTRUCTION OR PROPOSED IN THE PROJECT AREA AND PRIMARY STUDY AREA, EXPECTED TO BE COMPLETED IN THE FUTURE WITHOUT THE PROPOSED ACTION

Ref. No.	Development Name/Address	Proposal	Location	Build Year
Developments Under Construction or Proposed, Expected To Be Completed by 2010				
1	Pennsylvania Station Redevelopment	436,000 sf office space; 335,000 sf retail; 382,500 sf rail station	Project Area Subdistrict B	2008
2	FIT dormitories	1,104-bed dormitory	Project Area Subdistrict B	2006
3	W. 37th Street Arts Baryshnikov Center for Dance 450 West 37th Street	46,000 sf theater and performing arts	Project Area Subarea F1	2004
4	River Place II-Eleventh Avenue between West 41st and 42nd Streets	532 residential units	Project Area Clinton District	2004
5	Verizon West 43rd Street Rezoning Proposal ¹	757 dwelling units and 33,000 sf retail	Project Area Clinton District	2006
6	Hudson River Park, Segment 6 and portions of Segments 5 and 7	Bikeway/walkway, get-down, passive and active open spaces, Pier 72 decking removed and pilings retained to support wildlife, boathouses, and a major civic plaza with fountain near 42nd Street	Primary Study Area	2005
7	West Midtown Intermodal Ferry Terminal (Piers 78 and 79)	33,914 gsf terminal – 29,000 sf for passenger operations, 1,100 sf of office and 32,810 sf of café and concessions	Primary Study Area	2004
8	306 West 44th Street West 44th Street and Eighth Avenue	564 residential units; 13,750 sf retail	Primary Study Area	2005
9	New York Times Headquarters 8 Times Square	1,400,000 sf office; 31,600 sf retail	Primary Study Area	2006
10	11 Times Square; West 42nd Street/Eighth Ave.	725,000 sf office; 50,000 sf retail	Primary Study Area	2005
11	Studio City, 592-608 Eleventh Avenue between West 44th and 45th Streets	750,000 sf TV production; 45,000 sf office; 3,500 sf retail	Primary Study Area	2006
12	435 Seventh Avenue between West 33rd and 34th Streets	180,000 sf office	Primary Study Area	2007
13	Friars Tower West 31st Street between Seventh Avenue and Broadway	534 residential units	Primary Study Area	2005
14	158 West 25th Street between Sixth and Seventh Avenues	100-room hotel	Primary Study Area	2004 ²
15	Crobar 530 West 28th Street	40,000 sf nightclub – 1,500 person occupancy	Primary Study Area	2004 ²
16	Eighth Avenue and West 20th Street	37 residential units; 7,000 sf ground-floor retail	Primary Study Area	2004 ²
17	Special West Chelsea District Rezoning	3,291 dwelling units, 269,771 sf retail, 198,726 sf community facility space in the primary study area (1,417 dwelling units and 22,906 sf retail located in secondary study area)	Primary Study Area	2010

Sources: *Real Estate Weeklies*, December 18, 2002, March 19, 2003; *The New York Times*; *Pennsylvania Station Redevelopment Project Draft Supplemental Environmental Assessment*, June 2003; *Studio City New York EAS*, September 2000; *Eighth Avenue (770-780) EAS*, December 2000; *42nd Street Development Project Environmental Review Technical Assessment*, August 2001; *West Midtown Intermodal Ferry Terminal EAS*, November 2001; *43rd Street (360-366 West) EAS*, November 2001; *Proposed Sale of Con Edison First Avenue Properties to FSM East River Associates LLC Draft Generic Environmental Impact Statement, Case No. 01-E-0377*, June 2002; *Special West Chelsea Rezoning EAS*, August 2003, New York State Housing Agency; AKRF, Inc. and STV Incorporated field surveys January and February 2003; NYS Empire State Development Corporation

Note:

1. This proposal is located on a RWCDS Site (Projected Development Site 18) and is therefore also included in the residential and population summaries for the Future Without the Proposed Action in Table 3-1 and Table 3-2.

3. Analysis Years

The Proposed Action has multiple elements that will be developed or implemented over a period of 20 years or more. As such, two analysis years, 2010 and 2025, are considered in this document for the Proposed Action. For purposes of providing an assessment of impacts that may occur as a result of the Proposed Action, RWCDS have been identified for both analysis years. Conditions in each analysis year “Future With the Proposed Action” have been evaluated against conditions in the analysis year “Future Without the Proposed Action.”

a) 2010

The 2010 analysis year was selected because it is the projected first full year of operation of the No. 7 Subway Extension and the Multi-Use Facility. Phase I of the Convention Center Expansion is also expected to be complete and operational by 2010. Although Phase II of the Convention Center Expansion (from West 40th Street to West 41st Street, including relocation of the Quill Bus Depot) would not be completed until after 2010, this FGEIS conservatively assumes, for analysis purposes, full completion of the Convention Center Expansion by 2010, since such an assumption is generally a more conservative, worst-case scenario for traffic, air quality, noise, construction impacts, and other environmental impacts. For example, the closure of West 40th and a portion of West 41st Streets between Eleventh and Twelfth Avenues and the relocation of the Quill Bus Depot required for Phase II of the Convention Center expansion would have a greater effect on traffic than keeping the streets open. Although these streets will actually remain open until after 2010, Chapter 19, “Traffic and Parking,” conservatively analyzes the full Convention Center Expansion and Quill Bus Depot relocation in the 2010 analysis year. The impacts of the additional street closures and Quill Bus Depot relocation would actually occur after 2010.

Conversely, where failure to complete the second phase of the Convention Center Expansion by 2010 would have more adverse effects in 2010, this FGEIS conservatively assumes, for analysis purposes, completion by 2025. For example, since Phase I of the Convention Center Expansion would provide only two acres of new open space, while Phase II would provide an additional three acres (for a total of five acres), Chapter 7, “Open Space and Recreational Facilities,” conservatively assumes full completion of the Convention Center and relocation of the Quill Depot by 2025, not 2010, so that open space benefits are not overstated in 2010. Similarly, because the underground connection of the truck marshalling yard and the Phase II expansion of the Convention Center could ameliorate traffic congestion, this FGEIS assumes that the connection would not be operational until 2025.

It is also anticipated that a small amount of development (approximately 10 percent of the total projected development) would have taken place pursuant to the rezoning by this time. In addition, the 2010 analysis contains the relocation, consolidation, and operation of a combined DSNY and NYPD municipal facility on Block 675.

b) 2025

The 2025 analysis year conservatively examines the anticipated development generated as a result of the Proposed Action under the rezoning, even though this is likely to extend past 2025. As described in Chapter 2, “Description of the Proposed Action,” the level of development projected for the 2025 analysis year is based on long-term projections of the Hudson Yards area’s potential to capture a share of regional growth in commercial office, hotel rooms, and households, with accompanying increases in retail space. These projections, developed by the EDC and the DCP, project a likely 30-year (2035) time frame for the development generated as a result of the Proposed Action. However, the development is conservatively assessed in this document as occurring in 2025.

c) Construction Periods

Construction impacts are assessed in this document for two years, 2006 and 2017. In the first, 2006, construction activities for the proposed No. 7 Subway Extension and other large-scale elements of the Proposed Action, including Phase I of the Convention Center Expansion and the Multi-Use Facility, would be under way. A second, more generalized assessment is included for a later period, 2017, when substantial real estate development allowed under the proposed rezoning would be under way. (Refer to Chapter 2, “Description of the Proposed Action,” for a detailed description of the construction activities.)

During the 2006 analysis year, most of the construction activities would be concentrated in the western portion of the Hudson Yards area and would relate to installing the public infrastructure components of the Proposed Action, such as the platform or deck spanning Caemmerer Yard, the new Midblock Park and Boulevard System located between West 33rd and West 34th Streets, construction of the Multi-Use Facility atop the platform, and the No. 7 Subway Extension. Additionally, Phase I of the Convention Center Expansion is assumed to be under construction in 2006. Although construction of Phase II of the Convention Center Expansion (from West 40th Street to West 41st Street, including relocation of the Quill Bus Depot) would not begin until after 2010, this FGEIS conservatively assumes the construction of the full Convention Center expansion in 2006, when the Multi-Use Facility, Projected Development Sites 14 and 33, the southern segment of the Midblock Park and Boulevard System, the full block publicly accessible open space (West 33rd to West 34th Streets, Eleventh to Twelfth Avenues), the deck and publicly accessible open space on the eastern portion of Caemmerer Yard, and the multi-agency facility (DSNY and Tow Pound) and rooftop park on Block 675 (West 29th to West 30th Streets, Eleventh to Twelfth Avenues) would also be under construction. Such an assumption is the most conservative, worst-case scenario for all construction-related impact areas for analytical purposes. The construction impacts of the full Convention Center expansion and associated relocation of the Quill Depot would not actually occur until after 2010, when the overall pace of construction associated with the Proposed Action would be far less concentrated.

Construction of most of the private development allowed under the proposed rezoning of the area is expected to occur throughout an approximately 15-year period between 2010 and 2025. This would include new commercial and residential development and a new Port Authority bus garage that would consolidate 13 existing bus parking facilities and locations into a single facility within the study area. It is anticipated that, by the midpoint between 2010 and 2025, 15 million square feet of offices and 6,400 apartments would be constructed and occupied, and another 3 million square feet of offices and 1,000 apartments would be in various stages of construction. It is anticipated that during the 2017 analysis year, construction of one residential and one commercial tower would be under way. Although the locations of completed buildings and those that would be under construction are unknown, reasonable worst-case assumptions have been applied, as discussed in Chapter 23, “Construction Impacts.”

In addition, the portion of the High Line located south of West 30th Street would be acquired by the City in connection with the Special West Chelsea District Rezoning and High Line Open Space Proposal. As noted below, a DEIS for the proposal is currently being prepared by DCP.

4. Definition of Project Area

The Project Area for the Proposed Action encompasses that area generally bounded by West 43rd Street on the north, Twelfth Avenue on the west, West 28th and West 30th Streets on the south (southern boundary varies), and Seventh and Eighth Avenues on the east (eastern boundary varies). However, outside this generally bounded area, the Project Area also includes the Eleventh Avenue right-of-way south of West 28th Street to West 24th Street, as well as two lots located along Eleventh

Avenue between West 25th and West 26th Streets (Figure 3-1). Most of the Project Area is located between West 43rd and West 28th Streets, which contains the area of the proposed rezoning, as well as the adjacent lands encompassing the proposed Multi-Use Facility, expansion of the Convention Center, and the proposed multi-agency municipal facility for DSNY and the NYPD Tow Pound operations. The area south of West 28th Street contains the subway layup tracks and ancillary facilities for the proposed No. 7 Subway Extension. Additional components of the Proposed Action include expanding train storage capabilities at the existing Corona Yard for the 11 added trains needed for the expanded service. The Corona Yard is located in Corona, Queens, between Shea Stadium and the National Tennis Center, and is the current storage location for No. 7 Subway trains.

5. Definition of Study Areas

For each technical area in which impacts may occur, a study area is defined for analysis. This is the geographic area likely to be affected by the Proposed Action for a given technical area, or the area in which impacts of that type could occur. Appropriate study areas differ depending on the type of impact being analyzed. Often it is appropriate to use primary and secondary study areas: the primary study area is closest to the Project Area and therefore is most likely to be affected; the secondary study area is farther away and receives less detailed analysis. Generally, the primary study area is most likely to be more directly affected by the Proposed Action, and those effects can be predicted with relative certainty, while the secondary study area could experience indirect effects, such as changes to trends.

It is anticipated that the direct principal effects of the Proposed Action would occur within the Hudson Yards Project Area. Although the Project Area extends south of West 28th Street along Eleventh Avenue to include two lots located between West 25th and West 26th Streets, the West 28th Street boundary will determine the limits of the study area for the majority of the technical analyses. The methods and study areas for addressing impacts are discussed in the individual technical analysis sections.

6. Definition of the Future Without the Proposed Action, 2010 and 2025

The Future Without the Proposed Action provides a baseline condition that is evaluated and compared to the incremental changes due to the Proposed Action. The Future Without the Proposed Action has been assessed for the same analysis years, 2010 and 2025, as the Proposed Action.

The Future Without the Proposed Action uses existing conditions as a baseline and adds to it changes known or expected to be in place at various times in the future. For many technical areas, the Future Without the Proposed Action incorporates known development projects that are likely to be built by the analysis years. This includes development currently under construction, or which can be reasonably anticipated due to the current level of planning and public approvals. For the Future Without the Proposed Action analyses of some technical areas, such as traffic, a background growth factor was used to account for a general increase expected in the future. Such growth factors may also be used in the absence of known development projects. The Future Without the Proposed Action analyses must also consider other future changes that will affect the environmental setting. These could include technology changes such as advances in vehicle pollution control and roadway improvements, and changes to City policies such as zoning regulations.

Detailed lists of the Future Without the Proposed Action development projects likely to be built by 2010 and 2025, those proposals that have been announced or are in an approval process or under construction, and proposals for rezoning and public policy initiatives are provided in Chapter 4, “Land Use, Zoning, and Public Policy.” Several large developments are proposed to be completed by 2010 in the immediate vicinity of the Project Area. Specific development projects beyond 2010 are not as well-defined; however, development of new residential and commercial uses is expected to

continue to 2025 and beyond. As supported by long-term population and employment projections, traditional patterns of growth (i.e., in Manhattan’s Midtown CBD) would continue to set development patterns, although public policy may amend and shape the exact locations for new development in the future. Each impact analysis in this document also addresses the Future Without the Proposed Action specific to the technical analyses. For example, future transportation improvement projects are described in Chapter 19, “Traffic and Parking.”

a) Relationship to Other Project Area Actions

Within the Project Area, there are several significant public projects and actions that have recently been completed or are anticipated to be completed prior to the 2010 and 2025 analysis years for the Proposed Action. Therefore, analyses of the Proposed Action must consider how it would relate to these Future Without the Proposed Action projects. Several of the planning studies associated with these actions are described in Chapter 1, “Project Purpose and Need.” The following describes the relationship of these projects to the Proposed Action.

High Line Reuse

The High Line is an unused, 1.45-mile long, 6.7-acre, elevated rail viaduct located on the west side of Manhattan extending from Gansevoort Street in the south to West 34th Street in the north. The City is planning for the conversion of the High Line into an elevated open space and recreation trail through the federal “rail banking” program. Under this program, rail companies may voluntarily turn over unused lines to a managing agency for recreation uses, while retaining the obligation to return the line to rail use at a later date under certain circumstances. The 1983 National Trail Systems Act allows out-of-use rail corridors to be utilized as trails while being “banked” for future transportation needs. Under rail-banking the ability to connect a rail corridor to the national rail system must be maintained. Tracks are not required to physically connect to the national rail system, but an easement must be reserved to allow the possibility of a connection in the future. Currently the High Line’s easement permits a future connection roughly at West 34th Street and Eleventh Avenue, where it meets Amtrak’s Empire Line, which runs up the west side of Manhattan in an underground cut.

In the Project Area, the High Line easement: extends from west of Eleventh Avenue, just north of West 30th Street, to Twelfth Avenue; curves along the western boundary of the western portion of Caemmerer Yard; and then curves east through a portion of the block between West 33rd and West 34th Streets owned and used by the Convention Center for truck marshalling and parking and descends to street level as it terminates midway between Eleventh and Twelfth Avenues, just south of West 34th Street. The segments of the High Line currently located along West 30th Street, Twelfth Avenue between West 30th and West 33rd Streets and over the Convention Center property between West 33rd and West 34th Streets must be dismantled to accommodate various aspects of the Proposed Action, but an easement must be reserved to allow potential future connection to the national rail system. The portion of the High Line running west along West 30th Street, between Eleventh and Twelfth Avenues, could be rebuilt over the West 30th Street sidewalk and serve as a portal to the Multi-Use Facility. This portal would connect to the High Line to the east if this structure is renovated for public use.

Special West Chelsea District

As described in Chapter 1, “Project Purpose and Need,” the DCP is pursuing a rezoning initiative for a portion of several manufacturing districts in West Chelsea, from approximately West 30th Street to West 17th Street, between Tenth and Eleventh Avenues. The DEIS for the Special West Chelsea District Rezoning and High Line Open Space is currently being prepared and will be issued shortly. The DEIS is expected to identify 20 projected development sites likely to be developed by 2013, which would result in 4,708 dwelling units, 292,676 square feet of retail, and 198,726 square feet of community facility space.

In addition, the DEIS will also consider a “Base FAR Scenario” which assumes the proposed High Line publicly accessible open space would not be created and the transfer of development rights and bonus mechanisms would not be available. This scenario would generate less residential floor area and somewhat shorter buildings and is assumed under the Future Without the Proposed Action for the open space and recreation and shadows analyses in this FGEIS. The Base FAR Scenario would result in a net increase of 3,041 residential dwelling units.

The southern portion of the Project Area (the Eleventh Avenue right-of-way south of West 28th Street to West 24th Street, as well as two lots located along Eleventh Avenue between West 25th and 26th Streets) is located in the Special West Chelsea District. Therefore, this document considers how the Special West Chelsea District projected development relates to activities associated with the Proposed Action that would occur in the southern portion of the Project Area.

Third Water Tunnel

New York City Water Tunnel 3 is the largest capital construction project in the City’s history. It is anticipated that the long-term construction project to build City Water Tunnel 3 will be active beneath the Project Area through 2008, to construct and provide permanent access to the shaft site for the tunnel. The local site is on Caemmerer Yard at West 30th Street and Tenth Avenue. As described in Chapter 1, “Project Purpose and Need,” during construction an easement on the eastern portion of Caemmerer Yard provides a staging area for the project. On completion, shaft access would be permanently secured by a smaller easement over the shaft area.

This document considers the relationship of the ongoing water tunnel construction and easement access to the components of the Proposed Action that would be implemented at the eastern portion of Caemmerer Yard. Specifically, these components include the relocated Quill Bus Depot and development of Site 1 under the RWCDS associated with the rezoning (see Chapter 2, “Description of the Proposed Action”).

Eleventh Avenue Viaduct

Constructed in the 1930s as part of the West Side Improvement Program, the Eleventh Avenue viaduct extends from West 37th Street to West 28th Street in the Hudson Yards Project Area, and carries Eleventh Avenue over Caemmerer Yard. The New York City Department of Transportation (NYCDOT) intends to either renovate or replace the Eleventh Avenue viaduct. This document considers the relationship of the No. 7 Subway Extension, the Multi-Use Facility, and the Convention Center Expansion to the work and timing of the Eleventh Avenue viaduct improvements.

7. Alternatives

Chapter 26, “Alternatives,” assesses a broad range of alternatives to the Proposed Action. SEQRA and CEQR require an analysis of a range of reasonable alternatives to the Proposed Action, including a “No Action” alternative that evaluates environmental conditions that are likely to occur in the future without the proposed action. The alternatives selected for analysis in this FGEIS were derived from options suggested during the public scoping process, developed in previous land use and transportation studies, or identified through the internal planning processes of the project sponsors.

Under the SEQRA and CEQR, alternatives for evaluation in an EIS essentially are selected to reduce or eliminate adverse impacts of a proposed action and are assessed for whether they substantively meet the goals and objectives of the action. In this case, the Proposed Action is a comprehensive plan for redevelopment of the Project Area, consisting of various Zoning Amendments, the No. 7 Subway Extension, and specific facility components, including the development of an expanded Convention Center and a new Multi-Use Facility. Accordingly, in addition to considering alternatives that reduce or eliminate significant adverse impacts, Chapter 26 considers other alternatives, some of which

would have similar, or in some cases, greater significant adverse environmental impacts than the Proposed Action or which may not address all of the goals and objectives of the Proposed Action.

Alternatives analyzed in the DGEIS included Alternative A, the No Action Alternative, as well as Alternatives B-R, which were grouped in the following categories: alternative zoning actions, alternative transportation actions, alternative planning initiatives, and alternative development actions. Additionally, for the FGEIS, three additional alternatives (Alternatives S, T, and U) are also considered. Except as noted in that chapter, the analytical framework for those alternatives was the same as discussed above for the Proposed Action. ❖