

City Environmental Quality Review/State Environmental Quality Review Act

Positive Declaration

Notice of Intent to Prepare a Draft Generic Environmental Impact Statement

Project Identification

Date Issued

Proposed No. 7 Subway Extension/
Rezoning and Development Program for the
Hudson Yards Area of Far West Midtown Manhattan
CEQR No. 03DCP031M
SEQRA Classification: Type I

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Co-Lead Agencies

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Regulatory Framework

This document is a Positive Declaration prepared pursuant to the State Environmental Quality Review Act (SEQRA), Article 8 of the New York State Environmental Conservation Law and Title 62, Chapter 5 of the Rules of the City of New York implementing Mayor’s Executive Order No. 91 of 1977 concerning City Environmental Quality Review (CEQR) requirements. The Proposed Action consists of:

1. The construction and operation of an extension of the No. 7 Subway Line (the “No. 7 Subway Extension”) to serve the Hudson Yards Area of Far West Midtown Manhattan (the “Hudson Yards”), an approximately 42 block area generally bounded by West 43rd Street on the north, Eleventh Avenue on the west, West 28th and 30th Streets on the south (southern boundary varies), and Seventh, Eighth and Tenth Avenues on the east (eastern boundary varies);
2. Adoption of zoning map and text amendments to the New York City Zoning Resolution and related land use actions (collectively, the “Zoning Amendments”) to permit the development of the Hudson Yards as a mixed-use community with new commercial and residential space, and a substantial amount of new open space; and
3. Other public actions intended to foster such development and serve the City as a whole, including:
 - Expansion and modernization of the Jacob K. Javits Convention Center (the “Convention Center Expansion”) including construction of approximately one

million additional square feet of new exhibition space and development of a new hotel with approximately 1,500 rooms;

- A new Multi-Use Sports, Exhibition and Entertainment Facility (the “Multi-Use Facility”) with a seating capacity of up to approximately 75,000 people; and
- New or replacement transportation facilities for pedestrian movement, vehicle storage and other public purposes.

The Metropolitan Transportation Authority (MTA) and the City of New York City Planning Commission (CPC) will serve as “Co-Lead Agencies” to carry out a single, comprehensive environmental analysis under the SEQRA and CEQR processes. This will serve as a consolidated environmental review for the Proposed Action. The Proposed Action is classified as Type I under SEQRA.

Proposed Action Description and Background

The purposes of the Proposed Action include:

- To facilitate the redevelopment and revitalization of the Hudson Yards, a currently underutilized area, by providing greatly improved transit to the area, encouraging medium and high-density commercial and residential development, and allowing for a broader range of land uses than permitted under current zoning;
- To greatly expand the limited amount of public open space in the Hudson Yards; and
- To serve both the Hudson Yards and the City as a whole through the construction and operation of new public facilities intended to contribute to the economic, cultural, and recreational life of the City, thereby enhancing the City’s status as the world’s leading financial, commercial and entertainment center.

The proposed No. 7 Subway Extension and Zoning Amendments are the central components of the Proposed Action and have been designed to help realize these purposes. Expansion and modernization of the Convention Center is needed to retain and increase the City’s share of the highly competitive convention and exposition market, to meet the increasing demand for larger and higher quality space for trade shows, and to increase patronage and visitor spending at city hotels, restaurants and entertainment facilities. The Multi-Use Facility would provide a new venue for a broad range of large-scale sports, exhibition and entertainment events, including a new home for the New York Jets football team, which currently plays in New Jersey due to the absence of a suitable facility in New York City.

The Hudson Yards has not been fully developed due to a number of factors, including the limited range of types and densities of uses permitted under current zoning, and a lack of subway service in the area. Its redevelopment offers an extraordinary opportunity to meet the City's needs while creating a new 24-hour neighborhood. The keys to such redevelopment are to change the existing manufacturing zoning to allow a broader range and density of intended uses, and to provide additional transit with sufficient capacity and connectivity to serve the area.

The No. 7 Subway Extension and Zoning Amendments require separate approvals by MTA and CPC, respectively, for their implementation. The No. 7 Subway Extension must be approved by MTA, an action subject to review under SEQRA. The Zoning Amendments require approval by CPC under Sections 200 and 201 of the City Charter and the City's Uniform Land Use Review Procedure (ULURP), actions subject to review under CEQR, as well as review by the New York City Council. The Convention Center Expansion would require approvals by the New York State Urban Development Corporation, doing business as the New York State Empire State Development Corporation (ESDC), the Jacob K. Javits Convention Center Operating Corporation (CCOC), and/or the Jacob K. Javits Convention Center Development Corporation (CCDC). The Multi-Use Facility would require approval by MTA and its affiliate, Triborough Bridge and Tunnel Authority (TBTA), for the use of the space above the John D. Caemmerer Westside Storage Yards (MTA Rail Yards), operated by MTA's subsidiary, the Long Island Rail Road. Additional approvals for the Multi-Use Facility, or portions thereof, also may be required by CCOC, CCDC, ESDC, and/or other state agency for the use of land currently serving Convention Center operations. In addition, financing support for the redevelopment of Hudson Yards may be provided by one or more public agencies, including, among others, the New York City Housing Development Corporation (HDC) and the New York City Industrial Development Agency (NYC IDA). Consequently, the Proposed Action is being reviewed in accordance with both SEQRA and CEQR.

Potential Impacts

A combined Environmental Assessment Statement (EAS)/Environmental Assessment Form (EAF) has been prepared for the Proposed Action under SEQRA and CEQR to assist in determining whether it will result in significant environmental effects. As demonstrated in the EAS/EAF, the Proposed Action would result in the addition of a substantial amount of new commercial, residential, and open space and change travel patterns in the Hudson Yards and surrounding areas, and has the potential to significantly affect the following environmental factors:

- Land Use, Zoning, and Public Policy – Rezoning the Hudson Yards would allow greater densities and different uses than the current zoning permits;
- Socioeconomic Conditions – The Proposed Action may result in changes in the type and density of land uses in the area, improved transit service, and an increase in the number of workers;

- Community Facilities and Services – Increased development would increase the number of residents, visitors, and workers using area community facilities and services;
- Open Space – Changes to the area’s open spaces may occur due to increased demand for use of publicly accessible spaces, the creation of new public open space, and the potential loss of existing public open space;
- Shadows – The proposed Zoning Amendments would allow an increase in development density and greater buildings heights;
- Historic Resources – Architectural or archaeological resources in the area may be affected due to changes in the context of existing architectural resources and disturbance of archaeological resources;
- Urban Design/Visual Resources – The introduction of additional buildings and development to a greater density would change the physical landscape of the area;
- Neighborhood Character – Changes in land use and the physical landscape could result from the introduction of additional buildings and greater development density;
- Natural Resources – Operation of the proposed facilities may affect natural resources in the area;
- Hazardous Materials – The Hudson Yards has a history of industrial and manufacturing uses, and there are numerous underground storage tanks in the area which may have released hazardous substances and/or petroleum products into the soil and groundwater;
- Waterfront Revitalization Program – Substantial changes related to consistency with the New York State Department of State (NYS DOS) Coastal Zone Management Plan and the New York City Department of City Planning Waterfront Revitalization Program may result along the Hudson River. A portion of the project area is also located within the 100-year flood plain;
- Infrastructure – The Proposed Action would increase the demand for sewer, water and electrical services and may require utility and infrastructure relocations;
- Solid Waste and Sanitation Services – Due to the increase in density and area population, the Proposed Action would increase the demands on solid waste and sanitation transport and disposal services;
- Energy – The Proposed Action would result in additional residents, visitors, businesses and other new uses that would increase energy demands in the area;

- Traffic and Parking – The Proposed Action would result in an increase in the number of vehicular trips in the Hudson Yards. In addition, parking availability may be affected due to possible elimination of spaces and the creation of new parking demand;
- Transit and Pedestrians – The Proposed Action may increase ridership on the No. 7 Subway and other mass transit facilities. It also would affect pedestrian movements in the area due to the increased number of residents, workers, and visitors;
- Air Quality – Increased demand for heating, ventilation and air conditioning (HVAC) and additional vehicular traffic introduced by the Proposed Action may affect air quality;
- Noise and Vibration – Noise levels in the area would increase due to noise from increased vehicular traffic. In addition, vibration and ground-borne noise from the No. 7 Subway Extension may affect specific uses in the project area;
- Construction – The Proposed Action would result in new development occurring over many years with many individual projects simultaneously under construction;
- Public Health – The area has a history of industrial use, which creates the potential for human exposure to hazardous materials during construction. In addition, the construction period has the potential to add dust, inhalable particulates, noise and odors to the immediate environment; and
- Secondary and Cumulative Impacts – The Proposed Action would add a substantial amount of new development to an approximately 42-block area.

Determination to Prepare Draft Generic Environmental Impact Statement

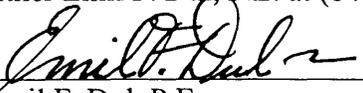
Considering the magnitude of the Proposed Action, a review of the EAS/EAF and other relevant documentation, and an evaluation of the identified relevant areas of environmental concern outlined above, the Co-Lead agencies have determined that the Proposed Action may cause one or more significant adverse environmental impacts and that a Draft Generic Environmental Impact Statement (DGEIS) will be prepared in accordance with 6 NYCRR 617.9 and Sections 6-08 and 6-12 of Executive Order No. 91 of 1977 as amended (City Environmental Quality Review). This determination has been made in accordance with Article 8 of the New York State Environmental Conservation Law.

Public Scoping

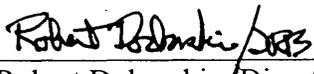
A Draft Scoping Document outlining the content of the DGEIS has been prepared and a public scoping meeting has been scheduled for Thursday, June 5, 2003 in the Morris Haft Auditorium (2nd floor of Building "C") of the Fashion Institute of Technology, located on 27th Street between Seventh and Eighth Avenues, New York, New York 10001. The scoping meeting will include both afternoon and evening sessions. The afternoon session will be held between 2:00 and 5:00 PM. The evening session will begin at 6:00 PM. Written comments are welcomed and will be accepted by the Co-Lead agencies until 5:00 PM on June 16, 2003.

The Draft Scoping Document and the combined EAS/EAF for the Proposed Action may be obtained from the Environmental Assessment & Review Division of the Department of City Planning and the New York City Office of Environmental Coordination. Guidelines for public participation in the scoping meeting are described in the protocol attached to the Draft Scoping Document.

Should you have any questions pertaining to this Positive Declaration, you may contact either Emil F. Dul, P.E. at (646) 252-2405, or Robert Dobruskin at (212) 720-3423.



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